



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

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Marlene

COUNCIL AGENDA

October 13, 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 October 13, 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

P Langsdorf

P Rygg

7:40 P.M. Moravec

P Smothers

P Aaker

P Leppa

P Herbes

Staff

— Olson

P Kennedy *John Dean*

— Monk

— Peterson

— Deno

P George

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

The City Council considered the three (3) final applicants for the City of Crystal City Manager position.

Am) Le to allow smoking.

Aye: Herbes, Leppa, Smothers, Rygg

No: Langsdorf, Aaker

Absent: Moravec

Mayor explained the material the Councilmembers received in their packets and the questioning process for the interviews.

Interviews were held ^{alphabetically} as follows:

Jerry Dulgar 7:05-8:01 pm.

Robert Erickson 8:10-9:02 pm

Jahn A. Olson 9:11-9:40 pm.

October 13, 1987

Interviews were completed at 9:40 p.m. at which time the Mayor opened the floor for discussion.

Herbes/Smathers to appoint ~~Bob~~ Erickson as the Crystal City Manager.

Discussion followed after which, ^{at 10:00 p.m.,} ~~time~~ the Mayor called a 10-minute recess for Council's review of documents submitted by the candidates during the interviews. ~~after~~

at 10:10 p.m. the meeting was reconvened and Councilmember Herbes modified her motion as follows:

Herbes/Smathers to appoint Robert Erickson as the Crystal City Manager subject to negotiations with the Mayor & City Attorney and return to the Council with a contract within one week.

Aye: Sm., Herbes, Aaker

No: Lange, Rygg, Mor, Leppa

Motion Failed.

Rygg/Morance to appoint Jerry Bulgar as the Crystal City Mgr. subject to negotiations with the Mayor and City Attorney and return to the Council with a contract within one week.

Lange/Sm. to table discussion.

Aye: Sm., Lange.

No: Herbes, Leppa, Morance, Rygg, Aaker

Motion Failed

On the original motion:

Aye: Lange, Rygg, Mor., Leppa, Aaker

No: Sm., Herbes

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

Motion Carried

Motion Carried.

The meeting was adjourned at 10:25 P.M.

Mayor urged Councilmembers to contact him as soon as possible with their input regarding salary of the new City Mgr.

COUNCIL AGENDA

October 20, 1987

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on October 20, 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

P Langsdorf
P Rygg
P Moravec
P Smothers
P Aaker
P Leppa
P Herbes

Staff

P Olson
P Kennedy
P Monk, *Public Works Director*
P Peterson
P Deno
P 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 October 6, 1987 and the special meeting of October 13, 1987.

Moved by Councilmember Jim and seconded by Councilmember Herb to
(approve) (approve, making the following exceptions: _____ to)
the minutes of the regular City Council meeting of October 6, 1987 and the special
meeting of October 13, 1987.

Motion Carried.

*page
resolution
dropped
for signature
if approved*

Moved to item 4 of regular agenda

1. Presentation of the Human Rights Award for 1987. - *Arthur Cunningham*

2. Presentation of checks to recycling center winners. *Winners?*

James Miller, 6417-38th Ave. No.

Curtis Hall, 5412 Hampshire Ave. No.

Melvin Humbert, 5541 Quail Ave. No.

CONSENT AGENDA

1. Set 7:00 P.M., or as soon thereafter as the matter may be heard, November 3, 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 William T. Moore for a variance of 4'8" in the required 30' front yard setback to build a 4'8" x 15'6" porch at 4646 Brunswick Ave. N.
2. Set 7:00 P.M., or as soon thereafter as the matter may be heard, November 3, 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 Suzanne Palbicki for a variance of 18' in the required 30' side street side yard setback to build an 18' x 18' deck at 8600 - 31st Ave. N.
3. Set 7:00 P.M., or as soon thereafter as the matter may be heard, November 3, 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 Irene M. Bohn for a variance of 8' in the required 40' rear yard setback to build a 22' x 15' addition to their garage at 4725 Quail Ave. N.
4. Consideration of a gambling license for the Minnesota Therapeutic Camp at Doyles Lanes.

Moved by Councilmember _____ and seconded by Councilmember _____ to remove item _____, _____, _____, and _____ from the Consent Agenda.

Motion Carried.

Moved by Councilmember *Harb.* and seconded by Councilmember *Lygg* to approve the Consent Agenda.

Motion Carried.

REGULAR AGENDA

1. The City Council considered a resolution ordering the sale of \$1,870,000 General Obligation Tax Increment Bonds, Series 1987-A. *Mac Gillivray*

- A. Moved by Councilmember *Lygg* and seconded by Councilmember *Sm.* to adopt the following resolution, the reading of which was dispensed with by unanimous consent: *David Mac Gillivray, Springfield appears*

RESOLUTION NO. 87-68 *(Dain Breworth)*

RESOLUTION AWARDING THE SALE OF \$1,870,000 GENERAL
OBLIGATION TAX INCREMENT BONDS, SERIES 1987-A;
FIXING THEIR FORM AND SPECIFICATIONS;
DIRECTING THEIR EXECUTION AND DELIVERY;
AND PROVIDING FOR THEIR PAYMENT

By roll call and voting aye: ALL, _____, _____, _____, _____, _____, _____; voting
no: _____, _____, _____, _____; absent, not voting: _____, _____, _____.

Motion Carried, resolution declared adopted.

Moved by Councilmember _____ and seconded by Councilmember _____ to deny, continue until _____ the discussion of resolution awarding the sale of \$1,870,000 General Obligation Tax Increment Bonds, Series 1987-A.

Motion Carried.

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

RESOLUTION NO. 87-69

RESOLUTION DISBURSING FUNDS FROM THE PERMANENT
IMPROVEMENT REVOLVING FUND, PART B

By roll call and voting aye: ALL, _____, _____, _____, _____, _____, _____; voting
no: _____, _____, _____, _____; absent, not voting: _____, _____, _____.

Motion Carried, resolution declared adopted.

Moved by Councilmember _____ and seconded by Councilmember _____ to deny, continue until _____ the discussion of a resolution disbursing funds from the Permanent Improvement Revolving Fund, Part B.

Motion Carried.

2. 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 & Appeals to consider a request from Richard W. and Camille B. Peterson for a variance to expand a non-conforming use (said non-conformity being the existing house and garage encroach 13' in the required 30' side street side yard setback) and to grant a variance of 13' in the required 30' side street side yard setback to permit a 5' addition in the breezeway area to the existing house at 4856 Hampshire Ave. N. The Mayor asked those present to voice their opinions or ask questions concerning this matter. Those present and heard were: (5 votes needed for approval)

Moved by Councilmember Leppa and seconded by Councilmember Verbe to close the public hearing.

Motion Carried.

- A. Moved by Councilmember Sm. and seconded by Councilmember Verbe to (approve) (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 515.05, Subd. 2) to expand a non-conforming use, said non-conformity being the existing house and garage encroach 13' in the required 30' side street side yard setback as requested in variance application #87-66.

Motion Carried.

- B. Moved by Councilmember Leppa and seconded by Councilmember Mar. to (approve) (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 13' in the required 30' side street side yard setback to permit a 5' addition in the breezeway area to the existing house at 4856 Hampshire Ave. N. as requested in variance application #87-67.

Motion Carried.

*Dimension 24' x 24' to 24' x 28' on garage
Reflect in record per Bldg. Inspector
D.K.*

3. 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 consider a request from Keith and Eileen Danielson to expand a non-conforming use (said non-conformity) being a 45.5' lot width instead of the required 60' lot width) to allow the construction of a 15' x 30' 5" addition to the existing house at 4330 Xenia Ave. N. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. Those present and heard were:

Moved by Councilmember Legga and seconded by Councilmember Sm. to close the public hearing.

Motion Carried.

Moved by Councilmember Rygg and seconded by Councilmember Legga to (approve) (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 515.05, Subd. 2) to expand a non-conforming use, said non-conformity being the lot width is 45.5' instead of the required 60' lot width, to allow the construction of a 15' x 30' 5" addition to the existing house at 4330 Xenia Ave. N. as requested in variance application #87-70.

Motion Carried.

4. It being 7:00 P.M., or as soon thereafter as the matter may be heard, Mayor Aaker declared this was the date and time as advertised for the continued public hearing at which time the City Council will consider tentative approval of proposed plat, Opsahl Addition, and a request from Lesley Opsahl for a variance of 20' in the required 40' rear yard setback for the construction of a potential house at 4819 - 58th Avenue North. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. Those present and heard were:

Mr. Opsahl appeared

Moved by Councilmember Sm. and seconded by Councilmember Rygg to close the public hearing.

Motion Carried.

- A. Moved by Councilmember Verbe and seconded by Councilmember Sm. to (grant) (deny) (continue until _____ the discussion of) tentative approval of proposed plat, Opsahl Addition, located at 5757 Orchard Avenue North.

Motion Carried.

- B. Moved by Councilmember Legga and seconded by Councilmember Largo 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. 4 a), to grant a variance of 20' in the required 40' rear yard setback for a potential house at 4819 - 58th Avenue North as requested in variance application #87-64.

Motion Carried.

** Human Rights Award - Arthur Cunningham
at C.C. 14th Glenda Sims H.R. Commission recommended art Cunningham
Largo M. P. 1 City Council
toward that
cur
ye*

5. The City Council considered the Space Needs Study from Anderson-Dale Architects. (get new pages)

Curt Dale, Anderson Dale Archts.
 (Admin) ~~George Kline~~ Bill Anderson, "
 (Lawyer) George Kline, "
 Cyril Soukup, 4136 Xenia Ave. No.
 (Comm. Center) Ray Christensen, Anderson Dale
 Study 2A, 1
 Mon/Herb 12 ~~3 4 5 6 7 8 9 10 11 12~~
 — 4 e,

Direct of 1 2 3 4 5 6 7 8 9 10 11 12 alternatives possible
 (Nov 3rd)
~~1 2 3 4 5 6 7 8 9 10 11 12~~

9:00 PM recess 9:12 reconvened

6. The City Council considered the Civil Service Handbook.

Arthur Cunningham appeared

Sm./Mon. 12 1 2 3 4 5 6 7 8 9 10 11 12
 — 4 e,

H/Sm. 1 2 3 4 5 6 7 8 9 10 11 12 Intern
 1 2 3 4 5 6 7 8 9 10 11 12
 — 4 e,

7. The City Council considered the Second Reading of an Ordinance regarding water and sewer utility rates and a Resolution regarding the adjustments of sewer rates for senior citizens.

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

ORDINANCE NO. 87-11

AN ORDINANCE RELATING TO SEWER, WATER, AND STREET LIGHTING RATES AND CHARGES: AMENDING CRYSTAL CITY CODE SUBSECTION 710.05; SUBSECTION 715.13, SUBDIVISIONS 1 AND 4

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

Langs. abstains from voting.

Motion Carried.

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

RESOLUTION NO. 87-70

RESOLUTION ADJUSTING SEWER RATES FOR SENIOR CITIZENS

By roll call and voting aye: Rest, _____, _____, _____, _____; voting no: _____, _____, _____; absent, not voting: _____.

Langs. abstains

Motion Carried, resolution declared adopted.

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) the Resolution adjusting sewer rates for senior citizens.

Motion Carried.

8. The City Council considered final approval of plat JJJ, Estates located at 5401 West Broadway.

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

RESOLUTION NO. 87-71

RESOLUTION APPROVING PLAT

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

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) final approval of plat JJJ Estates located at 5401 West Broadway.

Motion Carried.

9. The City Council discussed the Ordinance regarding solicitors licenses.

Seppa/Mr. Rygg *or Mr. Rygg* *10/20/87*
—40—

10. The City Council considered the First Reading of an Ordinance regarding abandoned motor vehicles.

Moved by Councilmember Burb. and seconded by Councilmember Kygg to adopt the following ordinance:

ORDINANCE NO. 87-

AN ORDINANCE RELATING TO LITTER: OPERATING VEHICLES:
AMENDING CRYSTAL CODE SUBSECTION 635.01, SUBDIVISION 1

and further, that the Second and final reading be held on November 3, 1987.

Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ (deny)
(continue until _____ the discussion of) the First Reading of an
Ordinance regarding abandoned motor vehicles.

Motion Carried.

11. The City Council considered a resolution authorizing continuance of agreement with Goodwill/Easter Seals to continue operation of Attended Donation Center.

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

RESOLUTION NO. 87-72

RESOLUTION AUTHORIZING CONTINUANCE OF AGREEMENT WITH GOODWILL/EASTER SEALS

*amend! Dept? as amend
5th paragraph.
insert applicable portion
of 1988 etc. in agreement.*

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

Moved by Councilmember _____ and seconded by Councilmember _____ to (deny) (continue until _____ the discussion of) the resolution regarding continuance of an agreement with Goodwill/Easter Seals.

Motion Carried.

12. The City Council considered surety release in the amount of \$21,000 for Douglas Drive Family Physicians parking lot at 3501 Douglas Drive.

Moved by Councilmember *Sm*, and seconded by Councilmember *Verb* to accept the work required as condition of building permit approval for Douglas Drive Family Physicians, 3501 Douglas Drive, subject to guarantee provisions of the agreement, effective this date, and that surety in the amount of \$21,000 be released, subject to said guarantee, as recommended by the City Engineer.

Public Works Director

Motion Carried.

October 20, 1987

13. The City Council considered a follow up report from the ^{Public Works Director} ~~City Engineer~~ regarding the flood resulting from the July 23, 1987 storm.

Lang. / Mon *ICG* *7-8-9* *proceed with* *his* *10-16-87*

7. ~~Back~~ backflow preventors

8. Yunkers Park storage

9. Memory Lane ^{road} Outlet

Authorized *Bill* *2* *budgetary* *study*

14. Bill Monk, ^{Public Works Director} ~~City Engineer~~, appeared before the City Council regarding an update on Highway 169/Bass Lake Road Project.

15. Mayor Aaker gave a report on the City Manager negotiations.

Rygg / Mac ~~to be~~ 1 3 ne 1 0 0 0 -
- 9 0 0

sign ordinance - Btk - 2 - 13 - 8. 100 - 100
legal?

mayor asked if it is 20, 22 6. - 10. 8. 6
corper.

Moved by Councilmember Sm. and seconded by Councilmember Nerd to adjourn the meeting.

Motion Carried.

Meeting adjourned at 10:15 p.m.

DUE DATE: NOON, WEDNESDAY, OCTOBER 28, 1987

MEMO FROM: John A. Olson, Acting City Manager

ACTION NEEDED MEMO: From the October 20, 1987 Council Meeting

The items listed below are the actions requested by the City Council at their regular Council meeting of October 20, 1987. These items should be taken care of by noon, Wednesday, preceding the next regularly scheduled Council meeting and returned to the Acting City Manager for his review.

DEPARTMENT

ITEM

CONSENT AGENDA

BLDG. INSPECTOR 1. Set public hearing to consider a request for a variance at 4646 Brunswick Ave. N.
ACTION NEEDED: Notify affected property owners.
ACTION TAKEN: Notices sent October 20, 1987.

ACTING CITY
MANAGER

ACTION NEEDED: Place item on November 3 Council agenda.
ACTION TAKEN: Item placed on November 3 Council agenda.

BLDG. INSPECTOR 2. Set public hearing to consider a request for a variance at 8600 - 31st Ave. N.
ACTION NEEDED: Notify affected property owners.
ACTION TAKEN: Notices sent October 20, 1987.

ACTING CITY
MANAGER

ACTION NEEDED: Place item on November 3 Council agenda.
ACTION TAKEN: Item placed on November 3 Council agenda.

BLDG. INSPECTOR 3. Set public hearing to consider a request for a variance at 4725 Quail Ave. N.
ACTION NEEDED: Notify affected property owners.
ACTION TAKEN: Notices sent October 20, 1987.

DEPARTMENT

ITEM

ACTING CITY
MANAGER

ACTION NEEDED: Place item on November 3 Council agenda.
ACTION TAKEN: Item placed on November 3 Council agenda.

CITY CLERK

4.

Consideration of a gambling license for the Minnesota Therapeutic Camp at Doyles Lanes.
ACTION NEEDED: Note Council acceptance of the license.
ACTION TAKEN: Council acceptance noted and filed.

REGULAR AGENDA

ACTING CITY
MANAGER

1.

Consideration of a resolution regarding the sale of Tax Increment Bonds.
ACTION NEEDED: Notify Financial Consultant of Council approval and proceed with necessary paperwork.
ACTION TAKEN: Consultant at meeting; bond sale in process.

FINANCE DIRECTOR

Consideration of resolution disbursing funds from PIR, Part B.
ACTION NEEDED: Set aside \$266,183 for the Tax Increment District from PIR, Part B.
ACTION TAKEN: Transfer to be made to Tax Increment Debt Service.

BLDG. INSPECTOR

2.

Public hearing to consider a request for a variance at 4856 Hampshire Ave. N.
ACTION NEEDED: Notify applicant of Council approval.
ACTION TAKEN: Applicant present at meeting.

BLDG. INSPECTOR

3.

Public hearing to consider a request for a variance at 4330 Xenia Ave. N.
ACTION NEEDED: Notify applicant of Council approval.
ACTION TAKEN: Applicant present at meeting.

<u>DEPARTMENT</u>	<u>ITEM</u>	
PUBLIC WORKS DIRECTOR	4.	Public hearing to consider a request for tentative approval of proposed plat Opsahl Addition located at 4819 - 58th Ave. N. ACTION NEEDED: Notify applicant of Council approval of proposed plat and variance. ACTION TAKEN: Applicant notified of approval and final plat processed.
ACTING CITY MANAGER	5.	Consideration of a space needs study from Anderson-Dale Architects. ACTION NEEDED: Prepare report on financial alternatives. ACTION TAKEN: Report being prepared for Council consideration on November 3.
POLICE CHIEF		ACTION NEEDED: Investigate the cost of transporting arrested persons to Hennepin County as opposed to having our own jail facility. ACTION TAKEN: Report completed.
ACTING CITY MANAGER	6.	Consideration of the Civil Service Handbook. ACTION NEEDED: Proceed to have the Civil Service Handbook printed for all employees. ACTION TAKEN: In process.
ACTING CITY MANAGER		Send letter of thanks to Commission members and to intern for their work. ACTION TAKEN: Not completed.
CITY CLERK	7.	Consideration of changes in the water and sewer rates and adjustments in sewer rates for senior citizens. ACTION NEEDED: Publish ordinance. ACTION TAKEN: Sent for publishing 10-21-87.

<u>DEPARTMENT</u>	<u>ITEM</u>	
FINANCE DIRECTOR		ACTION NEEDED: Institute rates as soon as possible. ACTION TAKEN: New rates in affect quarter ending 12-31-87.
PUBLIC WORKS DIRECTOR	8.	Consideration of final approval of plat JJJ Estates located at 5401 West Broadway. ACTION NEEDED: Notify applicant of Council approval of plat. ACTION TAKEN: Applicant notified and plat signed.
	9.	The City Council discussed ordinance regarding solicitors licenses. ACTION NEEDED: No action needed at this time; the Council did not wish to change ordinance.
ACTING CITY MANAGER	10.	Consideration of First Reading of an Ordinance regarding abandoned motor vehicles. ACTION NEEDED: Place item on November 3 Council agenda. ACTION TAKEN: Second Reading placed on November 3 Council agenda.
RECYCLING COORDINATOR	11.	Consideration of a resolution regarding the attended donation center. ACTION NEEDED: Forward resolution and agreement to Goodwill Industries. ACTION TAKEN: Action taken?
PUBLIC WORKS DIRECTOR	12.	Consideration of surety release for Douglas Drive Family Physicians at 3501 Douglas Drive. ACTION NEEDED: Notify property owner of Council decision. ACTION TAKEN: Applicant notified and surety released.

<u>DEPARTMENT</u>	<u>ITEM</u>	
PUBLIC WORKS DIRECTOR	13.	<p>Consideration of a follow up report regarding the flood of July 23, 1987.</p> <p>ACTION NEEDED: Proceed as authorized by City Council to work on items 7, 8, and 9 of report.</p> <p>ACTION TAKEN: Follow up initiated on Yunkers Park, Memory Lane Pond, and back flow valve items.</p>
PUBLIC WORKS DIRECTOR	14.	<p>Report on the Highway 169/Bass Lake Road Project.</p> <p>ACTION NEEDED: Pursue with County the possibility of demolition this fall.</p> <p>ACTION TAKEN: Letters sent to County requesting status update and restating need for timely demolition of buildings.</p>
FINANCE DIRECTOR	15.	<p>Report on the City Manager negotiations.</p> <p>ACTION NEEDED: Prepare the necessary paperwork to institute agreement with new City Manager.</p> <p>ACTION TAKEN: Paperwork prepared by City Attorney; have completed copy on file.</p>
CITY ATTORNEY		<p>ACTION NEEDED: Prepare final contract.</p> <p>ACTION TAKEN: Final contract prepared.</p>
BLDG. INSPECTOR & CITY ATTORNEY	16.	<p>Discussion of use of vehicles as signs.</p> <p>ACTION NEEDED: Review ordinance for possible change to prohibit use of vehicles as signs.</p> <p>ACTION TAKEN: ?</p>

No licenses.

Sent with Preliminary Agenda on 10-16-87

Council minutes of 10-6-87 and Special Council meeting minutes of 10-13-87,
Memo from Chair of Human RELations Commission dated 9/9/87 re: presentation of Human Rights Award.
Memo from Recycling Coordinator dated 10-14-87 re: \$100 Weekly Winner.
Crystal Planning Commission minutes of 10-13-87.
Memo from Bldg. Inspector dated 10-16-87 re: Variance - 4646 Brunswick Ave. No.
Memo from Bldg. Inspector dated 10-16-87 re: Variance - 8600 - 31st Ave. No.
Memo from Bldg. Inspector dated 10-16-87 re: VAriance - 4725 Quail Ave. No.
Gambling License Application for MN Therapeutic Camp at Doyles Lanes.
Letter from City Attorney dated 10-15-87 re: GO Tax Increment Bonds Series 1987A (\$1,870,000) & resolution awarding sale of bonds.
Memo from Bldg. Insp. dated 10-16-87 re: Variance - 4856 Hampshire Ave. No.
Memo from Bldg. Insp. dated 10-16-87 re: VAriance - 4330 Xenia Ave. No.
Memo to Planning Comm. from City Engineer dated 9-8-87 re: Opsahl Addition preliminary plat.
Space Needs Study from Anderson-Dale, Archts.
Minutes of Civil Service Comm of 9-23-87 & Civil Service Handbook. (proposed)
Letter from City Attorney dated 10-12-87 re: Water & Sewer Rates; Memo from City Engr. dated 10-15-87 re: Utility Rate Increase, resolution & ordinance.
Memo from City Engineer dated 10-6-87 re: Final Plat of J.J.J. Estates.
Letter from City Attorney dated 9-10-87 re: Solicitor Licenses.
Memo from Acting City Mgr. dated 10-15-87 re: Vehicular Pursuit Policy; memo from Police Chief dated 10-2-87 re: Review Board; copy of Vehicular Pursuit Policy.
Letter from City Attorney dated 10-12-87 re: Ordinance Re: Abandoned Motor Vehicles.
Resolution authorizing continuance of agreement with Goodwill/Easter Seals.
Memorandum of Agreement Continuance.pertaining to Goodwill/Easter Seals.
Memo from City Engr. dated 10-16-87 re: Surety Release

Memo from City Engr. dated 10-16-87 re: Flood
Follow-up.

Crystal Park & Rec. Advisory Comm. minutes of 9-2-87.
Crystal Park & Rec. monthly report for Sept. 1987.
City of Crystal Expenditure Report for Sept. of 1987.
Letter from Douglas Drive Family Physicians dated
10-12-87 expressing appreciation for reduction in
assessments.

Included with packet on 10-20-87

City of Crystal Tax Increment Projection, Stuart
Corporation (Schedule B).

Marlene

October 16, 1987

TO: City of Crystal Councilmembers
FROM: John A. Olson, Acting City Manager
RE: Preliminary Agenda - City Council Meeting of 10-20-87

I believe the agenda as presented needs little explanation because most of the items are familiar to you. I will just comment on a few on the Regular Agenda.

Item #4:

It is possible that after receiving the report from the architects you may wish to make the decision to leave Thorson School. We are looking at alternative sites and we will have a complete report at the first meeting in November, however, it may be pointless for the staff to continue the report unless we know that you are committed to closing the school.

Item #9:

I think my memo explains the situation regarding this item but I would again emphasize that before you start any discussion, you have Dave explain what possible implications are for discussing anything other than the pursuit policy itself.

Item #14:

At the last meeting we provided you with some information from the City Engineer regarding the Highway 169/Bass Lake Road project. Councilmember Smothers asked that this item be placed on the agenda and Bill Monk can give a verbal presentation regarding progress in this area.

You may notice that there are no licenses for you to consider. That is because we have none. I know this fact will shorten the meeting immensely.

Have a good weekend, watch the baseball games, and I'll see you on Tuesday.

J O H N

P.S: With all the activities of the past week, I neglected to include the sale of \$1,870,000 GO Tax Increment Bonds. This will be Item #1 on the Regular Agenda. We are including information on this item.

TENTATIVE AGENDA

FOR THE OCTOBER 20, 1987 COUNCIL MEETING

1. Minutes of the regular meeting of October 6, 1987 and special meeting of October 13, 1987.

<u>ITEM</u>	<u>SUPPORTING DATA</u>	<u>COMMENTS</u>
1. Presentation of the Human Rights Award for 1987.	Copy of memo from Chair of Human Relations Commission dated 9-9-87.	None.
2. Presentation of checks to recycling center winners.	Memo from Recycling Coordinator dated 10-14-87.	None.

CONSENT AGENDA

1. Set public hearing to consider a request from William T. Moore for a variance of 4'8" in the required 30' front yard setback to build a 4'8" x 15'6" porch at 4646 Brunswick Ave. N.	Memo from Building Inspector dated 10-16-87.	Planning Commission recommended approval.
2. Set public hearing to consider a request from Suzanne Palbicki for a variance of 18' in the required 30' side street side yard setback to build a deck, 18' x 18' at 8600 - 31st Ave. N.	Memo from Building Inspector dated 10-16-87.	Planning Commission recommended approval.
3. Set public hearing to consider a request from Irene M. Bohn for a variance of 8' in the required 40' rear yard setback to build a 22' x 15' addition to their garage at 4725 Quail Ave. N.	Memo from Building Inspector dated 10-16-87.	Planning Commission recommended approval.
4. Consideration of a gambling license for the Minnesota Therapeutic Camp at Doyle's Lanes.	Copy of application.	None.

REGULAR AGENDA

<u>ITEM</u>	<u>SUPPORTING DATA</u>	<u>COMMENTS</u>
1. Public hearing to consider a request from Richard W. & Camille B. Peterson for a variance to expand a non-conforming use (said non-conformity being the existing house & garage encroach 13' in the required 30' side street side yard setback) and to grant a variance of 13' in the required 30' side street side yard setback to permit a 5' addition in the breezeway area to the existing house at 4856 Hampshire Ave. N.	Memo from Building Inspector dated 10-16-87.	None.
2. Public hearing to consider a request from Keith & Eileen Danielson to expand a non-conforming use (said non-conformity being a 45.5' lot width instead of the required 60' lot width) to allow the construction of a 15' x 30'5" addition to the existing house at 4330 Xenia Ave. N.	Memo from Building Inspector dated 10-16-87.	None.
3. Continue public hearing to consider the proposed Opsahl Addition and request for a variance of 20' in the required 40' rear yard setback for potential house at 4819 - 58th Ave. N.	Memo from Public Works Director dated 9-8-87 (updated 9-22-87).	This item was continued from the last Council to notify the correct list of affected property owners.
4. Consideration of Space Needs Study from Anderson-Dale Architects.	Copy of report from consultant.	None.
5. Consideration of the Civil Service Handbook.	Copy of handbook and Civil Service Commission minutes of 9-23-87.	None.
6. Consideration of Second Reading of an Ordinance regarding water and sewer utility rates.	Letter from City Attorney dated 10-12-87; Memo from Public Works Director dated 10-15-87; Copy of Ordinance and resolution on senior citizen rates.	Engineer working on inclusion of changes to sprinkler and meter charges to be included in Ordinance.

<u>ITEM</u>	<u>SUPPORTING DATA</u>	<u>COMMENTS</u>
7. Consideration of final plat approval for J. J. J. Estates located at 5401 West Broadway.	Memo from Public Works Director dated 10-6-87 (updated 10-14-87) and Planning Commission Mins. of 10-13-87, item 6.	Planning Commission recommended approval.
8. Consideration of an Ordinance regarding solicitors licenses.	Copy of letter from City Attorney dated 10-10-87.	None.
9. Discussion of the Police Vehicular Pursuit Policy.	Memo from Police Chief dated 10-2-87 and memo from Acting City Manager dated 10-15-87; copy of Vehicular Pursuit Policy,	None.
10. Consideration of an Ordinance regarding abandoned motor vehicles.	Letter from City Attorney dated 10-12-87 and copy of Ordinance and section of MN Statutes regarding abandoned motor vehicles.	None.
11. Consideration of resolution authorizing continuance of agreement with Goodwill/Easter Seals.	Copy of resolution; Memo of agreement continuance.	None.
12. Consideration of release of surety in the amount of \$ 21,000 for Douglas Drive Family Physicians parking lot, 3501 Douglas Drive.	Memo from Public Works Director dated 10-16-87.	None.
13. Consideration of a flood follow up report from the Public Works Director.	Copy of report dated 10-16-87.	None.
14. Update on Highway 169/Bass Lake Road Project.	None.	None.

<u>ITEM</u>	<u>SUPPORTING DATA</u>	<u>COMMENTS</u>
15. Mayor's report on City Manager negotiations.	None.	None.

INFORMATIONAL ITEMS:

1. Crystal Park & Recreation Advisory Commission minutes of 9-2-87.
2. Crystal Park & Recreation Department Monthly Report for September, 1987.
3. City of Crystal 1987 Expenditure Report for September, 1987.
4. Letter of appreciation from Douglas Drive Family Physicians dated 10-12-87 regarding assessments.

6 OCTOBER 1987

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on October 6, 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: Rygg, Moravec, Smothers, Aaker, Leppa, Herbes; absent: Langsdorf. 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; Miles Johnson, Finance Director; Dan Smith, Assistant City Engineer.

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 September 15, 1987 and the Special meeting of September 22, 1987.

Moved by Councilmember Smothers and seconded by Councilmember Herbes to approve the minutes of the regular City Council meeting of September 15, 1987 and the Special meeting of September 22, 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, October 20, 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 to expand a non-conforming use and to encroach in the required 30' side street setback to build a 5' addition at 4856 Hampshire Avenue North.
2. Set 7:00 P.M., or as soon thereafter as the matter may be heard, October 20, 1987, as the date and time for a public hearing to consider a request from Keith M. and Eileen J. Danelson to expand a non-conforming use (non-conformity being lot is 45.5'; 60' required) at 4330 Xenia Avenue North to build a 15' x 30'6" addition.
3. Consideration of a gambling license for the Crystal Lions Club to sell pulltabs at the Palace Inn Broadway Pizza and lease agreement.

Moved by Councilmember Leppa and seconded by Councilmember Rygg to approve the Consent Agenda.

Motion Carried.

6 OCTOBER 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 public hearings at which time the City Council will consider 1987 assessments:

- A. Street Improvements to Douglas Drive between 27th and 41st Avenues, Project No. 64-B.
- B. 1987 Sealcoat Program Project No. 87-1.
- C. Alley Improvements between Welcome & Xenia Avenues from 44th Avenue to 46th Avenue North, Project No. 87-2.
- D. Curb & Gutter Improvements on Yates Avenue between 56th & 57th Avenues, Project No. 87-3.
- E. Sidewalk Repair Program Project No. 87-5.
- F. 1987 Disease Tree Removal & Weed Cutting.
- G. Delinquent Utility Charges for 1987.

The Mayor asked those present to voice their opinions or ask questions concerning this matter. Those present and heard were:

Wallace Anderson, 3525 Adair Avenue North (owner of the property at 3353 Douglas Drive) appeared and was heard regarding the Street Improvement Project No. 64-B.

Marie and Paul Williams, 4700 Florida Avenue North appeared and were heard regarding the Sidewalk Repair Program Project No. 87-5.

Moved by Councilmember Smothers and seconded by Councilmember Herbes to close the public hearings.

Motion Carried.

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. 87-57

RESOLUTION CONFIRMING ASSESSMENTS FOR
STREET IMPROVEMENTS TO DOUGLAS DRIVE
BETWEEN 27TH AND 41ST AVENUES,
PROJECT 64-B

By roll call and voting aye: Rygg, Moravec, Smothers, Leppa, Herbes, Aaker; absent, not voting: Langsdorf.

Motion Carried, resolution declared adopted.

6 OCTOBER 1987

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

RESOLUTION NO. 87-58

RESOLUTION CONFIRMING ASSESSMENTS FOR
1987 SEALCOAT PROGRAM PROJECT NO. 87-1

By roll call and voting aye: Rygg, Moravec, Smothers, Leppa, Herbes, Aaker; absent, not voting: Langsdorf.

Motion Carried, resolution declared adopted.

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

RESOLUTION NO. 87-59

RESOLUTION CONFORMING ASSESSMENTS FOR
ALLEY IMPROVEMENTS BETWEEN WELCOME AND
XENIA AVENUES FROM 44TH AVENUE TO 46TH AVENUE,
PROJECT NO. 87-2

By roll call and voting aye: Rygg, Moravec, Smothers, Leppa, Herbes, Aaker; absent, not voting: Langsdorf.

Motion Carried, resolution declared adopted.

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

RESOLUTION NO. 87-60

RESOLUTION CONFIRMING ASSESSMENTS FOR
CURB & GUTTER IMPROVEMENTS ON YATES AVENUE
BETWEEN 56TH & 57TH AVENUES,
PROJECT NO. 87-3

By roll call and voting aye: Rygg, Moravec, Smothers, Leppa, Herbes, Aaker; absent, not voting: Langsdorf.

Motion Carried, resolution declared adopted.

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. 87-61

RESOLUTION CONFIRMING ASSESSMENTS FOR
SIDEWALK REPAIR PROGRAM PROJECT NO. 87-5

6 OCTOBER 1987

By roll call and voting aye: Rygg, Moravec, Smothers, Leppa, Herbes, Aaker; absent, not voting: Langsdorf.

Motion Carried, resolution declared adopted.

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

RESOLUTION NO. 87-62

RESOLUTION CONFIRMING ASSESSMENTS FOR
1987 DISEASE TREE REMOVAL & WEED CUTTING

By roll call and voting aye: Rygg, Moravec, Smothers, Leppa, Herbes, Aaker; absent, not voting: Langsdorf.

Motion Carried, resolution declared adopted.

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

RESOLUTION NO. 87-63

RESOLUTION CONFIRMING ASSESSMENTS FOR
DELINQUENT UTILITY CHARGES FOR 1987

By roll call and voting aye: Rygg, Moravec, Smothers, Leppa, Herbes, Aaker; absent, not voting: Langsdorf.

Motion Carried, resolution declared adopted.

The City Council directed staff to review the larger outstanding accounts and attempt to expedite payments more quickly.

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 Ken and Pat Bressler for a variance of 12' in the required 25' setback for a garage that is to be setback from the public right-of-way (alley), to expand a non-conforming use (said non-conformity being the lot is 90' deep instead of the required 100') and to grant a variance of 17' in the required 40' rear yard setback to permit a 42' x 24' addition to the house and garage at 3540 Hampshire Avenue North. The Mayor asked those present to voice their opinions or ask questions concerning the variance.

Moved by Councilmember Smothers and seconded by Councilmember Moravec to close the public hearing.

Motion Carried.

6 OCTOBER 1987

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 515.07, Subd. 5c) and 7) to grant a variance of 12' in the required 25' setback, that a garage is to be set back from the public right-of-way (alley) as requested in variance application #87-58.

Motion Carried.

Moved by Councilmember Leppa and seconded by Councilmember Smothers 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 515.07, Subd. 2, to expand a non-conforming use as requested in variance application #87-57.

Motion Carried.

Moved by Councilmember Rygg 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. 4a) to grant a variance of 17' in the required 40' rear yard setback to permit a 42' x 24' addition to the house and garage at 3540 Hampshire Avenue North as requested in variance application #87-59.

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 Joe Franz for a variance of 2' in the required 5' side yard setback to build a 5'6" x 21' addition to the garage with a one-hour firewall at 8019 - 32nd Avenue North. The Mayor asked those present to voice their opinions or to ask questions concerning the variance.

Moved by Councilmember Smothers and seconded by Councilmember Rygg to close the public hearing.

Motion Carried.

Moved by Councilmember Smothers and seconded by Councilmember Rygg 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) 1), to grant a variance of 2' in the required 5' side yard setback for a 5'6" x 21' addition to the garage with a one-hour firewall at 8019 - 32nd Avenue North as requested in variance application #87-60.

Motion Carried.

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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 & Appeals to consider a request from Tom and Linda Krampitz for a variance of 7'9" in the required 30' front yard setback to build an 8' x 9'6" addition to the kitchen at 5806 Elmhurst Avenue North. The Mayor asked those present to voice their opinions or to ask questions concerning the variance.

Moved by Councilmember Herbes and seconded by Councilmember Moravec to close the public hearing.

Motion Carried.

Moved by Councilmember Herbes and seconded by Councilmember Smothers 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 and strict application of Section 515.13, Subd. 2 a), to grant a variance of 7'9" in the required 30' front yard setback for an 8' x 9'6" addition to the kitchen at 5806 Elmhurst Avenue North as requested in variance application #87-61.

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 sits as a Board of Adjustments and Appeals to consider a request from Michael T. Pohl for a variance to expand a non-conforming use (said non-conformity being the existing lot is 40' wide instead of the required 60' lot width) to allow the construction of a 12' x 16' and 14' x 16' additions to detached garage at 4226 Zane Avenue North. The Mayor asked those present to voice their opinions or to ask questions concerning the variance.

Moved by Councilmember Smothers and seconded by Councilmember Rygg to close the public hearing.

Motion Carried.

Moved by Councilmember Smothers and seconded by Councilmember Moravec to approve the authorization pursuant to Section 515.55 of the Crystal City Code to vary or modify the strict application of Section 515.05, Subd. 2, to grant a variance to expand a non-conforming use (said non-conformity being the existing lot is 40' wide instead of the required 60' lot width) to allow the construction of a 12' x 16' and 14' x 16' addition to the detached garage at 4226 Zane Avenue North as requested in variance application #87-62.

Motion Carried.

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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 sits as a Board of Adjustments and Appeals to consider a request from Wallace Yahn for a variance of 2' in the required 5' side yard setback for a 6' x 24' addition to the existing garage with a one-hour firewall at 8017 - 33rd Place North. The Mayor asked those present to voice their opinions or to ask questions concerning the variance.

Moved by Councilmember Herbes and seconded by Councilmember Moravec to close the public hearing.

Motion Carried.

Moved by Councilmember Rygg 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. 3 a) 1), to grant a variance of 2' in the required 5' side yard setback for a 6' x 24' addition to the existing garage with a one-hour firewall at 8017 - 33rd Place North as requested in variance application #87-63.

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 Brutger Companies, Incorporated for a variance of 5' in the required 15' side yard setback for the construction of an elderly housing unit at 6315 - 55th Avenue North. The Mayor asked those present to voice their opinions or to ask questions concerning the variance.

Moved by Councilmember Herbes and seconded by Councilmember Smothers to close the public hearing.

Motion Carried.

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. 3 a) 1), to grant a variance of 5' in the required 15' side yard setback for the construction of elderly housing at 6315 - 55th Avenue North as requested in variance application #87-56.

Motion Carried.

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Moved by Councilmember Leppa and seconded by Councilmember Smothers to authorize issuance of building permit subject to receipt of surety and signed agreement within 14 days.

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 consider tentative approval of proposed plat, Opsahl Addition, and a request from Lesley Opsahl for a variance of 20' in the required 40' rear yard setback for the construction of a potential house at 4819 - 58th Avenue North. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. Those present and heard were:

Les Opsahl, 4819 - 58th Avenue North
Kenneth Smith, 4825 - 58th Avenue North

Moved by Councilmember Moravec and seconded by Councilmember Smothers to continue the public hearing to October 20, 1987 to allow the proper property owners to be contacted.

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 consider modification to the Tax Increment Financing District. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. Those present and heard were:

Ira Burhans, 5924 - 29th Place North

Moved by Councilmember Smothers and seconded by Councilmember Leppa to close the public hearing.

Motion Carried.

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. 87-64

RESOLUTION APPROVING MODIFICATION NO. 1
TO THE BASS LAKE ROAD/BECKER PARK TAX INCREMENT DISTRICT

By roll call and voting aye: Rygg, Moravec, Smothers, Leppa, Herbes, Aaker; absent, not voting: Langsdorf.

Motion Carried, resolution declared adopted.

6 OCTOBER 1987

The City Council considered a request for a private kennel license from Gail Towers at 3110 Jersey Avenue North.

Moved by Councilmember Herbes and seconded by Councilmember Rygg to approve a private kennel license for Gail Towers at 3110 Jersey Avenue North.

Motion Carried.

The City Council considered a petition for a stop sign at the intersection of 60th & Jersey Avenue North. Wanda Sanvik, 5943 Jersey Avenue North appeared and was heard.

Moved by Councilmember Smothers and seconded by Councilmember Herbes to approve the installation of stop signs on Jersey Avenue at its intersection with 60th Avenue as recommended by the City Engineer.

Motion Carried.

The City Council considered a petition for a stop sign at the intersection of 48th & Louisiana Avenue North. Those appearing and heard in favor of a 4-way stop were:

Wayne Thomas, 4807 Jersey Avenue North
Howard Cornelius, 4806 Jersey Avenue North
Craig Lewis, 4801 Louisiana Avenue North

Moved by Councilmember Smothers and seconded by Councilmember Rygg to approve the installation of 4-way stop signs at the intersection of 48th & Louisiana Avenue North.

Motion Carried.

Moved by Councilmember Herbes and seconded by Councilmember Smothers to direct staff to check the entire area for stop sign placement.

Motion Carried.

The City Council considered a petition for a stop sign at the intersection of 46th and Colorado Avenue North. J. W. Stewart, 4600 Colorado Avenue appeared and was heard.

Moved by Councilmember Smothers and seconded by Councilmember Herbes to approve the installation of a 2-way stop on Colorado Avenue at the intersection of 46th and Colorado Avenue as recommended by the City Engineer.

Motion Carried.

The City Council considered a proposal from the Church of the Open Door, 6421 - 45th Avenue to establish a neighborhood recycling center at the church site. Elmer Carlson, 5054 Quail Avenue North appeared and was heard.

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Moved by Councilmember Leppa and seconded by Councilmember Moravec to refer the proposal from Church of the Open Door regarding a neighborhood recycling center at the church site to the Recycling Committee.

Motion Carried.

The Mayor called a 10-minute recess at 9:00 P.M.

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 consider the 1988 City of Crystal Budget and Revenue Sharing Budget. The Mayor asked those present to voice their opinions or to ask questions concerning the budgets. After a brief explanation of automobile leasing and memos included in the budget packet the Council made the following motions pertaining to the budget memo dated September 28, 1987 from the Acting City Manager regarding changes in the Proposed 1988 Budget:

Moved by Councilmember Leppa and seconded by Councilmember Herbes to eliminate the sign at Becker Park in the amount of \$11,000.

By roll call and voting aye: Herbes, Leppa; voting no: Rygg, Moravec, Smothers, Aaker; absent, not voting: Langsdorf.

Motion Failed.

Moved by Councilmember Leppa and seconded by Councilmember Herbes to eliminate one set-up for desk top publishing in the amount of \$10,885 from the Revenue Sharing Budget and transfer the \$11,000 for the Becker Park sign to the Revenue Sharing Budget.

Motion Carried.

Moved by Councilmember Leppa and seconded by Councilmember Herbes to eliminate the higher capacity copier (Acct. #4551) in the Police Department budget in the amount of \$10,000.

Motion Carried.

Moved by Councilmember Herbes and seconded by Councilmember Leppa to remove \$119,900 for drive-thru door and hose tower plus architectural fees from the Fire Department budget.

By roll call and voting aye: Rygg, Herbes, Leppa; voting no: Moravec, Smothers, Aaker; absent, not voting: Langsdorf.

Tie vote; Motion Failed.

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Moved by Councilmember Leppa and seconded by Councilmember Smothers to eliminate the hose tower and install drive thru doors with architectural fees in the amount of \$50,000 (a \$69,000 reduction) for the South Fire Station.

By roll call and voting aye: Rygg, Smothers, Herbes, Leppa; voting no: Moravec, Aaker; absent, not voting: Langsdorf.

Motion Carried.

Moved by Councilmember Leppa to transfer water and sewer roof from the Permanent Improvement Revolving (PIR) Fund to the General Fund.

Councilmember Leppa withdrew his motion.

Moved by Councilmember Leppa and seconded by Councilmember Herbes to increase the Contingency Reserve allowance in Department 32 (Account #4990) from \$55,000 to \$75,000.

By roll call and voting aye: Herbes, Leppa, Aaker; voting no: Rygg, Moravec, Smothers; absent, not voting: Langsdorf.

Tie vote; Motion Failed.

Moved by Councilmember Leppa and seconded by Councilmember Smothers to adopt the City of Crystal 1988 Budget incorporating changes as stated above.

By roll call and voting aye: Smothers, Herbes, Leppa; voting no: Moravec, Rygg, Aaker; absent, not voting: Langsdorf.

Tie vote; Motion Failed.

Moved by Councilmember Moravec and seconded by Councilmember Rygg to leave an amount for six (6) protective vests for the Police Reserves in Account #4157 in Department 18.

By roll call and voting aye: Herbes, Leppa, Rygg, Smothers, Aaker, Moravec; absent, not voting: Langsdorf.

Motion Carried.

Moved by Councilmember Moravec and seconded by Councilmember Leppa to put \$20,000 for recycling in Account #4990 in Department 32.

Councilmember Moravec withdrew the motion.

Moved by Councilmember Leppa and seconded by Councilmember Smothers to establish a Contingency Fund of \$20,000 for a future Recycling Enterprise Fund until a recycling program has been set up.

By roll call and voting aye: Herbes, Leppa, Moravec, Smothers, Aaker; voting no: Rygg; absent, not voting: Langsdorf.

Motion Carried.

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Moved by Councilmember Leppa and seconded by Councilmember Moravec to accept the 1988 City of Crystal Budget as modified.

Motion Carried.

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

RESOLUTION NO. 87-65

RESOLUTION ADOPTING BUDGET AND LEVY TAXES
FOR CERTIFICATION TO THE COUNTY AUDITOR

By roll call and voting aye: Rygg, Moravec, Smothers, Leppa, Herbes, Aaker; absent, not voting: Langsdorf.

Motion Carried.

The City Council considered the First Reading of an ordinance amending City Code; increasing water and sewer charges.

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

ORDINANCE NO. 87-

AN ORDINANCE AMENDING CITY CODE:
INCREASING WATER AND SEWER CHARGES

and further, that the second and final reading be held on October 20, 1987.

Motion Carried.

The City Council considered a lease agreement with Independent School District #281 for the Chapter One Program to use Rooms 102 and 104 at Thorson Community Center for the period of October 1987 through May 1988.

Moved by Councilmember Smothers and seconded by Councilmember Moravec to approve a lease agreement with Independent School District #281 for the Chapter One Program to use Rooms 102 and 104 at Thorson Community Center for the period of October 1987 through May 1988 and further, to authorize the Mayor and Acting City Manager to sign such agreement.

Motion Carried.

The City Council considered a contract to renew the Employees Assistance Program for the City of Crystal.

Moved by Councilmember Moravec and seconded by Councilmember Leppa to approve a contract with the Employees Assistance Program for the City of Crystal and further, to authorize the Mayor to sign such an agreement.

Motion Carried.

6 OCTOBER 1987

The City Council considered an amendment to the Joint Cooperation Agreement with Hennepin County for Community Development Block Grant funding.

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. 87-66

RESOLUTION APPROVING AMENDMENT TO
JOINT COOPERATION AGREEMENT, COUNTY CONTRACT #70463

By roll call and voting aye: Rygg, Moravec, Smothers, Leppa, Herbes, Aaker; absent, not voting: Langsdorf.

Motion Carried, resolution declared adopted.

The City Council considered final payment and Change Order #3 of the Bass Lake Road Streetscape Project. Jim Lasher of BRW, Incorporated appeared.

Moved by Councilmember Rygg and seconded by Councilmember Smothers to approve final payment and Change Order #3 for the Bass Lake Road Streetscape Project.

Motion Carried.

Mayor Aaker gave a report from the City Manager Search Committee. The three finalists for the City Manager position are Jerry Dular, City of Anoka; Robert Erickson, City of Moorhead; and John A. Olson, Acting City Manager of the City of Crystal.

Moved by Councilmember Herbes and seconded by Councilmember Moravec to set 7:00 P.M. on October 13, 1987 as the date and time for a Special City Council meeting at which time the City Council will interview the three (3) final applicants for the City Manager position, and to eliminate television coverage for this special meeting.

Motion Carried.

Councilmember Leppa presented a resolution requesting equal treatment for cities in distribution of tax settlements as provided to school districts.

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. 87-67

A RESOLUTION REQUESTING EQUAL TREATMENT FOR CITIES
IN DISTRIBUTION OF TAX SETTLEMENTS AS PROVIDED TO
SCHOOL DISTRICTS UNDER STATE STATUTE 276.11

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By roll call and voting aye: Rygg, Moravec, Smothers, Leppa, Herbes, Aaker; absent, not voting: Langsdorf.

Motion Carried.

Moved by Councilmember Herbes and seconded by Councilmember Smothers 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.

Councilmember Leppa requested that the Police Chief appear before the City Council to discuss the City's Vehicular Pursuit Policy.

Councilmember Moravec, as a member of the Recycling Committee, reported that recycling is underway and thanked the haulers for their cooperation.

Councilmember Moravec expressed his thanks and appreciation to City staff for their efforts in putting together the 1988 City of Crystal Budget.

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

Motion Carried.

The meeting was adjourned at 11:14 P.M.

Mayor

ATTEST:

City Clerk

13 OCTOBER 1987

Pursuant to due call and notice given in then manner prescribed by Section 3.01 of the City Charter, the Special meeting of the Crystal City Council was held on October 13, 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 (arrived at 7:40 P.M.), Smothers, Aaker, Leppa, Herbes. Also present were the following staff members: John Dean, City Attorney's office; 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 three (3) final applicants for the City of Crystal City Manager position.

Moved by Councilmember Smothers and seconded by Councilmember Leppa to allow smoking.

By roll call and voting aye: Herbes, Leppa, Smothers, Rygg; voting no: Langsdorf, Aaker; absent, not voting: Moravec.

The Mayor explained the material the councilmembers received in their packets and the questioning process for the interviews.

The interviews were then held in alphabetical order as follows:

Jerry Dulgar
Robert Erickson
John A. Olson

Interviews were completed at 9:40 P.M. at which time the Mayor opened the floor for discussion.

Moved by Councilmember Herbes and seconded by Councilmember Smothers to appoint Bob Erickson as the Crystal City Manager.

Discussion followed after which, at 10:00 P.M., the Mayor called a 10-minute recess for the Council's review of documents submitted by the candidates during the interviews. At 10:10 P.M. the meeting was reconvened and Councilmember Herbes modified her motion as follows:

Moved by Councilmember Herbes and seconded by Councilmember Smothers to appoint Robert Erickson as the Crystal City Manager subject to negotiations with the Mayor and City Attorney and return to the Council with a contract within one week.

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

Motion Failed.

13 OCTOBER 1987

Moved by Councilmember Rygg and seconded by Councilmember Moravec to appoint Jerry Dular as the Crystal City Manager subject to negotiations with the Mayor and City Attorney and return to the Council with a contract within one week.

Moved by Councilmember Langsdorf and seconded by Councilmember Smothers to table the discussion.

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

Motion Failed.

Voting on the original motion, by roll call and voting aye: Langsdorf, Rygg, Moravec, Leppa, Aaker; voting no: Smothers, Herbes.

Motion Carried.

The Mayor urged councilmembers to contact him as soon as possible with their input regarding the salary of the new City Manager.

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

Motion Carried.

The meeting was adjourned at 10:25 P.M.

Mayor

ATTEST:

City Clerk

October 20, 1987

MEMO

TO: John A. Olson, Acting City Manager

FROM: Julie Jones, Recycling Coordinator *9.9.*

RE: \$100 Prize Presentations

All three Crystal residents whose names were drawn for \$100 prizes at the Crystal/Robbinsdale Recycling Center will be attending tonight's City Council meeting to receive their checks. The winners are:

October 3 winner - Curtis Hall, 5412 Hampshire
October 10 winner - Mercer James, 6417 38th Av.
October 17 winner - Melvin Humbert, 5541 Quail

I will forward the checks to you for the Mayor's presentation.

jm

October 14, 1987

MEMO

TO: John A. Olson, Acting City Manager
FROM: Julie Jones, Recycling Coordinator *JF*
RE: \$100 Weekly Winner

The \$100 winner from our October 10 drawing for recycling was Mercer James of 6417 38th Av. N., Crystal.

Crystal's participation rate was very low. Below are the statistics from the October 10 opening.

Robbinsdale residents	614 (95.0%)
Crystal residents	27 (4.2%)
Others	5 (0.8%)

Hopefully our participation rate will increase when the newsletter comes out later this month. I have also notified Judy Williams of the \$100 winners. Publication of those winners should boost some interest as well.

jm

CRYSTAL PLANNING COMMISSION MINUTES

October 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, Kamp, Magnuson and Nystrom; the following was absent Halpaus; also present were Building Inspector Peterson, City Engineer Monk and Recording Secretary Scofield.

Moved by Commissioner Barden and seconded by Commissioner Christopher to approve the minutes of the September 14, 1987, meeting.

Motion carried.

1. Chairperson Feyereisen declared this was a continuation of the public hearing to consider Application #87-52 as submitted by Crystal Auto Mall Partnership to rezone 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 property located at 5273 and 5269 West Broadway and 5200 Douglas Drive. The proponents did not appear. The City Engineer stated Amoco had written to the proponents that 4 to 6 car stacking is all they ever have and wanted the proposal submitted as presented at the September meeting.

The following was heard: Bill Jurkens, Octopus Car Wash, 5301 Douglas Drive, stated the lessee at Jiffy Lube said Jeff Sweet (one of proponents) had indicated he was going to withdraw requests.

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

Motion carried.

- A. Moved by Commissioner Magnuson and seconded by Commissioner Anderson to recommend to the City Council to deny Application #87-52, as submitted by Crystal Auto Mall Partnership, to rezone from B-3 District (Auto-Oriented Commercial) and B-4 District (Community Commercial) to PUD District (Planned Unit Development) property located at 5273 and 5269 West Broadway and 5200 Douglas Drive, P.I.D. #09-118-21-22-0042 and #09-118-21-22-0050.

October 13, 1987 - Continued

The findings of fact are: No one appeared for an explanation for the zoning change, during public hearing it was noted that it was heard the project had been dropped, according to the Zoning Code the proponents had not demonstrated a need for such use and no relationship to the Comprehensive Plan.

Motion carried.

- B. No action was taken by Commission on Application #87-53, as submitted by Crystal Auto Mall Partnership, for a conditional use permit for approval of site plan within a PUD District at the property as described above since Commission recommended City Council deny application #87-52 for rezoning.
 - C. No action was taken by Commission on Application #87-54, as submitted by Crystal Auto Mall Partnership, for a conditional use permit for fuel station and automotive repair in a PUD District at the property as described above since Commission recommended City Council deny application #87-52 for rezoning.
 - D. No action was taken by Commission on Application #87-55, as submitted by Crystal Auto Mall Partnership, for a conditional use permit for a car wash in a PUD District at the property as described above since Commission recommended City Council deny application #87-52 for rezoning.
2. William T. Moore appeared regarding Variance Application #87-65 for a second story addition and a porch on the house which will encroach in the 30' front yard setback at 4646 Brunswick Ave. N.

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 a), to grant a variance of 4'8" in the required 30' front yard setback for a 15'6"x24'9" second story addition and a 4'8"x15'6" porch on the existing house, 4646 Brunswick Ave. N., P.I.D. #09-118-21-33-0066, as requested in Application #87-65 of William T. Moore.

The findings of fact are: Nice improvement for house and neighborhood, adds to aesthetics and no detriment to adjacent house.

Motion carried.

October 13, 1987 - Continued

3. Irene Bohn appeared regarding Variance Application #87-69 for an addition to the garage which will encroach in the required 40' rear yard setback at 4725 Quail Ave. N.

Moved by Commissioner Magnuson 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. 4 a) to grant a variance of 8' in the required 40' rear yard setback to permit a 15'3"x22'6" addition to the existing garage at 4725 Quail Ave. N., P.I.D. #09-118-21-41-0041, as requested in Application #87-69 of Floyd and Irene Bohn.

The findings of fact are: The building has been built and has become a housekeeping matter, no apparent problems with the neighborhood.

Motion carried.

Mrs. Bohn wanted included in the minutes their request for a variance statement as follows: "When we first moved here, our property was flat. Then City of Crystal removed tons and tons of dirt out of street and put us up a big hill. That makes it so that we park our car on top by garage, and if it is icy out, it will slip right down into the street. And it has done that a number of times with children in it and people passing by. The only way our cars can stay up is to have in a garage."

4. Ronald and Suzanne Palbicki appeared regarding Variance Application #87-68 to build a deck on the house which will encroach 18' in the required 30' side street side yard setback at 8600 - 31st Ave. N.

Moved by Commissioner Elsen and seconded by Commissioner Kamp 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 18' in the required 30' side street side yard setback for a 18'x18' deck on the existing house, 8600 - 31st Ave. N., P.I.D. #19-118-21-42-0080, as requested in Application #87-68 of Ronald and Suzanne Palbicki.

The findings of fact are: Problems with corner lot, appears an addition to the neighborhood and no objection from neighbors.

Motion carried.

October 13, 1987 - Continued

5. Consideration was given to Application #87-51 of H. W. Elfstrom for rezoning property from R-1 District to B-4 District at 3401 Vera Cruz Ave. N.

Moved by Commissioner Magnuson and seconded by Commissioner Christopher to set a public hearing before the Planning Commission at 7:30 p.m., or as soon thereafter as the matter may be heard, November 9, 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), that part of Lot 12 lying east of the west 80', Block 1, Rosedale Acres.

Motion carried.

6. Consideration of final plat approval of J.J.J. Estates located at 5401 West Broadway.

Moved by Commissioner Barden and seconded by Commissioner Guertin to recommend to the City Council to grant final plat approval of J.J.J. Estates which is a replat of Tract B and Tract C of Registered Land Survey #794.

Motion carried.

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

Motion carried.

Chairperson Feyereisen

Secretary Christopher

October 16, 1987

To: John Olson, Acting City Manager

From: Don Peterson, Chief Building Inspector

Re: Variance #87-65 at 46 46 Brunswick Ave. N.

The applicant is building a 16' x 24' second story addition. In order to help break up the "boxy" appearance he wishes to add a 4'8"x 16' open porch which will encroach 4'8" in the required 30' front yard set back.

I have attached copies of the transparencies that I'll be showing Tuesday evening.

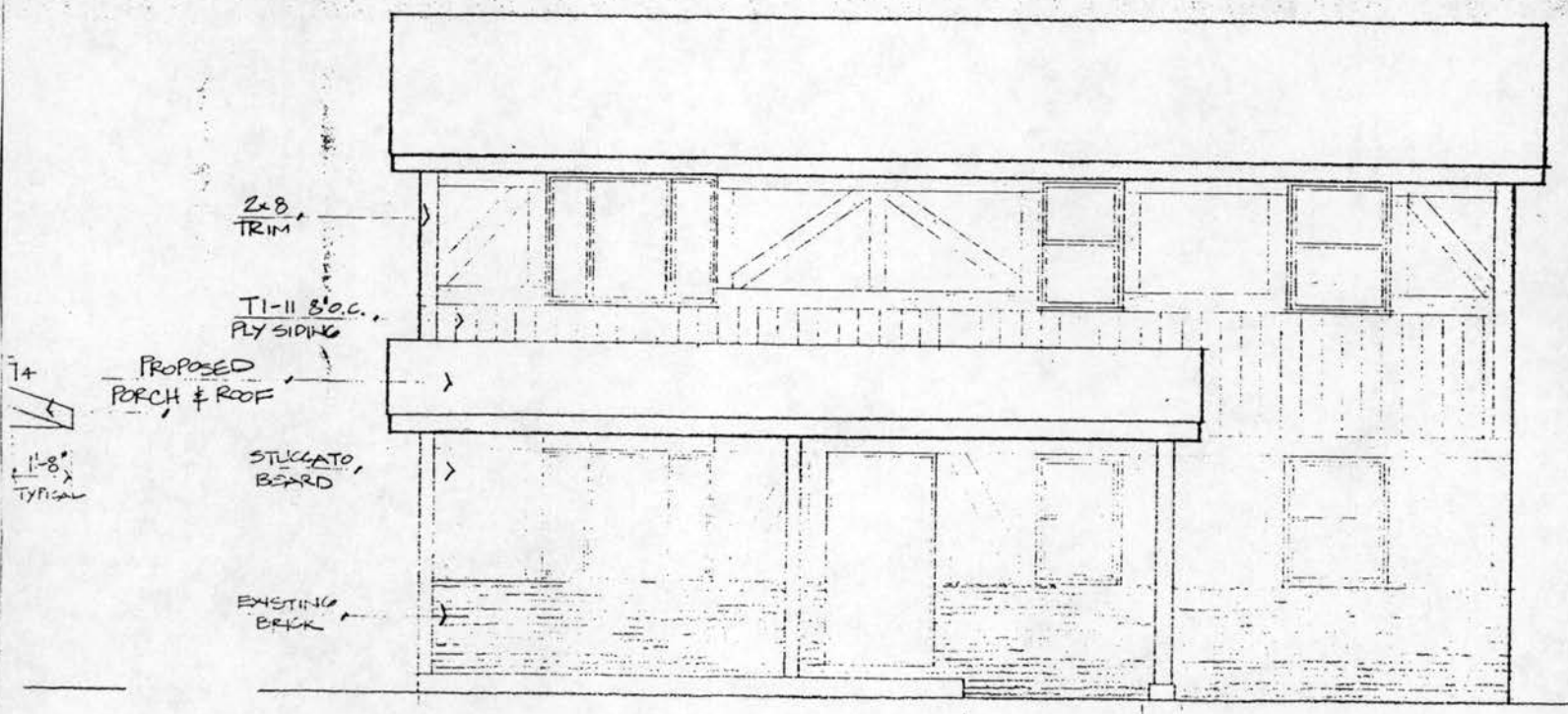
SECTION $\frac{1}{4}'' = 1'-0''$

PROPOSED ADDITION FOR
BILL & DONNA MOORE
4646 BRUNSWICK AVE NO
CRYSTAL, MN

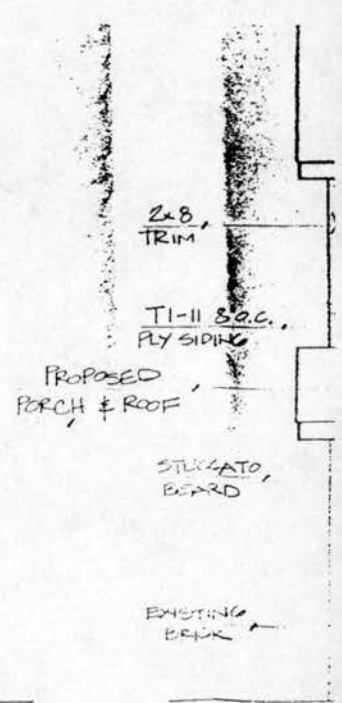
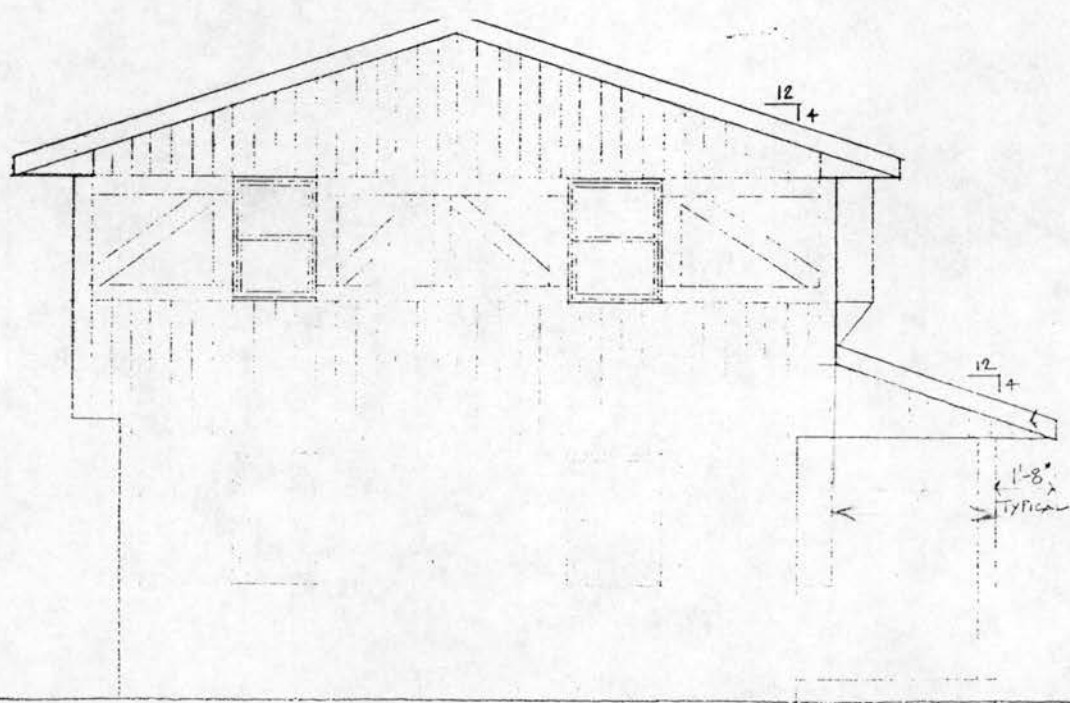
OF
> PORCH

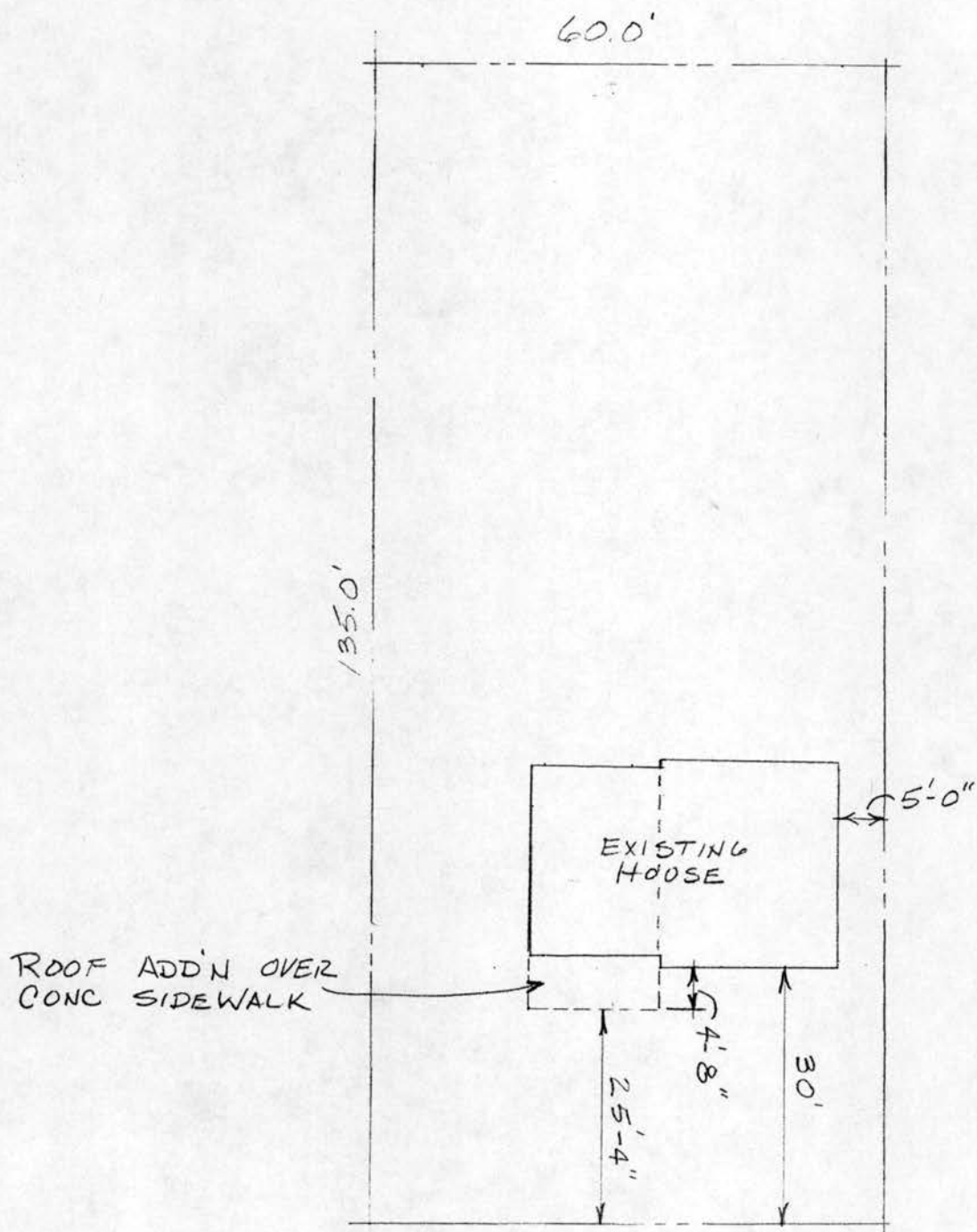
ADDITION <

> EXISTING



FRONT ELEVATION $\frac{1}{4}'' = 1'-0''$





4646 E RUNCWIL AVE
SCALE: 1" = 20'

CITY OF CRYSTAL
4141 DOUGLAS DRIVE NORTH
CRYSTAL, MN 55422
Phone: 537-8421

No. 87-65

Date: 9-22-87

APPEAL FOR A VARIANCE TO THE ZONING ORDINANCE

Street Location of Property: 4646 Brunswick ave n Crystal Minn

Legal Description of Property: _____

Property Identification Number: #09-118-21-33-0066

Applicant: William T Moore
(Print Name)

4646 Brunswick ave n Crystal 535-3762
(Address) (Phone No.)

Owner: William T Moore
(Print Name)

4646 Brunswick ave n Crystal 535-3762
(Address) (Phone No.)

REQUEST: Applicant requests a variance on the above-described property from Section 51.13 Sub 2 of the Zoning Ordinance, as amended, which requires 30' Set Back
REQUEST A 15' VARIANCE TO THE REQUIRED 30'
FRONT YARD SETBACK

State exactly what is intended to be done on, or with the property which does not conform with the Zoning Ordinance. A plot plan drawn to scale showing the proposal must be submitted with the application.

Explain in detail wherein your case conforms to the following requirements:

1. That the strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships (other than economic) inconsistent with its general purpose and intent.

2. That there are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

3. That the granting of a variance will not be materially detrimental to the public welfare or injurious to the property or improvement in such zone or neighborhood in which the property is located.

NOTE: The Planning Commission is required to make a written findings of fact from the showing applicant makes that all three of the above-enumerated conditions exist and in addition thereto must find that the granting of such variance will not be contrary to the objectives of the Comprehensive Plan.

THIS PROPERTY IS:

TORRENS / (ABSTRACT)

(Circle one)

William T Moore
(Applicant's Signature)

William T Moore
(Owner's Signature)

(Office Use Only)

FEE: \$75.00

DATE RECEIVED: 9-22-87

RECEIPT #

36528

(Approved) (Denied) - Planning Commission

10/13/87
(Date)

(Approved) (Denied) - City Council

(Date)

October 16, 1987

To: John Olson, Acting City Manager

From: Don Peterson, Chief Building Inspector

Re: Variance #87-68 at 8600 31st Ave. N.

Another corner lot situation with the house facing the side street side yard.

Had the house been built paralleling the front property line the side street side yard set back would have been 20' not 30' which is required in this situation.

The placement of the original house has made it difficult to add any additional living space in other than the side street side yard.

The size of the decks and the amount of variance required (18') may seem extreme; however, they will have little effect on the visibility etc of the neighbor and or traffic at the intersection.

I have attached a copy of the transparency that I will be showing on Tuesday evening.

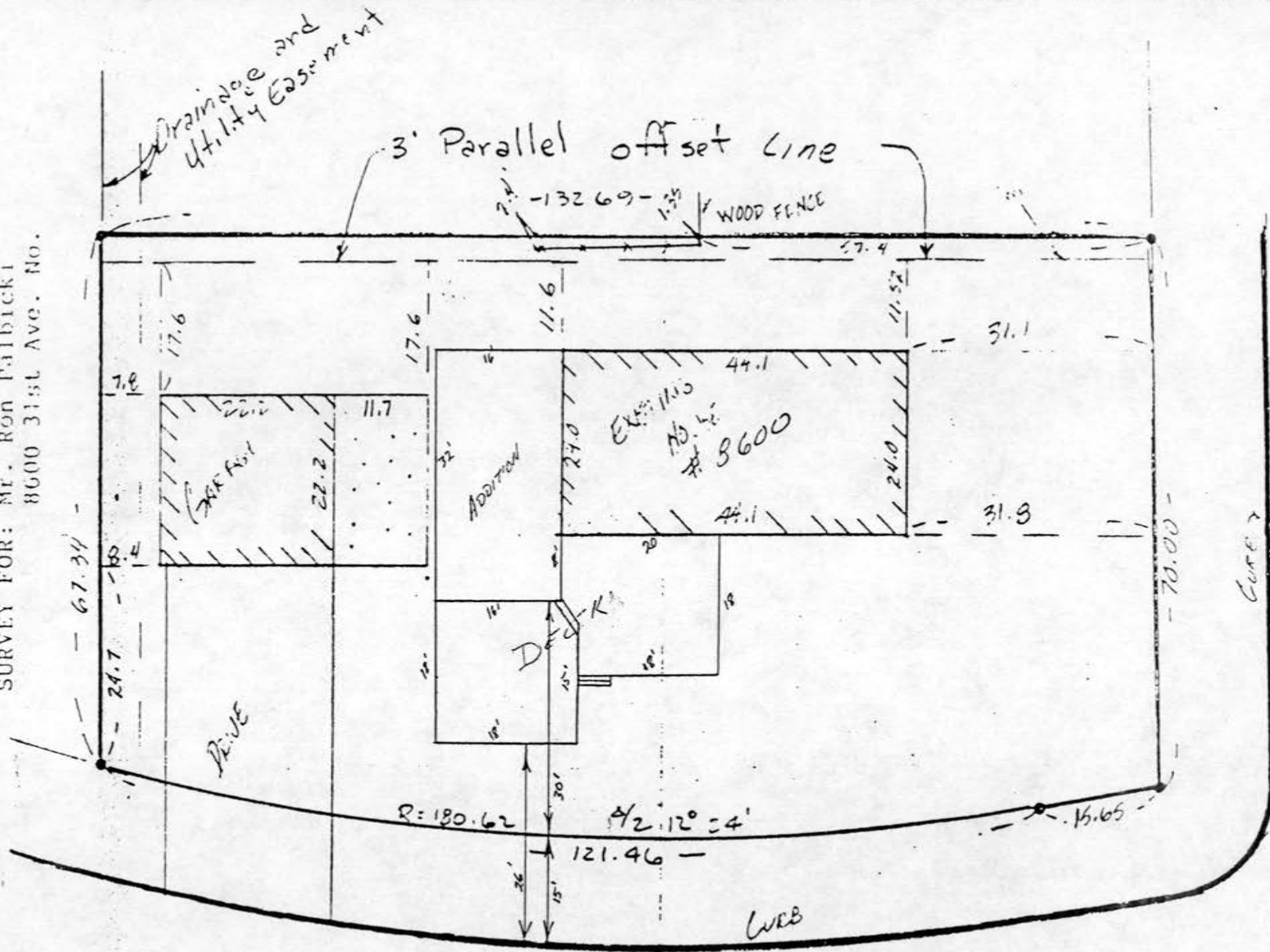
Jim Kyro & Associates

PROFESSIONAL LAND SURVEYORS
AND LAND DEVELOPMENT CONSULTANTS

16121 344-1867

3357 WISCONSIN AVE NO MINNEAPOLIS MN 55427

SURVEY FOR: MR. RON PALBICKI
8600 31st AVE. No.



DESCRIPTION: LOT 11, BLOCK 6, WEST WINNETKA TERRACE SIXTH ADDITION,

CITY OF CRYSTAL
4141 DOUGLAS DRIVE NORTH
CRYSTAL, MN 55422
Phone: 537-8421

No. 87-68

Date: _____

APPEAL FOR A VARIANCE TO THE ZONING ORDINANCE

Street Location of Property: 8600 - 31st Avenue North

Legal Description of Property: Lot 11, Block 6, WEST WINNETKA TERRACE SIXTH
ADDITION, City of Crystal, Hennepin County, MN

Property Identification Number: _____

Applicant: Ronald and Suzanne Palbicki
(Print Name)

8600 - 31st Ave. No., Crystal, MN 55427 612-544-5533
(Address) (Phone No.)

Owner: Ronald and Suzanne Palbicki
(Print Name)

8600 - 31st Ave. No., Crystal, MN 55427 612-544-5533
(Address) (Phone No.)

REQUEST: Applicant requests a variance on the above-described property from Section 515.13
2(c) of the Zoning Ordinance, as amended, which requires a 30 ft set back
from the side street property line which is approximately 15 ft back from
the curb.

State exactly what is intended to be done on, or with the property which does not conform
with the Zoning Ordinance. A plot plan drawn to scale showing the proposal must be sub-
mitted with the application.

Explain in detail wherein your case conforms to the following requirements:

1. That the strict application of the provisions of the Zoning Ordinance would result in
practical difficulties or unnecessary hardships (other than economic) inconsistent with
its general purpose and intent.

The 30 ft side street setback abuts the South wall of the family room
addition and would prevent construction of the proposed deck and
enjoyment of the side yard area.

2. That there are exceptional circumstances or conditions applicable to the property in-
volved or to the intended use or development of the property that do not apply gener-
ally to other property in the same zone or neighborhood.

This lot has the limiting constraints of a front and side street setback
which caused the placement of the home to be close to the side yard set-
back preventing any practical construction other than within the side
street setback.

3. That the granting of a variance will not be materially detrimental to the public wel-
fare or injurious to the property or improvement in such zone or neighborhood in which
the property is located.

The granting of this variance would not effect any neighbors or public
areas in this residential neighborhood. This proposed deck would not effect
public safety, snow removal, street maintenance or emergency vehicle
access in any way.

NOTE: The Planning Commission is required to make a written findings of fact from the
showing applicant makes that all three of the above-enumerated conditions exist and in
addition thereto must find that the granting of such variance will not be contrary to the
objectives of the Comprehensive Plan.

PROPERTY IS:
TORRENS / ABSTRACT
(Circle one)

Suzanne Palbicki
(Applicant's Signature)
Suzanne Palbicki
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: 10-1-87 RECEIPT # 36623

Approved) (Denied) - Planning Commission 10/13/87
(Date)

Approved) (Denied) - City Council
(Date)

October 16, 1987

To: John Olson, Acting City Manager

From: Don Peterson, Chief Building Inspector

Re: Variance #87-69 at 4725 Quail Ave. N.

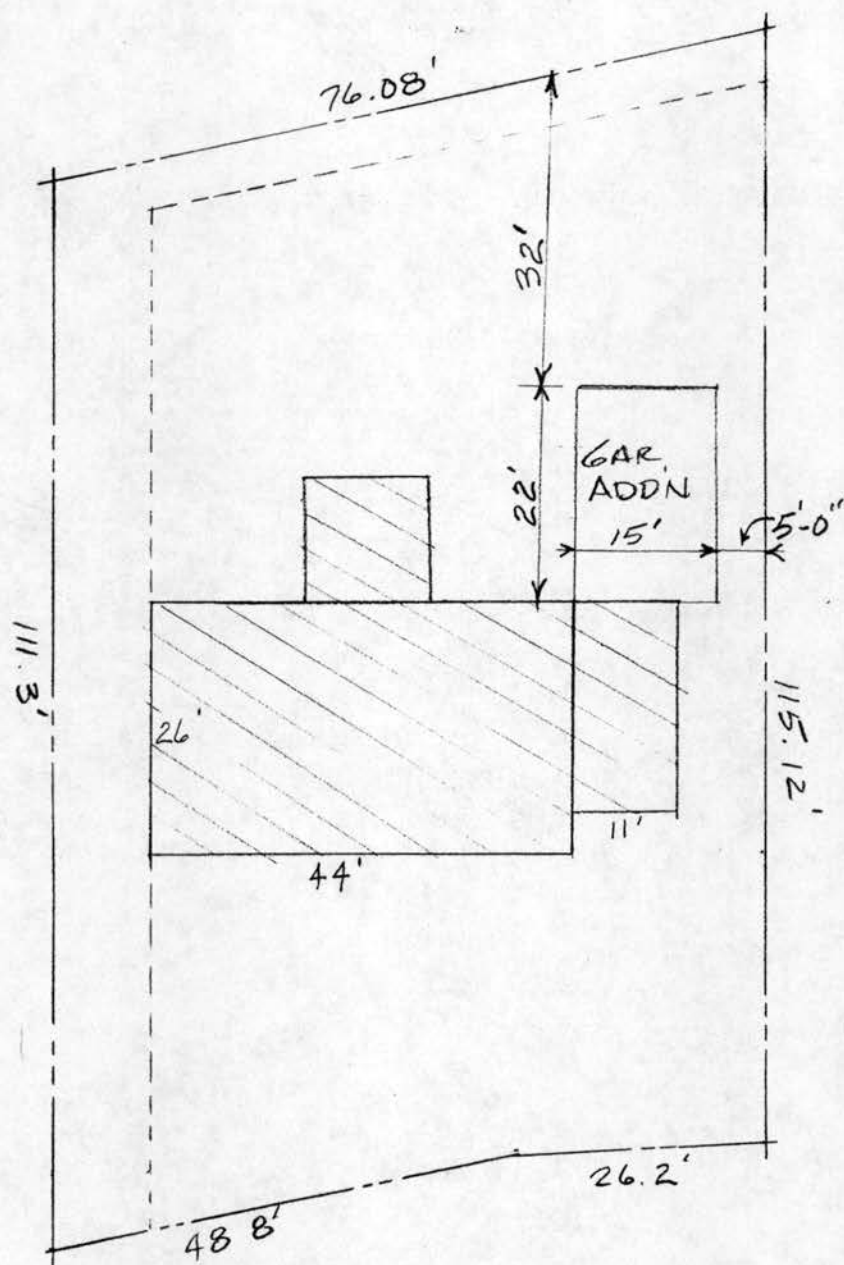
The addition to the existing single attached garage was built without benefit of building permit.

The structure encroaches 8' in the required 40' rear yard set back.

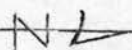
This is a house keeping item. In order that I may issue a building permit, the variance needs to be approved.

We can then proceed in bringing the structure up to the minimum standards of the State Building Code.

I have attached a copy of the transparency that I will be showing on Tuesday evening.



4725 QUAIL AVE NO.



CITY OF CRYSTAL
4141 DOUGLAS DRIVE NORTH
CRYSTAL, MN 55422
Phone: 537-8421

No. 87-69

Date: 9/30/87

APPEAL FOR A VARIANCE TO THE ZONING ORDINANCE

Street Location of Property: 4725 Quail Ave. North Crystal

Legal Description of Property: Addition H Webb Schaefer, Lot 003, Block 004

Property Identification Number: _____

Applicant: FLOYD F. BOHN AND IRENE M. BOHN
(Print Name)

4725 Quail Ave. N Mxxxx Crystal, MN 55429
(Address)

(Phone No.)

Owner: same

(Print Name)

(Address)

(Phone No.)

REQUEST: Applicant requests a variance on the above-described property from Section 51.13
(a) of the Zoning Ordinance, as amended, which requires
o.k. for garage addition that extends into back area boundary and is not
within the 40 feet limit. It is 7 feet too long. 3' VARIANCE IN 40'

State exactly what is intended to be done on, or with the property which does not conform
with the Zoning Ordinance. A plot plan drawn to scale showing the proposal must be sub-
mitted with the application. BEHIND YARD SETBACK

Explain in detail wherein your case conforms to the following requirements:

1. That the strict application of the provisions of the Zoning Ordinance would result in
practical difficulties or unnecessary hardships (other than economic) inconsistent with
its general purpose and intent.

When we first moved here, our property was flat. Then City of Crystal removed tons
and tons of dirt out of street and put us up a big hill. That makes it so that
we park our car on top by garage, and if it is icy out, it will slip right down
into the street. And it has done that a number of times with children in it and
people passing by. The only way our cars can stay up is to have in a garage.

2. That there are exceptional circumstances or conditions applicable to the property in-
volved or to the intended use or development of the property that do not apply gener-
ally to other property in the same zone or neighborhood.

It does not affect any of the neighbors whatsoever. It is completely
in our back yard.

3. That the granting of a variance will not be materially detrimental to the public wel-
fare or injurious to the property or improvement in such zone or neighborhood in which
the property is located.

It don't see how it can be detrimental to the public welfare
just because it is attached to our house. If it were a free standing garage
like the house south of us, it would be o.k. to have it way back exactly on the
boundary like he has it.

NOTE: The Planning Commission is required to make a written findings of fact from the
showing applicant makes that all three of the above-enumerated conditions exist and in
addition thereto must find that the granting of such variance will not be contrary to the
objectives of the Comprehensive Plan.

THIS PROPERTY IS:

TORRENS / ABSTRACT

(Circle one)

Irene M Bohn
(Applicant's Signature)

Irene M Bohn
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00

DATE RECEIVED: 9/30/87

RECEIPT # 36616

(Approved) (Denied) - Planning Commission

10/13/87
(Date)

(Approved) (Denied) - City Council

(Date)



Charitable Gambling Control Board
Rm N-475 Griggs-Midway Bldg.
1821 University Ave.
St. Paul, MN 55104-3383
(612) 642-0555

For Board Use Only

Paid Amt: _____

Check No. _____

Date: _____

GAMBLING LICENSE RENEWAL APPLICATION

LICENSE NUMBER: <u>2-00691-013</u>		EFF. DATE: <u>11/09/86</u>	AMOUNT OF FEE: <u>\$50.00</u>
1. Applicant—Legal Name of Organization <u>MINN THERAPEUTIC CAMP</u>		2. Street Address <u>5000 W Broadway</u>	
3. City, State, Zip <u>Crystal, MN 55429</u>		4. County <u>Crow Wing</u>	5. Business Phone <u>(218) 828 2341</u>
6. Name of Chief Executive Officer <u>R E Endres</u>		7. Business Phone <u>(218) 828 2343</u>	
8. Name of Treasurer or Person Who Accounts for Revenues <u>Dick Minnans</u>		9. Business Phone <u>(218) 828 2341</u>	
10. Name of Gambling Manager <u>Dave Savoie</u>		11. Bond Number <u>BN033505395</u>	12. Business Phone <u>(612) 861 5036</u>
13. Name of Establishment Where Gambling Will Take Place <u>Doyle's Lanes</u>		14. County <u>Hennepin</u>	15. No. of Active Members <u>250</u>
16. Lessor Name <u>Doyle's Lanes</u>		17. Monthly Rent: <u>\$300</u>	

18. If Bingo will be conducted with this license, please specify days and times of Bingo.

Days	Times	Days	Times	Days	Times

19. Has license ever been: ☐ Revoked Date: _____ ☐ Suspended Date: _____ ☐ Denied Date: _____

20. Have internal controls been submitted previously? ☒ Yes ☐ No (If "No," attach copy)

21. Has current lease been filed with the board? ☒ Yes ☐ No (If "No," attach copy)

22. Has current sketch been filed with the board? ☒ Yes ☐ No (If "No," attach copy)

GAMBLING SITE AUTHORIZATION

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

BANK RECORDS AUTHORIZATION

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

OATH

I hereby declare that:

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

23. Official Legal Name of Organization <u>MINN THERAPEUTIC CAMP</u>	Signature (Chief Executive Officer) <u>R E Endres</u>	Date 	Title <u>C.E.O.</u>
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ACKNOWLEDGEMENT OF NOTICE BY LOCAL GOVERNING BODY

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

24. City/County Name (Local Governing Body) <u>Crystal, MN</u>	Township: If site is located within a township, please complete items 24 and 25:
Signature of Person Receiving Application: <u>Barbara Stange</u>	25. Signature of Person Receiving Application
Title: <u>Mayor</u>	Title:
Date Received (this date begins 30 day period) <u>11/10/86</u>	
Name of Person Delivering Application to Local Governing Body: <u>Steve Lupton</u>	Township Name

RENTAL AGREEMENT

This Agreement, made and entered this 6 day of OCT 1987
by and between Doyles (Owner) doing business at the address
of 5000 W. Broadway (Bar and Address) in the City/County of
Crystal - Hennepin, hereinafter called FIRST PARTY, and
Mn. Therapeutic Camp (Organization), 1777 Hwy 18 East
(Street & Box Number), Brainerd (City), Minnesota, hereinafter
called SECOND PARTY,

WITNESSETH;

1. First Party, being the owner of operator of business premises, for
and in consideration of the sum of \$ 400.00 per month and other con-
sideration hereinafter recited, the receipt of which is hereby acknowledge
does hereby grant to Second Party for the period of 11-9-87
through 11-8-88 the right to locate on the business premises
games of chance devices consisting of those legal in the state of Minnesot
such devices to be located on the business premises where designated by
First Party. First Party shall have no interest in the outcome of such
games of chance.
2. Second Party shall pay First Party a monthly rental fee, which shall
be a sum sufficient to provide for adequate rental of space. Either
party may notify the other if said party wishes to renegotiate the ex-
isting rental fee. Negotiation of rental fees shall in no way reflect upon
the variance of monthly gross proceeds of the games of chance but shall
be contingent upon actual space usage incurred by the games of chance
and the patrons thereof. Any amendments to this lease must be furnished
to the Charitable Gambling Control Board at least 10 days prior to the
effective date of the change. If said amendment would cause loss of
license, it shall be negated.

3. Both parties will comply with all Federal, State, and Local Laws pertaining to the conduct of games of chance.
4. First Party agrees that only one eligible organization at a time may operate on the above stated premises and that this premises shall be subject to rules adopted by the Charitable Gambling Control Board of Minnesota.
5. This agreement may be terminated upon the giving of thirty (30) days notice by either party, said notice to be in writing.
6. Brief description of the general area leased by the Second Party:

previously submitted

7. The signing of this agreement signifies nullification of any previous agreements made by and between First and Second Party or by and between First Party and any other eligible organization for the purposes of conducting games of chance.

IN WITNESS WHEREOF, the parties hereto have set their hand the day and year first above written.

FIRST PARTY:

10/6/87
(Date)

10/7/87
(Date)

SECOND PARTY:

Lloyd A. Stenlund
Ferry Brightbill

CITY OF CRYSTAL, MINNESOTA
TAX INCREMENT PROJECTION
STUART CORPORATION

SCHEDULE B

PREPARED 10/20/87
BY SPRINGSTED INCORPORATED

			CAPTURED VALUATION					TAX INC. PROJ. WITH A MILL RATE OF 110			LESS DEBT SERVICE ON REFUNDING 1986A BONDS		\$1,870,000 TAX EXEMPT DEBT SERVICE	TRANSFER FROM P.I.R. FUND	CUMULATIVE BALANCE	
LEVY YEAR	COL. YEAR	MAT. YEAR	CURRENT VALUATION	CRYSTAL LINOLEUM	ELDERLY HOUSING	NEW RETAIL	MULTI- FAMILY HOUSING	TOTAL CAPTURED VALUATION		ASSESSMENT INCOME	TOTAL REVENUE		ANNUAL SURPLUS			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
BEGINNING BAL.																N/A
1984	1985	1986	1,164,522	0	0	0	0	1,164,522	128,097	0	128,097	0	128,097			(10,327)(c)
1985	1986	1987	2,952,802	0	0	0	0	2,952,802	324,808	0	0 (a)	255,856	0		266,183 (b)	0
1986	1987	1988	2,567,204	272,650	0	1,498,107	558,348	4,896,309	538,594	0	538,594	438,610	99,984			99,984
1987	1988	1989	2,567,204	272,650	0	1,498,107	1,710,308	6,048,269	665,310	20,282	685,592	438,610	246,982	238,525		108,441
1988	1989	1990	2,567,204	272,650	0	1,498,107	1,803,332	6,141,293	675,542	19,176	694,718	438,610	256,108	247,695		116,854
1989	1990	1991	2,567,204	272,650	782,000	1,498,107	1,877,958	6,997,919	769,771	18,069	787,840	438,610	349,230	241,195		224,889
1990	1991	1992	2,567,204	272,650	782,000	1,498,107	1,967,509	7,087,470	779,622	16,963	796,585	548,610	247,975	234,445		238,419
1991	1992	1993	2,567,204	272,650	782,000	1,498,107	1,972,000	7,091,961	780,116	15,857	795,973	631,735	164,238	177,445		225,212
1992	1993	1994	2,567,204	272,650	782,000	1,498,107	1,972,000	7,091,961	780,116	0	780,116	618,735	161,381	173,895		212,698
1993	1994	1995	2,567,204	272,650	782,000	1,498,107	1,972,000	7,091,961	780,116	0	780,116	630,235	149,881	170,295		192,284
1994	1995	1996	2,567,204	272,650	782,000	1,498,107	1,972,000	7,091,961	780,116	0	780,116	634,485	145,631	166,595		171,320
1995	1996	1997	2,567,204	272,650	782,000	1,498,107	1,972,000	7,091,961	780,116	0	780,116	642,090	138,026	162,795		146,551
1996	1997	1998	2,567,204	272,650	782,000	1,536,798	1,972,000	7,130,652	784,372	0	784,372	647,650	136,722	158,920		124,353
1997	1998	1999	2,567,204	272,650	782,000	1,603,910	1,972,000	7,197,764	791,754	0	791,754	646,263	145,491	154,970		114,874
1998	1999	2000	2,567,204	272,650	782,000	1,673,370	1,972,000	7,267,224	799,395	0	799,395	668,268	131,127	150,970		95,031
1999	2000	2001	2,567,204	272,650	782,000	1,745,262	1,972,000	7,339,116	807,303	0	807,303	661,628	145,675	146,920		93,786
2000	2001	2002	2,567,204	272,650	782,000	1,819,669	1,972,000	7,413,523	815,488	0	815,488	653,128	162,360	142,820		113,326
2001	2002	2003	2,567,204	272,650	782,000	1,896,682	1,972,000	7,490,536	823,959	0	823,959	712,728	111,231	138,670		85,887
2002	2003	2004	2,567,204	272,650	782,000	1,976,389	1,972,000	7,570,243	832,727	0	832,727	689,998	142,729	134,470		94,146
2003	2004	2005	2,567,204	272,650	782,000	2,058,886	1,972,000	7,652,740	841,801	0	841,801	635,860	205,941	200,220		99,867
2004	2005	2006	2,567,204	272,650	782,000	2,144,271	1,972,000	7,738,125	851,194	0	851,194	582,640	268,554	269,900		98,521
2005	2006	2007	2,567,204	272,650	782,000	2,232,644	1,972,000	7,826,498	860,915	0	860,915	530,590	330,325	252,500		176,346
2006	2007	2008	2,567,204	272,650	782,000	2,324,110	1,972,000	7,917,964	870,976	0	870,976	479,710	391,266	235,000		332,612
2007	2008	2009	2,567,204	272,650	782,000	2,418,778	1,972,000	8,012,632	881,390	0	881,390	0	881,390	217,500		996,502
TOTALS			60,595,812	5,998,300	14,858,000	38,411,839	41,441,455	161,305,406	17,743,598	90,347	17,509,137	12,624,649	5,140,344	4,015,745	266,183	

NOTES (a) All of the 1986 TIF Income was transferred to the P.I.R. Fund and none of it is available for debt service.

(b) The Transfer from the P.I.R. Fund to the Debt Service Fund was necessary in order to pay the February 1, 1987 debt service and balance the debt service fund.

(c) This is the actual December 31, 1986 Debt Service Fund balance as audited.



Public Finance Advisors:
85 East Seventh Place, Suite 100
Saint Paul, Minnesota 55101-2143
612-223-3000

\$1,870,000
CITY OF CRYSTAL, MINNESOTA
GENERAL OBLIGATION TAX INCREMENT BONDS, SERIES 1987A

AWARD: **DAIN BOSWORTH INCORPORATED**
- And Associate -

SALE: **October 20, 1987** **Moody's Rating: A**

Bidder	Interest Rates	Price	Net Interest Cost & Rate
DAIN BOSWORTH INCORPORATED	6.25% 1989	\$ 1,837,275.00	\$2,178,626.25 (8.59164%)
Miller Securities, Incorporated	6.50% 1990		
	6.75% 1991		
	7.00% 1992		
	7.10% 1993		
	7.25% 1994		
	7.40% 1995		
	7.60% 1996		
	7.75% 1997		
	7.90% 1998		
	8.00% 1999		
	8.10% 2000		
	8.20% 2001		
	8.30% 2002		
	8.40% 2003		
	8.50% 2004		
	8.60% 2005		
	8.70% 2006		
	8.75% 2007-2009		
PIPER, JAFFRAY & HOPWOOD INCORPORATED	6.25% 1989	\$ 1,837,088.00	\$2,184,057.00 (8.6130%)
Allison-Williams Company	6.50% 1990		
American National Bank Saint Paul	6.75% 1991		
Cronin & Company, Incorporated	7.00% 1992		
Juran & Moody, Incorporated	7.20% 1993		
Miller & Schroeder Financial, Incorporated	7.40% 1994		
	7.50% 1995		
	7.60% 1996		
	7.75% 1997		
	7.90% 1998		
	8.00% 1999		
	8.10% 2000		
	8.20% 2001		
	8.30% 2002		
	8.40% 2003		
	8.50% 2004		
	8.60% 2005		
	8.70% 2006		
	8.75% 2007		
	8.80% 2008-2009		
NORWEST INVESTMENT SERVICES, INCORPORATED	6.00% 1989	\$ 1,836,340.00	\$2,192,312.50 (8.6456%)
FIRST NATIONAL BANK OF MINNEAPOLIS	6.25% 1990		
THE FIRST NATIONAL BANK OF SAINT PAUL	6.50% 1991		
Dean Witter Reynolds Incorporated	6.70% 1992		
Dougherty, Dawkins, Strand & Yost, Incorporated	6.90% 1993		
Marcotte Hume & Associates, Incorporated	7.10% 1994		
Moore, Juran and Company, Incorporated	7.25% 1995		
Peterson Financial Corporation	7.40% 1996		
	7.60% 1997		
	7.75% 1998		
	7.90% 1999		
	8.00% 2000		
	8.20% 2001		
	8.40% 2002		

Bidder	Interest Rates	Price	Net Interest Cost & Rate
	8.50% 2003		
	8.60% 2004		
	8.70% 2005		
	8.75% 2006		
	8.80% 2007		
	8.90% 2008-2009		
PRUDENTIAL-BACHE SECURITIES INCORPORATED	6.50% 1989	\$ 1,836,340.00	\$2,257,160.00 (8.9013%)
	6.75% 1990		
SHEARSON LEHMAN BROTHERS INCORPORATED	7.00% 1991		
	7.20% 1992		
E.F. HUTTON & COMPANY, INCORPORATED	7.40% 1993		
	7.60% 1994		
	7.80% 1995		
	8.00% 1996		
	8.20% 1997		
	8.30% 1998		
	8.40% 1999		
	8.50% 2000		
	8.60% 2001		
	8.70% 2002		
	8.80% 2003		
	8.90% 2004		
	9.00% 2005-2009		
SMITH BARNEY, HARRIS UPHAM & COMPANY, INCORPORATED	7.00% 1989	\$ 1,836,340.00	\$2,344,160.00 (9.24444%)
	7.20% 1990		
	7.40% 1991		
	7.60% 1992		
	7.80% 1993		
	8.00% 1994		
	8.15% 1995		
	8.30% 1996		
	8.45% 1997		
	8.60% 1998		
	8.70% 1999		
	8.80% 2000		
	8.90% 2001		
	9.00% 2002		
	9.10% 2003		
	9.20% 2004		
	9.25% 2005		
	9.30% 2006		
	9.35% 2007		
	9.40% 2008-2009		

The Bonds are being reoffered at par.

BBI: 9.17
Average Maturity: 13.56 Years

LeFevere
Lefler
Kennedy
O'Brien &
Drawz

a Professional
Association

2000 First Bank Place West
Minneapolis
Minnesota 55402

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

Clayton L. LeFevere
Herbert P. Lefler
J. Dennis O'Brien
John E. Drawz
David J. Kennedy
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

October 15, 1987

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

Re: \$1,870,000 General Obligation Tax Increment Bonds,
Series 1987A
City of Crystal, Minnesota

Dear John:

Enclosed you will find four copies of an extract of minutes showing adoption of the sale of the resolution awarding the sale of the above bonds for Tuesday night. Springsted will assist you and Darlene in completing the resolution upon its adoption.

Three certified copies of the resolution should be then sent to Nancy Langness at Springsted. I am also enclosing the form that we use for filing with the Director of Property Taxation that will be taken care of by Springsted.

Yours very truly,


David J. Kennedy

DJK:caw

Enclosure

cc: Nancy Langness

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DIRECTOR OF PROPERTY TAXATION'S
CERTIFICATE AS TO
REGISTRATION WHERE NO
AD VALOREM TAX LEVY

I, the undersigned Director of Property Taxation of Hennepin County, Minnesota, hereby certify that a resolution adopted by the City of Crystal on October 20, 1987, relating to General Obligation Tax Increment Bonds, Series 1987A in the amount of \$1,870,000, dated November 1, 1987, has been filed in my office and said obligations have been registered on the register of obligations in my office.

WITNESS My hand and official seal this ____ day of _____,
1987.

Director of Property Taxation
Hennepin County, Minnesota

(SEAL)

By _____
Deputy

C4:00111087.RAW

Extract of Minutes of Meeting of the
City Council of the City of Crystal
Hennepin County, Minnesota

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Crystal, Minnesota, was duly held in the City Hall in said City, on Tuesday, October 20, 1987, commencing at 7:00 o'clock p.m.

The following members were present:

and the following were absent:

The Mayor announced that the next order of business was consideration of the bids which had been received for the purchase of the City's \$1,870,000 General Obligation Tax Increment Bonds, Series 1987A, as advertised for sale. The City Clerk presented affidavits showing publications of notice of sale in the City's official newspaper and in Commercial West, a financial paper published in Minneapolis, Minnesota, which affidavits were examined, found satisfactory and ordered placed on file.

The City Clerk presented a tabulation of the bids which had been received in the manner specified in the Official Terms of Offering of the Bonds. The bids were as follows:

After due consideration of the bids, Councilmember _____
introduced the following resolution and moved its adoption:

RESOLUTION NO. 87-_____

A RESOLUTION AWARDING THE SALE OF \$1,870,000
GENERAL OBLIGATION TAX INCREMENT BONDS, SERIES 1987A;
FIXING THEIR FORM AND SPECIFICATIONS;
DIRECTING THEIR EXECUTION AND DELIVERY;
AND PROVIDING FOR THEIR PAYMENT

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

Section 1. Sale of Bonds.

1.01. The bid of _____ (Pur-
chaser) to purchase \$1,870,000 General Obligation Tax Increment Bonds,
Series 1987A (Bonds) of the City described in the Official Notice of Sale
thereof is hereby found and determined to be the highest and best bid
received pursuant to duly advertised notice of sale and shall be and is
hereby accepted, such bid being to purchase the Bonds at a price of
\$ _____ plus accrued interest to date of delivery, for Bonds bearing
interest as follows:

Year of Maturity

Interest Rate Per Annum

Net effective interest rate: _____

1.02. The sum of \$ _____ being the amount bid by the Purchaser
in excess of \$1,836,340, shall be credited to the Debt Service Fund herein-
after created. The City Treasurer is directed to retain the good faith
check of the Purchaser pending completion of the sale and delivery of the
Bonds, and to return the checks of the unsuccessful bidders forthwith. The
Mayor and City Manager are directed to execute a contract with the Purchas-
er on behalf of the City.

1.03. The City shall forthwith issue and sell the Bonds in the total
principal amount of \$1,870,000, originally dated November 1, 1987, in the
denomination of \$5,000 each or any integral multiple thereof, numbered

No. R-1 upward, bearing interest as above set forth, and which Bonds mature serially on February 1 in the years and amounts as follows:

<u>YEAR</u>	<u>AMOUNT</u>	<u>YEAR</u>	<u>AMOUNT</u>
1989	\$ 50,000	1999	\$ 50,000
1990	100,000	2000	50,000
1991	100,000	2001	50,000
1992	100,000	2002	50,000
1993	50,000	2003	50,000
1994	50,000	2004	50,000
1995	50,000	2005	120,000
1996	50,000	2006	200,000
1997	50,000	2007	200,000
1998	50,000	2008	200,000
		2009	200,000

1.04. Optional Redemption. The City may elect on February 1, 1997, and on any interest payment date thereafter, to prepay Bonds maturing on or after February 1, 1998. Redemption may be in whole or in part of the bonds subject to prepayment. If redemption is in part, those Bonds remaining unpaid which have the latest maturity date will be prepaid first. If only part of the Bonds having a common maturity date are called for prepayment the specific Bonds to be prepaid will be chosen by lot by the Registrar. All prepayments shall be at a price of par plus accrued interest.

Section 2. Registration and Payment.

2.01. Registered Form. The Bonds shall be issued only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof shall be payable by check or draft issued by the Registrar described herein.

2.02. Dates; Interest Payment Dates. Each Bond shall be dated as of the last interest payment date preceding the date of authentication to which interest on the Bond has been paid or made available for payment, unless (i) the date of authentication is an interest payment date to which interest has been paid or made available for payment, in which case such Bond shall be dated as of the date of authentication, or (ii) the date of authentication is prior to the first interest payment date, in which case such Bond shall be dated as of the date of original issue. The interest on the Bonds shall be payable on February 1 and August 1 of each year, commencing August 1, 1988, to the owner of record thereof as of the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day.

2.03. Registration. The City shall appoint, and shall maintain, a bond registrar, transfer agent, authenticating agent and paying agent (Registrar). The effect of registration and the rights and duties of the City and the Registrar with respect thereto shall be as follows:

(a) Register. The Registrar shall keep at its principal corporate trust office a bond register in which the Registrar shall provide for the registration of ownership of Bonds and the registration of

transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of any Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until such interest payment date.

(c) Exchange of Bonds. Whenever any Bonds are surrendered by the registered owner for exchange the Registrar shall authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity, as requested by the registered owner or the owner's attorney in writing.

(d) Cancellation. All Bonds surrendered upon any transfer or exchange shall be promptly cancelled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When any Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar shall incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name any Bond is at any time registered in the bond register as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on such Bond and for all other purposes, and all such payments so made to any such registered owner or upon the owner's order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. For every transfer or exchange of Bonds, the Registrar may impose a charge upon the owner thereof sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to such transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. In case any Bond shall become mutilated or be destroyed, stolen or lost, the Registrar shall deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of any such mutilated Bond or in lieu of and in substitution for any

such Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that such Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar of an appropriate bond or indemnity in form, substance and amount satisfactory to it, in which both the City and the Registrar shall be named as obligees. All Bonds so surrendered to the Registrar shall be cancelled by it and evidence of such cancellation shall be given to the City. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it shall not be necessary to issue a new Bond prior to payment.

(i) Redemption. In the event any of the Bonds are called for redemption, notice thereof identifying the Bonds to be redeemed will be given by the Registrar by mailing a copy of the redemption notice by first class mail (postage prepaid) not more than 60 and not less than 30 days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed at the address shown on the registration books kept by the Registrar and by publishing said notice in the manner required by law. Failure to give such notice by publication or by mail to any registered owner, or any defect therein, will not affect the validity of any proceeding for the redemption of Bonds. All Bonds so called for redemption will cease to bear interest after the specified redemption date, provided that the funds for the redemption are on deposit with the place of payment at that time.

2.04. Appointment of Initial Registrar. The City hereby appoints _____, Minnesota, as the initial Registrar. The Mayor and the City Manager are authorized to execute and deliver, on behalf of the City, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, such corporation shall be authorized to act as successor Registrar. The City agrees to pay the reasonable and customary charges of the Registrar for the services performed. The City reserves the right to remove the Registrar upon 30 days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar shall deliver all cash and Bonds in its possession to the successor Registrar and shall deliver the bond register to the successor Registrar. On or before each principal or interest due date, without further order of this Council, the Treasurer shall transmit to the Registrar moneys sufficient for the payment of all principal and interest then due.

2.05. Execution, Authentication and Delivery. The Bonds shall be prepared under the direction of the City Manager and shall be executed on behalf of the City by the signatures of the Mayor and the City Manager, provided that all signatures may be printed, engraved or lithographed facsimiles of the originals. In case any officer whose signature or a facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of any Bond, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery. Notwithstanding such

execution, no Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on such Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on each Bond shall be conclusive evidence that it has been authenticated and delivered under this Resolution. When the Bonds have been so prepared, executed and authenticated, the Treasurer shall deliver the same to the Purchaser thereof upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Purchaser shall not be obligated to see to the application of the purchase price.

2.06. Temporary Bonds. The City may elect to deliver in lieu of printed definitive Bonds, one or more typewritten Bonds in substantially the form set forth in Section 3 with such changes as may be necessary to reflect more than one maturity in a single temporary Bond. Upon the execution and delivery of definitive Bonds the temporary Bonds should be exchanged therefor and cancelled.

Section 3. Form of Bond.

3.01. The Bonds shall be printed in substantially the following form:

[Face of the Bond]

UNITED STATES OF AMERICA
STATE OF MINNESOTA
COUNTY OF HENNEPIN

CITY OF CRYSTAL

GENERAL OBLIGATION TAX INCREMENT BOND, SERIES 1987A

<u>Rate</u> %	<u>Maturity</u>	<u>Date of</u> <u>Original Issue</u>	<u>CUSIP</u>
		November 1, 1987	

No. R-

\$

The City of Crystal, a duly organized and existing municipal corporation in Hennepin County, Minnesota (City), acknowledges itself to be indebted and for value received hereby promises to pay to

or registered assigns, the principal sum of \$_____ on the maturity date specified above with interest thereon from the date hereof at the annual rate specified above, payable February 1 and August 1 in each year,

commencing August 1, 1988, to the person in whose name this Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by _____, Minnesota, as Bond Registrar, Paying Agent, Transfer Agent and Authenticating Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the City have been and are hereby irrevocably pledged.

The City may elect on February 1, 1997, and on any interest payment date thereafter, to prepay Bonds of this issue maturing on or after February 1, 1998. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, those Bonds remaining unpaid which have the latest maturity date will be prepaid first. If only part of the Bonds having a common maturity date are called for prepayment the specific Bonds to be prepaid will be chosen by lot by the Registrar. All prepayments shall be at a price of par plus accrued interest. In the event any of the Bonds are called for redemption, notice thereof identifying the Bonds to be redeemed will be given by the Registrar by mailing a copy of the redemption notice by first class mail (postage prepaid) not more than 60 and not less than 30 days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed at the address shown on the registration books kept by the Registrar and by publishing said notice in the manner required by law. Failure to give such notice by publication or by mail to any registered owner, or any defect therein, will not affect the validity of any proceeding for the redemption of Bonds. All Bonds so called for redemption will cease to bear interest after the specified redemption date, provided that the funds for the redemption are on deposit with the place of payment at that time.

Additional provisions of this Bond are contained on the reverse hereof and such provisions shall for all purposes have the same effect as though fully set forth in this place.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon shall have been executed by the Bond Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of Crystal, Hennepin County, Minnesota, by its City Council, has caused this Bond to be executed on its behalf by the facsimile signatures of the Mayor and City Clerk and has caused this Bond to be dated as of the date set forth below.

Dated: _____

CITY OF CRYSTAL, MINNESOTA

(facsimile)
City Clerk

(facsimile)
Mayor

CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

By _____
Authorized Representative

[Reverse of the Bond]

This Bond is one of an issue in the aggregate principal amount of \$1,870,000, all of like original issue date and tenor, except as to number, maturity date, redemption privilege, and interest rate, issued pursuant to a resolution adopted by the City Council on October 20, 1987 (the Resolution), for the purpose of providing money to aid in financing the public redevelopment costs of a project in a Tax Increment Financing District (District) in the City, pursuant to Minnesota Statutes, sections 469.174 through 469.179, the Minnesota Tax Increment Financing Act, and the principal hereof and interest hereon are payable primarily from tax increments resulting from increases in assessed valuation of real property in the District, as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred. The full faith and credit of the City are irrevocably pledged for payment of this Bond, and the City Council has obligated itself to levy taxes on all of the taxable property in the City in the event of any deficiency of tax increments pledged, which taxes may be levied without limitation as to rate or amount. The bonds of this issue are issued only as fully registered bonds in denominations of \$5,000 or any integral multiple thereof of single maturities.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Bond Registrar, by the registered owner hereof in person or by the owner's attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Bond Registrar, duly executed by the registered owner or the owner's attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the City will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

Signature(s) must be guaranteed by a national bank or trust company or by a brokerage firm having a membership in one of the major stock exchanges.

The Bond Registrar will not effect transfer of this Bond unless the information concerning the assignee requested below is provided.

Name and Address: _____

(Include information for all joint owners if the Bond is held by joint account.)

Please insert social security or other identifying number of assignee

3.02. The City Clerk shall obtain a copy of the proposed approving legal opinion of LeFevere, Lefler, Kennedy, O'Brien & Drawz, a Professional Association, Minneapolis, Minnesota, which shall be complete except as to dating thereof and shall cause the opinion to be printed on each Bond, together with a certificate to be signed by the facsimile signature of the City Clerk in substantially the form set forth in the form of Bond. The City Clerk is hereby authorized and directed to execute such certificate in the name of the City upon receipt of such opinion and to file the opinion in the City offices.

Section 4. Security: Payment.

4.01. The Bonds are issued for the purpose of providing funds to complete the financing of public redevelopment costs (Costs) incurred within the Bass Lake Road-Becker Park Redevelopment Project Area (Project Area) in the City. A portion of the Costs have been financed by the City's \$5,865,000 General Obligation Tax Increment Refunding Bonds, Series 1986A (1986A Bonds) which refunded in advance of maturity the City's \$5,865,000 General Obligation Tax Increment Bonds, Series 1985A (1985A Bonds). Resolution No. 85-22 awarding the sale of the 1985A Bonds created a Debt Service Fund for those Bonds and any other bonds similarly authorized and issued. Resolution No. 86-20 awarding the sale of the 1986 Bonds terminated the Debt Service Fund and created a new Debt Service Fund for the 1986 Bonds.

4.02. The Bonds are payable from the 1987 Bonds Account hereby created in the Debt Service Fund. Tax Increments from the Project Area received pursuant to a Tax Increment Agreement between the City and the Housing and Redevelopment Authority of the City of Crystal, dated March 5, 1985 are pledged by Resolution 86-20 and this Resolution to the extent necessary to pay principal of and interest on the 1986 Bonds and the Bonds and shall be paid FIRST to principal of and interest on the 1986 Bonds and SECOND to principal of and interest on the Bonds. If a payment of principal or interest on the 1986 Bonds or the Bonds comes due when there are not sufficient money in the Debt Service Fund to pay the same the Treasurer shall pay such principal or interest from the general fund of the City and the general fund shall be reimbursed out of proceeds of Tax Increments when received by the City.

4.03. It is hereby determined that the estimated collection of Tax Increments for payment of principal and interest on the Bonds will produce at least five percent in excess of the amount needed to meet, when due, the principal and interest payments on the Bonds and that no tax levy is needed at this time. The City Clerk is directed to file a certified copy of this Resolution with the Director of Property Taxation of Hennepin County and obtain the certificate required by Minnesota Statutes, Section 475.63.

Section 5. Authentication of Transcript.

5.01. The officers of the City are hereby authorized and directed to prepare and furnish to the Purchaser and to the attorneys approving the same, certified copies of proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other certificates, affidavits and transcripts as may be required to show the facts within their knowledge or as shown by the books and records in their custody and under their control, relating to the validity and marketability of the Bonds and such instruments, including any heretofore furnished, shall be deemed representations of the City as to the facts stated therein.

5.02. The Mayor, City Clerk and Treasurer are hereby authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief said statement is a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement.

Sec. 6. Special Tax Covenant.

6.01. (a) The City covenants and agrees with the holders from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Bonds to become subject to taxation under the Internal Revenue Code of 1986, as amended (Code), and the Treasury Regulations promulgated thereunder, in effect at the time of such actions, and that it will take or cause its officers, employees or agents to take, all affirmative action within its power that may be necessary to ensure that such interest will not become subject to taxation under the Code and applicable Treasury Regulations, as presently existing or as hereafter amended and made applicable to the Bonds.

(b) The City shall comply with requirements necessary under the Code to establish and maintain the exclusion from gross income under Section 103 of the Code of the interest on the Bonds, including without limitation requirements relating to temporary periods for investments, limitations on amounts invested at a yield greater than the yield on the Bonds, and the rebate of excess investment earnings to the United States if the Bonds (together with other obligations reasonably expected to be issued in calendar year 1987) exceed the small-issuer exception amount of \$5,000,000. For purposes of qualifying for the small issuer exception to the federal arbitrage rebate requirements, the City hereby finds, determines and declares that the aggregate face amount of all tax-exempt bonds (other than private activity bonds issued by the City (and all subordinate entities of the City) during the calendar year in which the Bonds are issued and outstanding at one time is not reasonably expected to exceed \$5,000,000, all within the meaning of Section 148(f)(4)(C) of the Code.

6.02. The City further covenants not to use the proceeds of the Bonds or to cause or permit them or any of them to be used, in such a manner as to cause the Bonds to be "private activity bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

6.03. In order to qualify the Bonds as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code, the City hereby makes the following factual statements and representations:

(a) the Bonds are not "private activity bonds" as defined in Section 141 of the Code;

(b) the City hereby designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code.

(c) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds, treating qualified 501(c)(3) bonds as not being private activity bonds) which will be issued by the City (and all subordinate entities of the City) during calendar year 1987 will not exceed \$10,000,000; and

(d) not more than \$10,000,000 of obligations issued by the City during calendar year 1987 have been designated for purposes of Section 265(b)(3) of the Code.

6.04. The proceeds of the 1986 Bonds have been totally expended for Costs in the Project Area (as those capitalized terms are defined in Section 4). Among those Costs were the cost of the acquisition of real property in the amount of \$3,495,442 which was resold to private developers. All of the proceeds of the Bonds will be expended for public improvements in the Project Area which improvements consist entirely of facilities used or to be used by the general public and not exclusively nor in any substantial way by private persons.

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

and the following voted against:

whereupon said resolution was declared duly passed and adopted.

C4:00111087.RAW

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

I, the undersigned, being the duly qualified and acting City Clerk of the City of Crystal, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City Council held on Tuesday, October 20, 1987, with the original thereof on file in my office and the same is a full, true and correct copy thereof insofar as the same relates to the issuance and sale of \$1,870,000 General Obligation Tax Increment Bonds, Series 1987A of the City.

WITNESS My hand as City Clerk and the corporate seal of the City this _____ day of _____, 1987.

City Clerk
City of Crystal, Minnesota

(SEAL)

C4:00111087.RAW

October 16, 1987

To: John Olson, Acting City Manager

From: Don Peterson, Chief Building Inspector

Re: Variance #87-66 & 87-67 at 4856 Hampshire Ave. N.

This is a corner lot which has a non-conforming structure due to the set back on Fairview.

The applicant wishes to add a 5' addition to the front of their house which will not extend any further than the existing house and garage.

One variance is to allow the expansion of the non-conforming structure and the other is to allow the 5' addition to also encroach 13' in the required 30' side street side yard set back.

I have attached a copy of the transparency that I will show on Tuesday evening.

FAIRVIEW

133.57

15'-0" TO CURB

17'-0"

HAMPSHIRE

39'-0"

PROPOSED
ADDITION

EXISTING ROOF
LINE

GARAGE

EXISTING HOUSE

6' x 5'

4856 HAMPSHIRE

CITY OF CRYSTAL
4141 DOUGLAS DRIVE NORTH
CRYSTAL, MN 55422
Phone: 537-8421

No. 87-66
Date: 9/25/87

APPEAL FOR A VARIANCE TO THE ZONING ORDINANCE

Street Location of Property: 4856 HAMPSHIRE AVE NO.
Legal Description of Property: Lot 4, Block 4, Douglas Drive Addition
Hennepin County, Minnesota
Property Identification Number: 08-118-21-41-0082
Applicant: RICHARD W/CAMILLE B. PETERSON
(Print Name)
4856 HAMPSHIRE AVE NO. 535-6757
(Address) (Phone No.)
Owner: Same as Above
(Print Name)
" " "
(Address) (Phone No.)

REQUEST: Applicant requests a variance on the above-described property from Section 515.05 SUBD 2 of the Zoning Ordinance, as amended, which requires TO PERMIT
EXPANSION of Non-Conforming STRUCTURE (SETBACKS)

State exactly what is intended to be done on, or with the property which does not conform with the Zoning Ordinance. A plot plan drawn to scale showing the proposal must be submitted with the application.

Explain in detail wherein your case conforms to the following requirements:

1. That the strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships (other than economic) inconsistent with its general purpose and intent.

We are going to expand the front of the house approx 5' out
under the existing roof in the Unusually Area.

2. That there are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.
It will in no way encroach on anyone's sight lines or go
any further than existing roof line.

3. That the granting of a variance will not be materially detrimental to the public welfare or injurious to the property or improvement in such zone or neighborhood in which the property is located.

NOTE: The Planning Commission is required to make a written findings of fact from the showing applicant makes that all three of the above-enumerated conditions exist and in addition thereto must find that the granting of such variance will not be contrary to the objectives of the Comprehensive Plan.

THIS PROPERTY IS:

TORRENS / ABSTRACT

(Circle one)

Camille B. Peterson
(Applicant's Signature)

Camille B. Peterson
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: 9-25-87 RECEIPT # 36562

(Approved) (Denied) - Planning Commission

(Date)

(Approved) (Denied) - City Council

(Date)

October 16, 1987

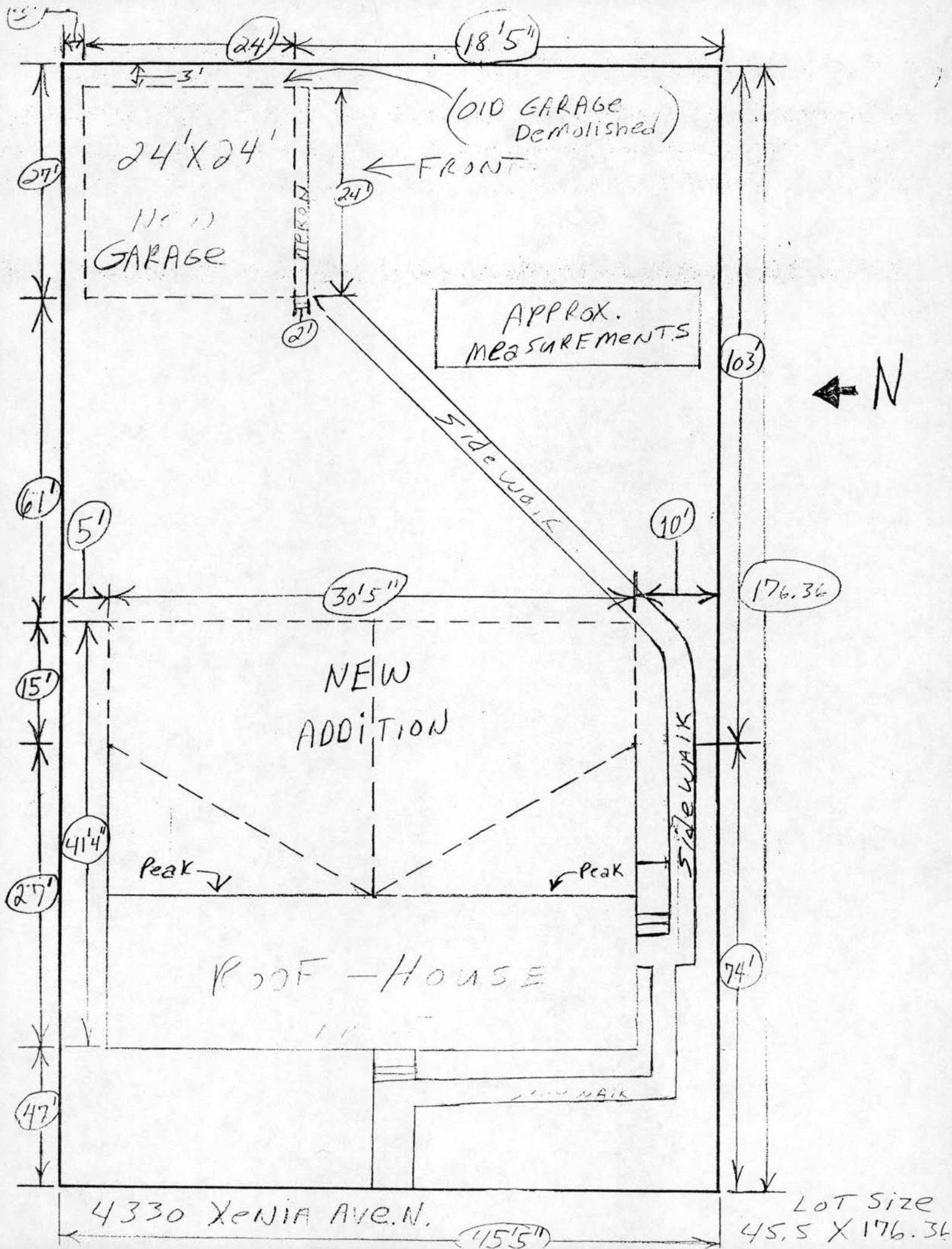
To: John Olson, Acting City Manager
From: Don Peterson, Chief Building Inspector
Re: Variance #87-70 at 4330 Xenia Ave. N.



This is a 45'5" lot (60' required) and the applicant wishes to add a 15'x39'5" addition to the rear of his house.

The addition will be within all set backs required by the Zoning Ordinance.

I have attached a copy of the transparency that I will show Tuesday evening.



CITY OF CRYSTAL
4141 DOUGLAS DRIVE NORTH
CRYSTAL, MN 55422
Phone: 537-8421

No. VA 87-70

Date: 10/1/87

APPEAL FOR A VARIANCE TO THE ZONING ORDINANCE

Street Location of Property: 4330 Xenia Ave. N., Crystal

Legal Description of Property: _____

Property Identification Number: _____

Applicant: Keith M. and Eileen J. Danielson
(Print Name)

4330 Xenia Ave. N. Crystal 533-2209
(Address) (Phone No.)

Owner: SAME AS APPLICANT
(Print Name)

(Address) (Phone No.) 515.05

REQUEST: Applicant requests a variance on the above-described property from Section 32.15 of the Zoning Ordinance, as amended, which requires 60' lot width but I have a 45' lot. Now want as to lot width lot. Ord Regs 60'

State exactly what is intended to be done on, or with the property which does not conform with the Zoning Ordinance. A plot plan drawn to scale showing the proposal must be submitted with the application.

Explain in detail wherein your case conforms to the following requirements:

1. That the strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships (other than economic) inconsistent with its general purpose and intent.

I would not be able to expand because of
a 45' lot size ordinance. (must be 60')

2. That there are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

SAME

3. That the granting of a variance will not be materially detrimental to the public welfare or injurious to the property or improvement in such zone or neighborhood in which the property is located.

SAME

NOTE: The Planning Commission is required to make a written findings of fact from the showing applicant makes that all three of the above-enumerated conditions exist and in addition thereto must find that the granting of such variance will not be contrary to the objectives of the Comprehensive Plan.

THIS PROPERTY IS:

TORRENS / ABSTRACT

(Circle one)

Keith M. Danielson
(Applicant's Signature)

Keith M. Danielson
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: 10-1-87 RECEIPT # 36737

(Approved) (Denied) - Planning Commission

(Date)

(Approved) (Denied) - City Council

(Date)

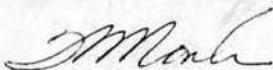
TO: Planning Commission
FROM: Bill Monk, City Engineer
DATE: September 8, 1987
RE: Opsahl Addition Preliminary Plat

Lot 1, Block 2 of Twin Lake Park 2nd Addition exists as a long, narrow single family residential parcel of over 20,000 square feet located on the southwest corner of Bass Lake Road (CR 10) and 58th Avenue. Given the overall size of the parcel, the owner has submitted a preliminary plat as shown in the attachments to split the present lot into two parcels.

The request is rather straight forward except for the fact that Parcel B does not have sufficient depth as an interior lot to meet ordinance requirements. Section 515.15, Subd. 2 b) states that all R-1 lots shall have a minimum depth of 100 feet. Parcel B has a depth of only 79.5 feet.

Since all single family lots must adhere to the 30 foot front yard setback and 40 foot rear yard setback requirements, this plat must be considered in conjunction with a variance. The owner is requesting a 20 foot rear yard setback variance to allow for a 117 foot x 29.5 foot building area as noted on the attached plat reduction. Although approving a plat with a setback variance is highly unusual, it is necessary in this instance to render the lot buildable as platted. Should the Commission not feel it appropriate to approve a setback variance, the plat should not be recommended for approval.

Should Commission members have time prior to Monday's meeting, a viewing of the property and the surrounding parcels may well prove helpful in review of this request.


WM:jrs

Encls

9/28/87 UPDATE

On September 14 the Planning Commission recommended approval of both the preliminary plat and the rear yard setback variance. The findings of the Commission included the facts that the proposed lot provided sufficient greenspace given its area and was not out of character with the development of the area and would be a good addition.

Opsahl Addition Preliminary Plat
Page 2

10/14/87

Proper notification of the continued hearing was completed
consistent with Council direction of October 6.



Location Map

Reduction not to measurable scale

96

॥ श्रीगणेशाय नमः ॥



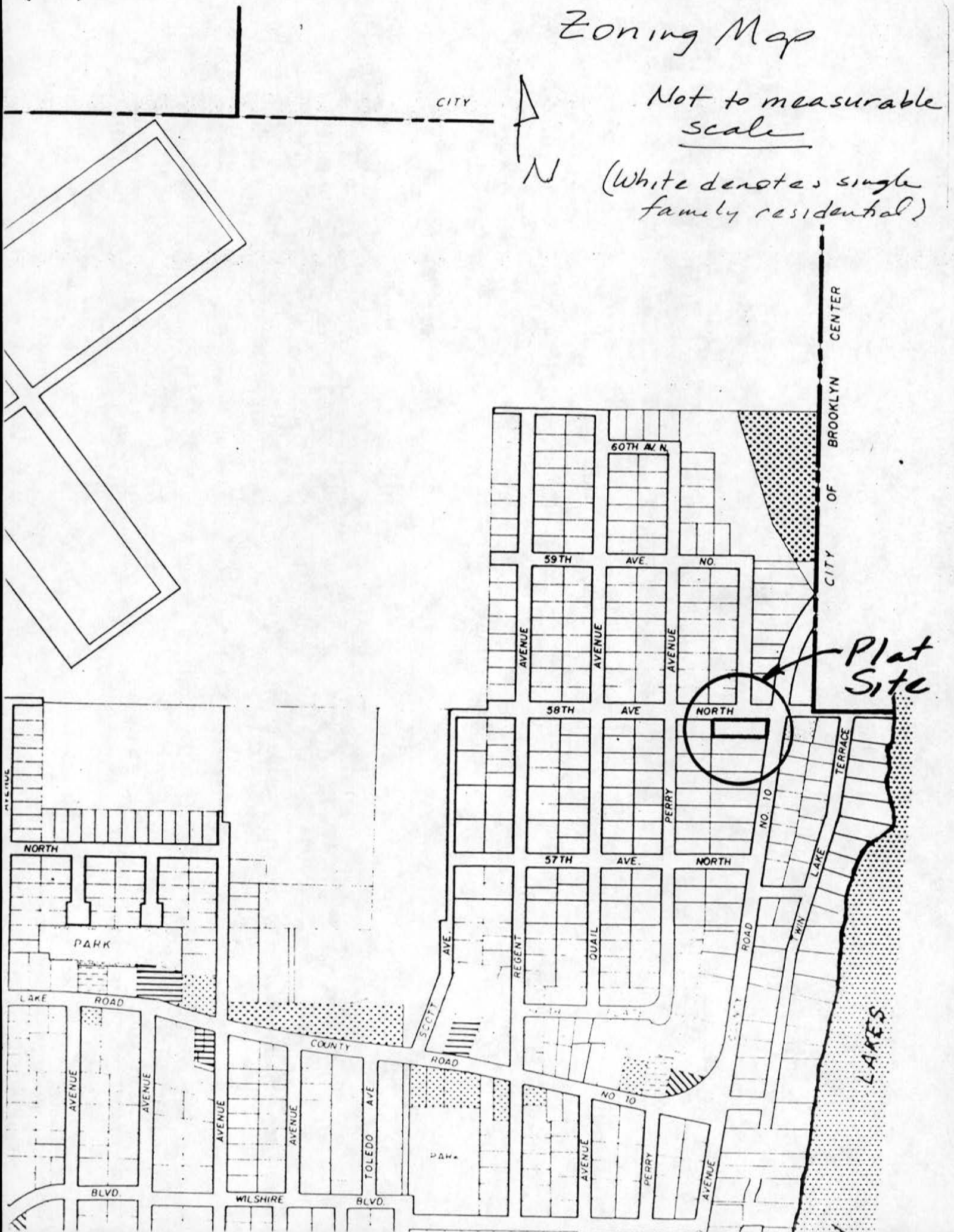
CO. RD. NO. 10

North

Zoning Map

Not to measurable
scale

(White denotes single
family residential)



9/9/87

To the Mayor and City Council:

This letter is to inform you of our desire to be reserved an opening on the City Council agenda of October 20, 1987 to present Arthur Cunningham with the second annual Crystal Human Rights Award.

Thanks for your cooperation in this matter.

Sincerely,



Gregg Peppin
Chairman, Human Relations Commission

Civil Service Commission

City of Crystal

Meeting Minutes for September 23, 1987

Attendance

Art Cunningham
Marty Gates
Cyril Soukup

Meeting called to order at 7:30 pm.

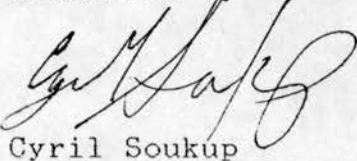
Discussion on changes to the Civil Service Handbook. Changes were from John Olson, David Kennedy, and City staff.

Some changes were included in this revision of the handbook.

Discussion on the letter from Phillip Finkelstein of the Law Enforcement Labor Services. It was decided to get the advice of the city attorney regarding the matter. A meeting was scheduled for Oct. 1 to act on this matter.

The City Council will meet on Oct. 6 to discuss the handbook.

Submitted by

A handwritten signature in dark ink, appearing to read 'Cyril Soukup', is written over the printed name.

Cyril Soukup

C I V I L S E R V I C E H A N D B O O K

CITY OF CRYSTAL, MINNESOTA

1987

ACKNOWLEDGEMENTS

Civil Service Commission:

Arthur Cunningham, chair

Cyril Soukup

Karen Baker*

Marty Gates**

Don Andersen, coordinator

John Olson Acting City Manager

City Council:

Tom Aaker, Mayor

John Moravec

Pauline Langsdorf

Adrian Rygg

Rollie Smothers

Steven Leppa

Betty Herbes

Kathleen Seal, intern

* member of the Commission from August 21, 1984 to December 31, 1985.

** appointed to the Commission on May 20, 1986.

City of Crystal
Civil Service Commission Handbook
September 28, 1987
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Chapter I.

Definitions¹

1. Appointing Authority:

means the City Manager.

2. Commission:

means the Civil Service Commission of the City of Crystal.

3. Civil Service:

means the method provided for the employment, promotion, discipline and dismissal of employees in the classified service of the City.

4. Class or Classes of Position:

means the categorical division of positions according to education, experience, abilities, knowledge, and tests of fitness.

5. Class Specifications:

means a written statement describing the duties, responsibilities, and entrance qualification standards of a class of positions.

6. Classified Service:

means officers and employees of the City except:

- a) elective officers of the City;
- b) members of a City Board or Commission;
- c) the City Manager;
- d) the City Attorney;
- e) The City Health Officer;
- f) volunteer fire fighters; and
- g) members of the police reserve.

¹ Derived from Crystal City Code 310.01.

7. Eligible List:

means a list of names of persons having taken and passed an examination(s) for a position, ranked in order of score and veterans preference.

8. Employee:

means an officer, agent, employee, or other person in the classified service.

9. Immediate Family:

means spouse, child, parents or grandparents, spouse's parents or grandparents, siblings and grandchildren.

10. Permanent Employment:

means an employee in the classified service who has successfully completed the probationary period.

11. Position:

means an office, employment, or job calling for the performance of certain duties and for the exercise of certain responsibilities by one individual; a position may be occupied full-time, part-time, or be vacant.

12. Probationary Period:

means a working test period after permanent or recurrent appointment during which an employee is required to demonstrate fitness for the position to which appointed by actual performance of the duties of the position.

13. Provisional Employment:

includes and refers to those persons employed for not more than 120 calendar days when necessary because of a lack of eligibles on the eligible list.

14. Temporary Employment:

means the temporary employment of an eligible, without regard to rank thereon, for a period not to exceed 120 calendar days in emergencies.

15. Veteran:

means persons defined as Veterans by Minnesota Statutes 197.45.

16. Veteran's Preference:

refers to, and does not exclude or modify the application of Minnesota Statutes, Sections 197.45 and 197.46 known as the Veteran's Preference Law.

17. Relation to City Code:

The definitions in this Chapter and the text of the Handbook is intended to supplement Section 310 of the City Code. In the event of a conflict between a provision of this Handbook and Section 310 the provisions of the latter will prevail.

Chapter II.
Administration
Civil Service Commission

201. Membership²

The commission consists of three members appointed to overlapping three-year terms. Upon expiration of the term of one member each year, the Mayor with the consent of the Council shall appoint a successor for a term of three years. Before assuming³ duties as a member of the Commission, each member shall subscribe and file with the Clerk an oath for the faithful discharge of his duties. No member of the Commission shall hold any other municipal position in the City. A member may be removed for cause by the Mayor with the consent of the Council, after written notice and an opportunity to be heard by the Mayor and the City Council.

² Derived from Crystal City Code 310.05.

³ All references to gender throughout this document have been deleted and replaced with appropriate language.

202. Meetings of the Commission⁴

The Commission shall hold regular and special meetings as provided by its rules. Meetings and hearings shall be open to the public. Two members of the Commission constitute a quorum. Members serve without compensation but shall be paid all actual necessary expenses. The Commission shall select a secretary to serve at its pleasure. The Secretary may be a member of the Commission or an employee of the City, and the Council may authorize the payment of compensation.

203. Secretary⁵

The Secretary shall: (i) maintain a calendar of all business to be transacted at each meeting; (ii) present to the Commission all matters requiring its consideration; (iii) keep the records and files of the Commission, and the minutes of its proceedings; (iv) and perform other duties as the Commission may direct.

⁴ Taken from Crystal City Code 310.05.

⁵ New Material.

204. Minutes⁶

The minutes of the Commission's regularly scheduled meetings and any special meetings shall be prepared by the secretary and maintained as part of City records on behalf of and subject to the approval of the Commission.

205. Contracts for Services⁷

With the approval of the Appointing Authority, the Commission may contract with the State of Minnesota or any other political subdivision, or any public or private agency, for the conduct of competitive examinations, or any other technical service in connection with the discharge of its duties under this Section.

⁶ New Material.

⁷ Crystal City Code 310.05.

206. Duties and Powers of the Commission^a

The powers and duties of the Commission shall be those prescribed by the Crystal City Code, subsection 310.05 and the rules listed herein. (See section 207)

A copy of all rules promulgated and adopted by the Civil Service Commission shall be kept posted in appropriate, conspicuous places within the work environment.

Proposed amendments to the Civil Service Rules shall be similarly posted for ten days before adoption by the Commission.

Bylaws of the Civil Service Commission are contained in appendix A.

^a New Material.

207. Civil Service Rules⁹

1. Adoption and Amendment of Rules. The Commission shall adopt rules consistent with this Section on the subjects enumerated in this section.

2. Publication. Copies of the rules and amendments may be published in the official newspaper and shall be available at the office of the City Clerk in printed form for inspection by all interested persons. No rules or amendments of general application with reference to employment, promotion, dismissal, or suspension are effective until so published and¹⁰ made available at the office of the City Clerk.

3. Classification of Positions. The Commission shall provide for the classification of all positions in the classified service on the basis of duties and responsibilities.

4. Public Competitive Examinations. The Commission shall provide for public competitive examination, after public notice, to test the relative fitness of applicants for positions.

⁹ Derived from Crystal City Code 310.07.

¹⁰ The word or has been replaced with and.

5. List of Eligibles. The Commission shall provide for the creation and maintenance of lists of eligibles. No name shall remain on an eligible list for more than 2 years.

6. Rejection of Candidates. The Commission shall provide for the rejection of candidates or eligibles who fail to comply with reasonable requirements of the Commission with respect to residence, physical condition or otherwise, or who have been guilty of criminal, infamous, or disgraceful conduct, or of any wilful misrepresentation, deception, or fraud in connection with their applications.¹¹

7. Certification of Names to Appointing Authority. The Commission shall provide for certification of names to the Appointing Authority from the appropriate eligible list for appointment, promotion, or reemployment.

8. Temporary and Provisional Employment. The Commission may provide for temporary and provisional employment.

¹¹ All references to age requirements have been deleted from this document.

9. Promotion. The Commission shall provide procedures for promotion based on competitive examination, supplemented by records of efficiency, character, conduct and seniority when a passing grade is obtained upon the examination.

10. Suspension. The Commission shall provide procedures for the suspension by the Appointing Authority of any employee in the classified service for a period not to exceed 30 days for disciplinary reasons. The suspension shall be without compensation, except as otherwise provided by law.

11. Lay-Offs. The Commission shall provide procedures for the lay-off because of curtailment of work or funds, of employees in the classified service and for the conditions under which employees thus laid off shall be reinstated.

12. Leave of Absence. The Commission shall provide procedures for special leave of absence for positions in the classified service.

13. Procedure of the Commission. The Commission may adopt rules governing its own procedure and such other rules, not inconsistent with this section, as are necessary to carry out the purpose of this section. The rules of the Commission may be amended from time to time, by a majority vote of the Commission. The rules shall be posted in the City Hall and two other public places as directed by the Commission.

208. Enforcement of Section 207 Rules¹²

The Commission shall receive and consider any written protests, signed by the protesting party or parties, on any matter concerned with the administration of the rules set forth in section 207. On the basis of such protests or on its own initiative. The Commission may make such investigation and hold such hearings as it deems desirable concerning all matters touching the enforcement and effect of these rules. On the basis of its investigations and hearings, the Commission shall take such remedial action as it deems warranted.

¹² New Material.

Chapter III.

Classification of Positions

301. Classification Plan¹³

The Commission shall, after consultation with the City Council and principal supervisory officials of the City, grade and classify all positions in the classified service according to the duties and responsibilities of each position and appropriate lines of promotion and shall allocate each position in the classified service to the appropriate class therein. The titles in the classification plan shall be used for original appointments, promotions, payrolls and all other personnel records, and rates of pay shall be fixed according to the grades of positions established in the classification plan. The Commission shall provide procedures for the preparation and maintenance of¹⁴ an employment roster on which shall be entered the employees respective classes of employment, their names, ages, compensation, period of past employment, and such other facts with reference to each employee in the classified service as the Commission deems useful.

¹³ Crystal City Code 310.09.

¹⁴ Change to City Code

302. Amendment of Plan¹⁵

Whenever any change in organization, creation of a new position, or change in duties or responsibilities of an individual position makes the revision of the classification plan necessary, the Commission shall provide the procedure to make such revision as necessary.

303. Position Allocation¹⁶

If new positions are created or additional classes are established, or existing classes are divided, combined, altered or abolished as recommended by the Appointing Authority, the Commission shall provide the procedure to make the necessary allocations and notification to the classification plan.

¹⁵ New Material.

¹⁶ New Material.

Chapter IV.

Hiring

401. The Hiring Process¹⁷

Upon notification of an employee's resignation, or the creation of a new position, the Appointing Authority shall forward copies of the resignation letter and the job description to the Commission for their information within 14 days.

The Civil Service Commission shall provide for the recruitment process, including publication dates and media, testing dates, interview dates and interviewers, and final selection.

402. Competitive Examinations¹⁸

Appointments or promotions to a position shall be made after a competitive examination given by the Commission or under its direction (See Chapter 5).

403. Eligible Lists¹⁹

The Commission shall prepare and maintain lists of eligibles for classes of positions in accordance with their standings in examinations, taking into account the credit given Veterans by Minnesota Statutes Section 197.45.

¹⁷ Civil Service Operating Rules.

¹⁸ Crystal City Code 310.13.

¹⁹ Crystal City Code 310.13.

404. Name Certification²⁰

When a vacancy occurs in a position in the classified service, the Appointing Authority shall notify the Commission of the vacancy. The Commission shall certify to the Appointing Authority the three names standing highest on the appropriate eligible list. If two or more vacancies are to be filled in the same class, the Commission shall certify two more names than the number of vacancies to be filled. The Appointing Authority shall appoint one person for each vacancy²¹ from the names certified.

²⁰ Derived from Crystal City Code 310.13.

²¹ The words for each vacancy have been added for clarification.

405. Temporary Employment²²

The Appointing Authority may, to the extent authorized by the rules of the Commission, temporarily employ persons on the eligible lists but without regard to rank thereon for a period not to exceed 120 calendar days in emergencies. The Appointing Authority may provisionally employ persons for not more than 120 calendar days when necessary because of lack of eligibles on the eligible list. No person shall serve as a temporary or provisional employee for more than 120 days in any calendar year.

a. Temporary Full-Time Appointment²³

Employment which, due to its nature, is not year around but must necessarily extend beyond the period of temporary appointments, may be filled by the appointment of a qualified person for a period of nine consecutive months or less in any twelve month period. Persons appointed under this section shall not be entitled to fringe benefits.

²² Crystal City Code 310.13.

²³ New Material.

b. Part-Time Appointment²⁴

The Appointing Authority may appoint any qualified person to fill, on a part-time basis, any position requiring no more than 30 hours of work each week. Part-time employees shall not work more than 60 hours per two-week period. Part-time employees hired to work not less than 20 hours a week for a period of not less than one year, will receive 50% of the standard holiday, vacation and sick leave benefits provided for permanent full-time employees/

²⁴ New Material.

406. Probationary Period²⁵

Every person appointed or promoted to a position in the classified service shall serve a probationary period of six working months, or other period as provided by law or by union contract,²⁶ from the date of appointment. The probationary period establishes a working test period during which a new appointee is required to demonstrate fitness for the position to which the new employee has been appointed by actual performance of the duties of the position. The length of the probationary period may be extended by the Appointing Authority for the length of any time the appointee is granted authorized absence from the performance of the duties of the position to which the individual has been appointed. Authorized absence is granted without pay²⁷, for training purposes, illness, injury, vacation and physical or mental incapacity. During the probationary period the appointee may be dismissed summarily, or in the case of promotions, the appointee may be reduced to the previous position by the Appointing Authority, without compliance with subsection 310.17, but this dismissal or reduction in rank shall be in writing and reported to the Commission by the Appointing Authority (See Rule IX).

²⁵ Crystal City Code 310.15.

²⁶ This clause has been added to recognize the one year probationary period for police officers.

²⁷ Corrected to current practice

407. Residence²⁸

The Commission shall make no rule requiring employees to be residents of the City, except in such cases where it appears to the Commission that the work or job requires residence in close proximity to the place of employment because of the emergency requirements which may arise. Such employees shall be residents of an area which does not require more than twenty minutes travel time from their residence to their place of employment. This requirement shall be a part of the job specification.

408. Rejection of Candidates²⁹

The Commission may reject candidates who fail to comply with reasonable requirements of the Commission with respect to residence, physical condition or otherwise, or who have been guilty of criminal, infamous, or disgraceful conduct, or of any willful misrepresentation, deception, or fraud in connection with their applications.

²⁸ Crystal City Code 310.25.

²⁹ Crystal City Code 310.07.

Chapter V

Examinations and Eligibility Lists

501. Examinations

a. Notice³⁰

Public notice of the existence of a vacancy in the Civil Service System shall be given by one publication in the official newspaper of the City at least 14 days in advance of the closing of the applications 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.

³⁰ Derived from Crystal City Code 310.11, the changes have been made to correspond to current practice.

b. Requirements³¹

Examinations shall be impartial, fair and designed only to test the relative qualifications and fitness of applicants to discharge the duties of the particular position for which an examination is designed. No questions in any examination shall relate to the political or religious convictions or affiliations of the applicant. Applicants for positions of trust and responsibility shall be specially examined as to moral character, sobriety, and integrity. All applicants for positions requiring special experience, skill or faithfulness shall be specially examined in respect to those qualities. Within these limits, the Commission may make use of any appropriate testing technique, including oral examinations and interviews.

³¹ Crystal City Code 310.11.

c. Rating of Examinations³²

Appropriate scientific techniques and procedures shall be used in rating the results of examinations and determining the relative ranking of the competitors. In written examinations the Commission shall set the minimum rating by which eligibility may be achieved. The final earned rating of each competitor shall be determined by averaging the earned ratings on each part of the written examination in accordance with the weights established for each part prior to the date of the examination. All competitors shall be required to obtain at least a minimum rating in each part of the examination in order to receive the final passing grade or to be rated on the remaining parts of the examination.

³² New Material.

d. Notification of Results³³

Candidates shall be notified of their status on an examination, either pass or fail. If they have passed, they will be notified if they were among the top ten scorers, and are to be interviewed.

An appeal on matters relating to any part of an examination must be made in writing to the Commission within 15 calendar days after the mailing of status notice and must specify the matter or matters contested and the reasons.

e. Tie Scores³⁴

All candidates having the top ten scores will be interviewed.

f. Examiners³⁵

Employees of the City shall act as examiners at the request of the Commission without additional compensation for such service. The Commission may use other qualified persons to act as examiners.

³³ New Material.

³⁴ New Material.

³⁵ Crystal City Code 310.11.

502. Eligibility Lists

a. Rank³⁶

Persons placed on the eligibility lists are those who placed in the top ten scores and are certified in order of the rank of their examination score. The names of the top three applicants on the eligibility list are given to the Appointing Authority for selection. The two applicants not selected for the position are placed back on the eligibility list in their original order.

b. Period of Eligibility³⁷

The eligibility list is retained for two years, at which time all names that remain are removed and a new examination is given.

c. Tested and Passed Lists³⁸

The tested and passed lists are comprised of those individuals who received a passing score on the competitive examination, but were not among the top ten scores. These lists also expire in two years.

³⁶ Taken from the Employee's Handbook.

³⁷ Crystal City Code 310.07.

³⁸ New Material.

d. Tie Scores³⁹

If a tie score occurs on an eligibility list, both individuals will be interviewed for the position if it becomes available.

e. Removal of Names from Lists⁴⁰

Names of persons may be removed from the eligible and the tested and passed lists for any of the following reasons:

1. When an individual on an eligible list has been notified of an available permanent position and has refused to accept that position in two separate instances.

2. Request of the eligible concerned.

3. As determined by the Commission, (after a substantial change in the requirements of a position), the failure of a former eligible to fulfill the new requirements of the position.

4. Permanent separation from the city service on account of resignation or discharge.

5. If an eligible on an entrance list fails to maintain a record of current address with the Commission. For this purpose, the return of a letter by the postal authorities if properly addressed to the last address on record shall be sufficient grounds for removal.

³⁹ New Material.

⁴⁰ New Material.

6. Failure to comply with reasonable requirements of the Commission with respect to residence, physical condition or otherwise, or who have been guilty of criminal, infamous, or disgraceful conduct, or of any willful misrepresentation, deception, or fraud in connection with their applications for employment.

7. Expiration of two years.

503. Re-employment Lists⁴¹

a. Occupational Re-employment List

Employees laid off or bumped, or demoted in lieu of layoff, shall have their names placed on a re-employment 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 re-employment list will have the opportunity to 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 lay off.

⁴¹ New Material.

b. General Re-employment List⁴²

An employee laid off, or demoted in lieu of layoff will, upon written request to the Civil Service Commission, be placed on a general re-employment list. The general re-employment 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 re-employment list shall successfully complete a re-employment 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 re-employment 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.

c. Period of Eligibility

The eligibility of all candidates on re-employment lists expire two years from the date of their separation from the service.

⁴² New Material.

d. Notification of Vacancies⁴³

An employee on layoff whose name has been placed on a re-employment 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.

⁴³ New Material.

Chapter VI.
Leaves of Absence

601. Leaves With Pay⁴⁴

a. Vacation

Vacation leave is accrued by all non-union probationary and permanent employees according to existing employee policy.

Vacations for union-represented employees are set by contract and questions on these vacation schedules are dealt with in the specific contracts.

Vacation leave accrued is available for use after completion of the six-month probationary period of employment:

Each employee must use, or lose, a minimum of eighty hours of vacation leave each year. Additional earned vacation leave may be accumulated and carried over to the following year. However, employees may not accumulate more than one and one-half times their present annual vacation, or more than 192 hours at any time, or they will lose it.

Vacation leave must be approved 48 hours in advance by the department head and the Appointing Authority.

An official holiday occurring during the employee's scheduled vacation period, will not be counted as a day of vacation.

⁴⁴ Taken from The Employee's Handbook except where otherwise noted.

b. Sick Leave

Sick leave is accrued by all probationary and permanent employees at the rate of one day of sick leave for each month worked for a rate of twelve working days per year.

After 120 days have been accumulated, additional sick leave days earned are kept as banked sick leave, to be used upon deletion of the original 120 days.

Sick leave will be granted for the following reasons:

- incapacitation from performance of duty due to illness or injury;
- exposure to a contagious disease and presence on the job would jeopardize the health of others;
- when dental, optical, or medical treatment is necessary, and prior approval of the supervisor has been obtained;
- legal quarantine, or death, or serious illness in the immediate family (see definitions) (see 'Funeral Leave').

An employee claiming sick leave, may be required to provide evidence to the Appointing Authority of the reason for the employees absence during the periods of sick leave.

When sick leave is used, employees must notify the supervisor each day of the absence, unless, due to the nature of the illness, the notification is waived by the supervisor. The Supervisor must be notified not later than 1 hour after the start of the employees work day.

Members of the Police and Fire Departments should notify their supervisors prior to the beginning of the regular shift.

c. Injury on Duty

If an injury causes an employee to be out of work beyond the day they were hurt, pay will be affected. Injury to union represented workers are covered by union contract.⁴⁵ Non-union employees are eligible for Worker's Compensation, but are not eligible for any additional injury on duty pay.

d. Illness in Immediate Family

Sick leave will be granted if an employee is absent from work because of an emergency illness in the immediate family. (See definitions p. 5) Also, sick leave will be granted for the birth of an employee's child.

e. Funeral Leave

In the event of a death of a member of the employee's immediate family (See definitions p. 5), they may take a leave of absence with pay. The length of the leave is to be determined by the department head and the Appointing Authority. This leave will be charged to sick leave.

⁴⁵ This sentence replaces, for the sake of accuracy, the following material: Union represented maintenance workers shall have the first ten days of absence charged to accrued sick leave. There after, they will be paid the difference between the regular rate of pay and Worker's Compensation. No time will be charged to sick leave, vacation, or other accumulated benefits.

f. Military Reserve

1. Reserve Military Training

Permanent full-time employees who are members of an armed forces reserve unit and who have been ordered by proper authority to National Guard or Reserve Military Training⁴⁶ shall receive full pay for a maximum of fifteen days, in addition to any military compensation that may be received. Additional time off for training beyond 15 days may be granted by leave without pay.

2. Special Duty⁴⁷

Permanent full-time employees who are members of an armed forces reserve unit and who have been ordered by proper authority to National Guard or Reserve Military Service shall be allowed up to four years leave with no loss in accrued seniority or benefits, and shall be reinstated to a comparable position if qualified with equal pay to the position they left. Seniority and benefits cannot be accrued while on special duty.

⁴⁶ The word Training replaces the word Service because service and training are considered two different cases and the next section covers service.

⁴⁷ New Material.

g. Jury Duty

Employees are granted leaves of absence with full pay for required jury duty. As they continue to receive full wages, any jury compensation shall be credited to the City. Employees are required to return to work if released from jury duty for the day.⁴⁸

602. Leaves Without Pay⁴⁹

Leaves of absence without pay may be granted by the Appointing Authority. Upon expiration of leave without pay, the employee may return to work promptly on expiration of such leave in the position held at the time leave was granted, or a comparable position if qualified,⁵⁰ with no loss of previously accrued seniority. Seniority and benefits cannot be accrued while on special duty.

a. Extended Illness

Employees who have exhausted all available sick leave and vacation may be granted leave without pay by the Appointing Authority.

⁴⁸ This sentence has been added for clarification of procedure.

⁴⁹ Derived from the Employee's Handbook, new material added for clarification.

⁵⁰ This clause was added to include the possibility that the exact position is not open.

b. Education

Employees desiring leave of absence to continue formal educational study, which is closely related to the employee's duties, may be allowed to do so by the Appointing Authority. Whether or not educational assistance will be granted for this extended period of time will depend on the circumstances of each individual request.

c. Maternity

Maternity leave without pay will be granted for up to six months with no loss in job rights. The female employee may remain in her position prior to delivery and return to her position after delivery at such time as her physician certifies.

Chapter VII

Promotions⁵¹

The City encourages the filling of vacancies by promotion whenever possible. The Civil Service Commission shall provide for promotion based on competitive examinations; supplemented by records of efficiency, character, and conduct when a passing grade is obtained on the examination except as otherwise required by law. After promotion there will be a six month probationary period. Employees who have not completed the six month probationary period are not eligible for promotional examination.

⁵¹ Employee's Handbook.

Chapter VIII

Dismissals, Suspensions and Layoffs

801. The Dismissal Process⁵²

When an employee has violated standards of conduct or ethics, or performed unsatisfactorily, notice of dismissal shall be given in writing by the Appointing Authority, and a copy shall be forwarded to the Civil Service Commission.

If the employee feels the dismissal is unfair or unwarranted, the employee may notify the Appointing Authority of this. This notification must be within 15 working days following the dismissal notice.

The Appointing Authority shall file charges of inefficiency or misconduct upon which the dismissal is based, with the employee, and with the Commission.

The Commission shall hold a hearing after giving 10 days' written notice of the time, date, and location to the employee.

If the employee does not exercise this option within 15 days, the option is waived and the dismissal is final.

The dismissal process shall be in accordance with the remaining sections of this chapter or applicable union contract.

⁵² Civil Service Operating Procedures.

802. Suspension⁵³

The Commission shall provide procedures for the suspension by the Appointing Authority of any employee in the classified service for a period not to exceed 30 days for disciplinary reasons. The suspension shall be without compensation, except as otherwise provided by law.

⁵³ Crystal City Code.

803. Cause for Dismissal or Suspension⁵⁴

No permanent employee in the classified service shall be dismissed or suspended, 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 Appointing Authority shall file the charges of inefficiency or misconduct on which the dismissal is based with the employee concerned, and with the Commission⁵⁵. 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 Council shall be final if no such written request is made within 15 days after receipt of the notice of dismissal or suspension.

⁵⁴ Crystal City Code 310.17.

⁵⁵ All references to the Secretary of the Commission have been deleted because the Commission does not wish to specify a particular person or position, but simply the Commission.

804. Public Hearing on Charges³⁶

The hearing on the charges of dismissal or suspension shall be open to the public. Each member of the Commission shall have the power to issue subpoenas, to administer oaths, and to compel the attendance and testimony of witnesses and the production of books and papers relevant to the investigation. The Commission may make complaint to the District Court of disobedience of its subpoenas or orders, and the court shall prescribe notice to the person accused and require the person to obey the Commission's subpoena and order, and punish disobedience as contempt of court. Witnesses shall be entitled to the same fees and mileage as for attendance upon the District court, except that any officer, agent or employee of the City who receives compensation shall not be entitled to fees or mileage.

³⁶ Crystal City Code 310.17.

805. Decision on Hearing⁵⁷

If, after the hearing, the Commission finds that the charges are sustained, the dismissal or suspension shall be final unless an appeal is taken. If the Commission finds that the charges are not sustained, the employee, if suspended pending investigation, shall be immediately reinstated and shall be paid all back pay due for the period of suspension. If the person was not suspended, he or she shall continue in the position as though the action had not been brought, subject to the right of the Appointing Authority to appeal.

806. Written Findings on Charges⁵⁸

Findings and orders sustaining disciplinary actions or compelling reinstatement shall be in writing and filed within ten⁵⁹ working days after the completion of the hearing among the records of the Civil Service Commission. The Commission shall give written notice of the decision to any employees concerned and to the Council.

⁵⁷ Crystal City Code 310.17.

⁵⁸ Crystal City Code 310.17.

⁵⁹ Ten days have been allowed instead of five.

807. Lay-offs⁶⁰

The Commission shall provide for lay-off procedures, subject to union contract, because of curtailment of work or funds, of employees. The Commission shall also provide procedures for the conditions under which employees laid off will be reinstated.

⁶⁰ Based on Crystal City Code 310.07. The wording has been altered for clarity.

Chapter IX
Grievances⁶¹

901. The Grievance Process⁶²

The parties are obligated to proceed according to the guidelines listed below. Once the time periods have elapsed, the employee has the right to proceed to the next step. A complaint or grievance by an employee regarding employment shall be addressed as follows:

a. Oral Report

Discussion with the supervisor should occur within five working days of the incident.

b. Written Report

Any response by the employee shall be submitted in writing within five working days. The response should include a written summary of the grievance and date(s) of discussion with supervisor to the employee's department head. The department head shall respond to the employee in writing within five working days.

⁶¹ The dates set herein are target dates designed to shorten the proceedings and should be met except in the case of extenuating circumstances.

⁶² Civil Service Operating Rules.

c. Hearing

If the grievance is not resolved in step a, the employee may submit documentation to the Appointing Authority within five working days, and to the Civil Service Commission at the employee's option. The Appointing Authority shall respond in writing within five working days.

1. If the employee is not satisfied with response of the Appointing Authority, the employee has five working days to request a hearing by the Civil Service Commission.

2. A hearing date will be scheduled to occur within ten calendar days of receipt of the request.

3. Upon completion of the hearing process, a decision date will be announced.

This section does not apply to employees governed by a union contract's procedure for a grievance.

Chapter X

Appeals⁶³

1001. The Appeal Process

a. Notice

The employee or the Council may appeal to the District Court from an order of the Commission concerning the employee's dismissal by serving written notice of the appeal upon the Commission within ten days after they have received written notice of the Commission's order.

b. Certification of Record

Within five days after service of the notice upon the Commission, it shall certify the record of the proceedings, including all documents, testimony and minutes to the clerk of the District Court. The clerk shall then place the case on the calendar for determination at the next general term of the court. The question to be determined by the court shall be: Was the order of the Civil Service Commission reasonably supported by the evidence?

c. Supreme Court

The employee or the Council may appeal from the District Court to the Supreme Court in the manner provided by law.

⁶³ Crystal City Code 310.19.

Chapter XI.

Prohibitions and Political Activity

1101. Political Activity⁶⁴

a. Elections⁶⁵

No officer, agent clerk, or employee of any political subdivision 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 the 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.

⁶⁴ Crystal City Code 310.27.

⁶⁵ Minnesota State Law 210A.081.

c. Candidates

An employee of the City who becomes a candidate for any elective office of the City of Crystal shall apply for and be granted a leave of absence from the position. The leave of absence shall continue until candidacy is determined by the canvas of votes by the City Council. The leave of absence shall be without pay.

d. Penalty

The law provides that⁶⁶ any person who violates the previous provisions is guilty of a misdemeanor.

1102. Influence and Its Penalty⁶⁷

It is unlawful for an applicant for examination, an employee or officer of the City, or a member of any of its boards or commissions to directly or indirectly seek or give, render or pay, or promise to give, render or pay, any money, service, or other thing to any person, for or on account of, or in connection with the examination, appointment or proposed appointment or promotion of any employee or applicant for employment. Any person who violates the provisions of this subsection is guilty of a misdemeanor.

⁶⁶ This clause is added for clarification.

⁶⁷ Crystal City Code 310.27.

Appendix A

BYLAWS OF THE CIVIL SERVICE COMMISSION CITY OF CRYSTAL

Article I. Organization

The Chair of the Commission shall be elected by the membership at the first regular meeting in January for a term of one year.

Article II. Meetings

A. The Commission shall meet a minimum of 10 times per year. Meetings are held on the first Tuesday of each month at 8:00 P.M.

B. The Commission may hold special meetings upon the call of the Chair.

C. All meetings will be held at Crystal City Hall.

D. All meetings are open to the public, and appropriate public notice will be posted no less than 24 hours prior to the meeting.

E. A quorum consists of two of the three members.

Article III. Conduct of Business

A. Only business stated in the call, or directly related thereto, may be conducted at a special meeting.

B. Robert's Rules of Order, revised, shall govern the Commission in all cases to which they are applicable and in which they are not inconsistent with these bylaws.

C. Minutes of each meeting will be taken by the Civil Service secretary, or a staff member.

Minutes shall include all persons present, each item discussed and its resolution. The minutes shall become the official recording of business transacted by the Commission.

Article IV. Attendance

Three absences within a 12 month period by a member may result in a recommendation by the Commission to the Mayor of the City for removal, subject to applicable ordinance provisions.

Article V. General Provisions

A. The Chair, or designate, is the only person authorized to make public statements on the behalf of the Commission. It is encouraged that, when possible, such statements be reviewed by the Commission. The Mayor or the Appointing Authority should be notified in advance, of the nature of any public statement of official policy concerning the Commission.

B. Proxy voting will not be allowed.

C. These bylaws are subject in all respects to the provisions of Crystal City Code, Section 310.

Article VI. Amendments

These bylaws may be amended by majority vote of the Commission at a regular or special meeting. Notice of the proposed amendments shall be distributed to all members of the Commission by the Chair at least five days prior to the meeting at which the amendments are to be voted upon. Any member of the Commission may, in writing, propose amendments to these bylaws. The City Council will be informed of any changes made to these bylaws.

Adopted January 2, 1985

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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

October 12, 1987

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

Re: Water and Sewer Rates

Dear John:

Enclosed you will find a draft ordinance for first reading increasing water and sewer rates as recommended by Miles Johnson in his memorandum of September 24.

Also enclosed is a resolution increasing the senior citizen sewer rate. I assume that the rules covering the administration of the senior citizen rate matter is on file somewhere with the City. I would appreciate receiving a copy of it for my files.

Yours very truly,


David J. Kennedy

DJK:caw

*P.S. Miles J. Should recommend
the proper effective date.*

TO: John A. Olson, Acting City Manager
FROM: Bill Monk, City Engineer
DATE: October 15, 1987
RE: Utility Rate Increase

The attached resolution and ordinance amendment are consistent with the 15% sewer rate and 5% water rate increases reviewed by the City Council as a part of the 1988 budget. Based on revenue and expenditure projections, approval continues to be recommended.



WM:jrs

Encls

RESOLUTION NO. 87-_____

RESOLUTION ADJUSTING SEWER RATES
FOR SENIOR CITIZENS

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

1. The Council is authorized by Subsection 700.02 of
the City Code to establish and modify maximum sewer use
rates for senior citizens. The present rate is \$12 per
quarter.

2. The maximum sewer rate for senior citizens is
increased to \$14 per quarter. This rate for utility
services shall apply to billings for the quarter ending
December 31, 1987.

Mayor

Attest:

Clerk

ORDINANCE NO.

AN ORDINANCE RELATING TO SEWER, WATER AND STREET LIGHTING
RATES AND CHARGES: AMENDING CRYSTAL CITY CODE SUBSECTION
710.05; SUBSECTION 715.13, SUBDIVISIONS 1 AND 4

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. Crystal City Code, Subsection 710.05, is amended to read:

710.05. Sewer Use Rates. Subdivision 1. Charges Imposed. The rates and charges for the use and service of the Sanitary Sewer System are fixed by this subsection. The rates and charges are made against each lot, parcel of land, unit or premises connecting directly or indirectly to the system and from which only normal sewage is discharged into the system.

Subd. 2. Flat Charges. Where the rate is not based upon the metered use of water the following quarterly charges for the respective user classifications established in Subsection 710.03 are as follows:

User Classification Established by Section 710.03	<u>Quarterly Charges</u>	
Subd. 2	\$ [21.00]	\$ <u>24.00</u>
Subd. 3	[50.40]	<u>57.60</u>
Subd. 4	[121.20]	<u>138.50</u>
Subd. 5	[277.20]	<u>316.80</u>
Subd. 6	[378.00]	<u>432.00</u>

Subd. 3. Schools. For each public or private school the quarterly charge shall be charged whether school is in session or not and shall be based upon the metered water consumption on the premises served. The minimum quarterly charge is \$[6.78] 7.75 per classroom per quarter. If a school has an unmetered private water supply the minimum quarterly charge shall apply.

Subd. 4. Metered Flow Charge. For all premises where the sewer service charge is based upon metered use of water the charge shall be computed at the rate of [\$0.65] \$0.75 per one hundred cubic feet of water.

Subd. 5. Commercial, Industrial and Institutional Uses. The sewer service charge shall be based upon metered water consumption on the premises served. The minimum quarterly charge is [\$21.00] \$24.00 per quarter for each available occupancy on a premises served. If the premises has an unmetered private water supply system, the quarterly charges set forth in subdivision 2 shall apply. Special charges for high intensity effluent users are established by Ordinance No. 78-13.

ORDINANCE NO.

Subd. 6. Residential Units. The sewer charge for residential units shall be the quarterly charge set by subdivision 2 of this subsection. Each available unit of occupancy in a multiple residence is a residential unit.

Sec. 2. Crystal City Code, Subsection 715.13, Subdivision 1, is amended to read:

715.13. Water Rates. Subdivision 1. Schedule. The rate due and payable to the City by each water user within the City for water taken shall be [(\$.68)] (\$.72) per one hundred cubic feet, payable quarterly, subject, however, to a minimum charge to each water user for each quarter period during which water service is furnished, as follows:

<u>Meter Size</u>	<u>Quarterly Minimum Charge</u>	
5/8 inch	\$ [3.50]	\$ <u>3.70</u>
3/4 inch	[10.60]	<u>11.15</u>
1 inch	[16.90]	<u>17.75</u>
1-1/2 inch	[31.80]	<u>33.40</u>
2 inch	[53.20]	<u>55.85</u>
3 inch	[95.60]	<u>100.40</u>
4 inch	[159.40]	<u>167.35</u>
6 inch	[318.80]	<u>334.75</u>
8 inch	[531.40]	<u>558.00</u>

Sec. 3. Crystal City Code, Subsection 715.13, Subd. 4, is amended to read:

Subd. 4. Automatic Sprinkler System. Where a connection is made to an automatic sprinkler system for standby fire service only, a charge for such service shall be made on an annual basis as follows:

3 inch pipe connection	\$ [85.00]	<u>90.00</u>
4 inch pipe connection	[127.00]	<u>133.00</u>
6 inch pipe connection	[171.00]	<u>180.00</u>
8 inch pipe connection	[212.00]	<u>223.00</u>
10 inch pipe connection	[255.00]	<u>268.00</u>

These rates shall apply in all cases where automatic sprinklers are installed, and where fire gates and other outlets are sealed. No charge will be made for water used in extinguishing fires. Meters or detector check valves shall be installed on such services as required. Should it be found that water not metered is used through a fire connection for any purpose other than the extinguishing of fire upon the premises, the owner or occupant will be notified, and the water may be shut off until proper adjustments are made, and the owner shall be subject to the penalties provided in this section.

ORDINANCE NO.

Sec. 5. The rates and charges established by Sections 1 to 3 apply to billings for utility services for the quarter ending December 31, 1987.

Sec. 6. This ordinance is effective in accordance with Crystal City Code, Subsection 110.11.

First Reading: October 6, 1987.

Passed by the City Council: October 20, 1987.

Mayor

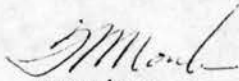
ATTEST:

City Clerk

(Published in The North Hennepin Post
October 29, 1987)

TO: Planning Commission
FROM: Bill Monk, City Engineer
DATE: October 6, 1987
RE: Final Plat of J.J.J. Estates

As a condition of building permit issuance for Auto Parts Pro at 5401 West Broadway, the owner was required to plat the property. The final plat for the site has been submitted and is consistent with the approved preliminary plat. The document is quite straightforward and a copy of the one lot plat will be available for review on Tuesday night. Approval is recommended.



WM:jrs

Encl

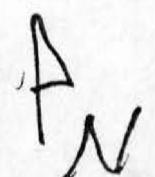
10/14/87

On October 13 the Planning Commission recommended approval of the final plat of J.J.J. Estates.



Site Location

Location Map



*Scale:
1" = 500'*

LeFevere
Lefler
Kennedy
O'Brien &
Drawz

a Professional
Association

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Minneapolis
Minnesota 55402

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Julie A. Bergh

September 10, 1987

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

Re: Solicitor Licenses

Dear John:

At its last meeting the Council asked about the application of the City Code requirements for solicitor's licenses to two specific cases: Doyle's junior bowlers and the Cooper girls' swim team. The two organizations had applied for and were granted permits under Subsection 1160.17 of the City Code (copy attached). That subsection exempts solicitations by any person for "charitable, religious, patriotic or philanthropic purposes" from the application, bonding and fee provisions of Section 1160 regulating peddlers, solicitors and transient merchants.

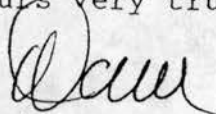
I think the procedure followed by the Clerk and police department in those two cases was correct. The Council appears to want to consider some further exemption for either all organizations of the nature described in Subsection 1160.17 or for organizations similar to the two applicants. There is no reason why either of these things can't be done but the problem, even under the present code language, is one of definition. I suppose it's easy enough to decide administratively whether an organization (i) is or (ii) is not charitable, philanthropic, religious or patriotic in nature, but it might be quite difficult to define an organization that is not described as either (i) or (ii). Perhaps a classification such as "organized for the purpose of promoting athletic events for elementary and secondary high school students" might work. But the Council should keep in mind that the genesis for the present regulations was an influx of youths selling candy door to door for some rather ill-defined purpose. The present rules do not seem onerous and at least allow the staff

Mr. John Olson
September 10, 1987
Page 2

and Council to do some minimum of investigation of the purposes for which the solicitations are made.

Perhaps the Council will have some further direction for us at the September 15th Council meeting.

Yours very truly,

A handwritten signature in cursive script, appearing to read "DJK", is written over the closing "Yours very truly,".

David J. Kennedy

DJK:caw

October 15, 1987

TO: Mayor & City Councilmembers
FROM: John Olson, Acting City Manager
RE: Vehicular Pursuit Policy

Attached to this memo is a memo from the Police Chief regarding Review Boards used in different situations and a copy of the Vehicular Pursuit Policy of the Police Department. Although discussion of this was requested at the last Council meeting, it is important to remember that the incident which resulted in the death of a child is not only under investigation, but also the subject for possible court action by the parents. Any comments or actions by the Council could have bearing on these actions and I would suggest that the discussion be limited to a brief description of the Pursuit Policy and the Review Board procedures so that the Council is aware of them both.

It would be advisable before discussion to have the City Attorney set any further parameters for the discussion Tuesday night. I have discussed this matter with both Dave Kennedy and Jim Mossey and I believe we are in agreement that any discussion on this matter proceed very cautiously. It would be best not to discuss the matter at all at this time, however since Councilmember Leppa had asked that this item be placed on the agenda, I would hope that you would approach the subject on an informational basis only.

JO/js

attachment

MEMORANDUM

TO: John A. Olson
Acting City Manager

FROM: James F. Mossey
Chief of Police

DATE: October 2, 1987

RE: Review Board

Per your inquiry, the following information is presented to clarify when and how a Review Board is used in the Police Department.

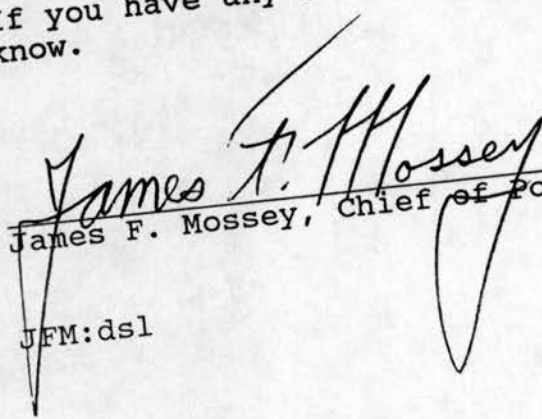
Whenever there is an incident involving either an auto accident, discharge of firearm by a police officer or a chase, I look at the facts gathered and see if there is enough information for me to make a determination about responsibility and reasons for a particular action.

If I feel there is not enough information for me to make a decision, I instruct a three member Review Board to look at a given situation and report their findings to me.

I will sometimes direct them in the area that I feel needs more information. The Review Board is made up of two command personnel and one police officer or three command personnel, depending on the incident and who was involved.

I will be convening a Review Board to look at the recent pursuit which resulted in a pedestrian death in Robbinsdale.

If you have any further questions about this, please let me know.


James F. Mossey, Chief of Police

JFM:dsl

1.5.109 VEHICULAR PURSUIT POLICY

1. Pursuit should only be initiated when a violator clearly exhibits the intention of avoiding arrest. Officers intending to make a vehicle stop shall endeavor to be in close proximity to the violator's vehicle before activating emergency equipment, thus eliminating the violator's temptation to attempt evasion.
2. The emergency equipment (reds and siren) must be activated not only to warn the pursued but also to protect the officers and others.
3. The pursuit shall be limited to the initial unit and two others of any jurisdiction. All other units are not to engage in the pursuit unless it comes directly into their assigned area. The senior officer in the pursuit may request additional units to join the pursuit if he deems it necessary.
4. The first responsibility of the unit initiating the pursuit (primary unit) is the apprehension of the suspects without unnecessary danger to themselves or other persons. Unless relieved by a supervisor, the primary unit shall be responsible for broadcasting the progress of the pursuit, controlling pursuit tacts, and deciding if the pursuit should be abandoned. If the primary unit is unable to continue the pursuit, the secondary unit shall become the primary unit.
5. As soon as secondary units have joined the pursuit, they shall make the necessary notifications to assure that no additional units join the pursuit.
6. There shall be no paralleling of the pursuit route unless directly requested or if the route passes through a unit's assigned area.
7. The primary, secondary, and backup unit shall be the only units operating under emergency conditions unless other units are assigned to the pursuit.
8. There shall be no caravanning of units paralleling the pursuit or attempting to join in the pursuit.

9. Officers involved in a pursuit, or paralleling the pursuit shall not attempt to pass other units unless requested to do so by the primary unit.
10. After a broadcast has been given as to the location and other information indicating the vehicle has been lost or the vehicular pursuit terminated, the units which have been involved shall take the steps necessary to coordinate the search for the pursued vehicle or suspects fleeing on foot.
11. When the pursued vehicle is lost, the primary unit shall broadcast necessary information to assist other units in locating suspects or returning to normal duty. The primary unit shall be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.
12. Officers of the primary unit are responsible for the arrest of the suspect when the suspect voluntarily terminates the pursuit, or becomes involved in a traffic accident. The secondary unit shall be responsible for backing up the primary unit and making the necessary broadcast to terminate the vehicular pursuit. If the officers of the primary unit become involved in a foot pursuit, the senior officer or the supervisor on the scene shall be responsible for coordinating any further activity.
13. Officers involved in a pursuit must continually question whether the seriousness of the violation reasonably warrants continuation of the pursuit.
14. A pursuit shall be discontinued when there is a clear danger to the pursuing officers or the public. Example: When the speeds dangerously exceed normal traffic flow or when pedestrians or vehicular traffic necessitates unsafe maneuvering of the vehicle.
15. The pursuing officer must consider present danger, seriousness of the crime, length of the pursuit, and the possibility of identifying the suspect at a later time when determining whether or not to continue the pursuit.

16. When a helicopter is available and has visual contact with the pursued vehicle, the primary unit should consider discontinuing emergency operation (red lights and siren) and allow the helicopter to continue surveillance of the suspect and assume the responsibility of directing the ground units so as to apprehend the suspect without the dangers involved in a pursuit.
17. All officers involved in vehicular pursuits will be held accountable for the continuation of a pursuit when circumstances indicate the pursuit should be discontinued. Since the driver officer is primarily concerned with the safe operation of the police vehicle, the passenger (if applicable) shall be responsible for advising the driving officer when he feels the pursuit is exceeding reasonable limits.
18. A field supervisor, if available, shall respond immediately to the scene. The supervisor shall critique the pursuit regarding policy.

1.5.110

COOPERATION WITH POLICE DEPARTMENTS IN OTHER COMMUNITIES

1. Anytime an arrest is to be made outside the city limits of Crystal, the police department which has jurisdiction for the place where the arrest is to be made shall be notified. They shall be informed as to the nature of the arrest, and be asked if they wish to assist.
2. If there is an instance when the other police department cannot be notified because of the time element, the neighboring police department shall be notified as soon as possible and given an explanation.
3. Requests by radio from other communities for assistance shall be answered immediately if the Crystal Police Department has a car available. The shift commander shall determine which car or cars shall respond, and whether there is a spare car or cars to answer the call.

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Julie A. Bergh

October 12, 1987

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

Re: Ordinance Regarding Abandoned Motor Vehicles

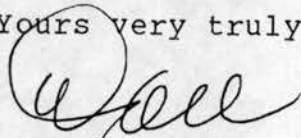
Dear John:

I have Frank Rondoni's letter of October 1 with the redrafted ordinance relating to the treatment of abandoned motor vehicles as litter. The ordinance is in proper form for consideration by the City Council.

I am also enclosing a copy of Minnesota Statutes, Section 168B.02. The definition of abandoned motor vehicles is contained in Subdivision 2.

I can't remember whether this ordinance was given a first reading or not.

Yours very truly,



David J. Kennedy

DJK:caw

Enclosure

ORDINANCE NO. 87 _____

AN ORDINANCE RELATING TO LITTER:
OPERATIVE VEHICLES: AMENDING CRYSTAL
CODE SUBSECTION 635.01, SUBDIVISION 1.

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. Crystal City Code, Subsection 635.01, Subdivision 2, is amended to read:

635.01. Definitions. Subdivision 1. For purposes of this section, the terms defined in this subsection have the meanings given them.

Subd. 2. The term "litter" means:

- a) garbage, refuse and rubbish as those terms are defined in Subsection 605.01 of this Code;
- b) the meaning given by Minnesota Statutes, Section 609.68;
- c) abandoned property in the form of deteriorated, wrecked or derelict property in unusable condition, having no value other than nominal scrap or junk value, and left unprotected from the elements; the term includes, but is not limited to, deteriorated, wrecked, inoperable, or partially dismantled motor vehicles, trailers, boats, machinery, refrigerators, washing machines, plumbing fixtures, and furniture; and
- d) abandoned motor vehicles as that term is defined in Minnesota Statutes, Section 168B.02.

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

Mayor

Attest:

City Clerk

00110D09.F16

of title within ten days

f title;
by sections 168A.01 to

A.01 to 168A.31 except

SES.

68A.31 collected by the

t for the administration
e transfer of ownership

CHAPTER 168B

ABANDONED MOTOR VEHICLES

168B.01 Purpose.
168B.02 Definitions.
168B.03 Violation.
168B.04 Custody of abandoned vehicles.
168B.05 Immediate sale.
168B.06 Notice.

168B.07 Right to reclaim.
168B.08 Public sale.
168B.09 Disposal authority.
168B.10 Contracts; reimbursement by agency.
168B.101 Agency responsibility.

168B.01 PURPOSE.

Abandoned motor vehicles constitute a hazard to the health and welfare of the people of the state in that such vehicles can harbor noxious diseases, furnish shelter and breeding places for vermin, and present physical dangers to the safety and well-being of children and other citizens. Abandoned motor vehicles and other scrap metals also constitute a blight on the landscape of the state and therefore a detriment to the environment. The abandonment and retirement of motor vehicles and other scrap metals constitutes a waste of a valuable source of useful metal. It is therefore in the public interest that the present accumulation of abandoned motor vehicles and other scrap metals be eliminated, that future abandonment of motor vehicles and other scrap metals be prevented, that the expansion of existing scrap recycling facilities be developed and that other acceptable and economically useful methods for the disposal of abandoned motor vehicles and other forms of scrap metal be developed.

History: 1971 c 734 s 1

168B.02 DEFINITIONS.

Subdivision 1. As used in sections 168B.01 to 168B.11 the terms defined in this section have the meanings given to them in this section.

Subd. 2. "Abandoned motor vehicle" means a motor vehicle, as defined in section 169.01, that has remained for a period of more than 48 hours on public property illegally or lacking vital component parts, or has remained for a period of more than 48 hours on private property without the consent of the person in control of such property or in an inoperable condition such that it has no substantial potential further use consistent with its usual functions unless it is kept in an enclosed garage or storage building. It shall also mean a motor vehicle voluntarily surrendered by its owner to and accepted by a unit of government or its agent. A classic car or pioneer car, as defined in section 168.10, shall not be considered an abandoned motor vehicle within the meaning of sections 168B.01 to 168B.11. Vehicles on the premises of junk yards and automobile graveyards, which are defined, maintained and licensed in accordance with section 161.242, or which are licensed and maintained in accordance with local laws and zoning regulations, shall not be considered abandoned motor vehicles within the meaning of this definition.

Subd. 3. "Agency" means the Minnesota pollution control agency.

Subd. 4. "Unit of government" includes a state department or agency, a special purpose district, and a county, city, town or other municipality.

Subd. 5. "Vital component parts" means those parts of a motor vehicle that are essential to the mechanical functioning of the vehicle, including, but not limited to, the motor, drive train, and wheels.

Subd. 6. "Motor vehicle waste" means solid waste and liquid wastes derived in the operation of or in the recycling of a motor vehicle as defined in section 169.01, including but not limited to tires and motor vehicle drain oil but exclusive of scrap metal.

History: 1971 c 734 s 2; 1973 c 123 art 5 s 7; 1973 c 649 s 1; 1975 c 223 s 1; 1980 c 509 s 54,55

RESOLUTION 87-

RESOLUTION AUTHORIZING CONTINUANCE OF
AGREEMENT WITH GOODWILL/EASTER SEALS

WHEREAS the Joint Health Department of Brooklyn Center, Brooklyn Park, and Crystal entered into an agreement in 1986 with Goodwill/Easter Seals to establish an Attended Donation Center; and

WHEREAS this agreement is up for renewal in December 1987; and

WHEREAS the Attended Donation Center located at 7316 Lakeland Av. N. is proving to be successful thus far in abating a substantial amount of materials from landfills,

NOW THEREFORE BE IT RESOLVED that the City Manager be authorized to approve an Agreement of Continuance with Goodwill/Easter Seals, which continues the original contract through 1988, according to 1988 operational budgeted costs established by Goodwill/Easter Seals.

MEMORANDUM OF AGREEMENT
CONTINUANCE

It is hereby agreed that Goodwill/Easter Seal (hereinafter Goodwill) will provide recycling services to the City of Crystal (hereinafter Cities), City of Brooklyn Park, and City of Brooklyn Center, Minnesota.

The scope of services includes the acceptance of glass, newsprint, beverage cans and household materials. To provide said services, Goodwill will maintain an Attended Donation Center in Brooklyn Park. The facility will be open 2,920 hours per year.

The term of this continuance of original agreement is for the year 1988.

Goodwill agrees to maintain its liability insurance to cover the Attended Donation Center.

The City agrees to pass through the ^{applicable portion of the} 1988 Hennepin County Recycling Grant to Goodwill and to provide advice and counsel to Goodwill on the services provided by Goodwill.

This Continuance will extend the current agreement with adopted 1988 budget held by Goodwill and the City for and through the year 1988.

Signed,

_____, John A. Olson, Acting City Manager
City of Crystal

_____, Jack King, Vice President Operations
Goodwill/Easter Seal

ADC3/11.1

ATTENDED DONATION CENTER
1988 Operational Budgeted Annual Cost

Attendant - 8 hours per day, 365 days per year, 2,920 hours x (wages) \$5.42 per hour including 14% fringe	15,826.00
Additional Attendant - 8 hours per day Saturday and Sunday for the months of May, June, July, August and September. 400 hours x \$5.42 per hour including 14% fringe	2,168.00
Management-training, management, public relations and record- keeping. \$8.55 per hour x 140 hours	1,197.00
Propane Gas - Gas for heater for eight months of the year. 100 pounds at \$25.00 per month (approx.)	200.00
Annual Preventative Maintenance - Trailer check and service of hoses, brake system, lighting, lubrication, tire replacement/repair	400.00
Miscellaneous Expenses - Informational signage	325.00
- Forms, office equipment used on site	100.00
- Scaling (weighing, empty and full) \$5 a weight x 6 per week x 52	1,560.00
TOTAL	\$21,776.00
NOTE: CRYSTAL'S YEARLY COST (23%)	\$5,008.48

TO: John A. Olson, Acting City Manager
FROM: Bill Monk, City Engineer
DATE: October 16, 1987
RE: Surety Release

Site improvements required as a condition of rezoning approval to permit construction of a parking facility by Douglas Drive Family Physicians at 3501 Douglas Drive have been completed. Said construction meets all City standards including installation of a solid screen (fence) along the south edge of the site. Consistent with the improvement agreement dated June 16, 1987, it is recommended the letter of credit in the amount of \$21,000 presently on file with the City be released as the improvements are accepted as complete.


WM:jrs

Encl

36th Avenue



B-2

17

2640.5 Res.

SEC. 21, T. 18, R. 21

Proposed Zoning

Scale:
1" = 200'

A
N

TO: John A. Olson, Acting City Manager
FROM: Bill Monk, City Engineer
DATE: October 16, 1987
RE: Flood Follow-up

The following list of flood-related items represents a status report detailing how many of the more serious aspects of the storm have been or are proposed to be addressed:

- 1) With the declaration of a major disaster by the Federal Government, Crystal became eligible for reimbursement of a portion of specific service and damage costs. The City's reimbursement amounts to \$21,071 for work including emergency response, pond pumping, debris cleanup, retaining wall reconstruction and creek-bed repair. To date the City has received 75% of the approved reimbursement with final payment due upon completion of the repair work. Only the creek repairs remain uncompleted and these work items are more fully explained in a later section.
- 2) Due to the serious capacity problems encountered because of clear water inflow directed into the sanitary sewer system, an informational article is to be included in the October newsletter to introduce residents to the problem and outline the effects of sump pump connections to the sewer system.
- 3) Because of high volume and inflow concerns with the south lift station on 32nd Avenue, replacement of the old, small gas engine back-up pump has been a priority for some time. Replacement of the engine with a generator capable of operating the station's two large pumps has been programmed for 1988. Funding is to be provided from Equipment Reserves.
- 4) The in-line flapgate (backflow preventer) has been installed in the storm sewer at the intersection of Quail and Wilshire Avenues. This system modification will be monitored in terms of minimizing the localized flooding that has occurred in the past. Rerouting of the storm sewer to provide an alternate outlet has been reviewed and found economically infeasible.
- 5) A dredging program has been initiated in the 1988 budget in an effort to maximize the storage volume of City ponds and the flow rate of drainageways. The effects of long term sedimentation and vegetation build-ups were all too

Re: Flood Follow-up
October 16, 1987
Page 2

evident during and after the storm. Memory Lane and Bassett Creek Park ponds along with Twin Lake wetland areas are scheduled for dredging work in 1988.

- 6) Discussions have been initiated with the Bassett Creek Water Management Commission and the Corps of Engineers concerning the need for several of the programmed improvements along the drainageway. Although changes in the work program will not be easy to accomplish, the Corps has stated its intent to review Crystal's input.
- 7) Because inflow and infiltration of clear water into the sanitary sewer system will never be totally eliminated, areas adjacent to lift stations will always be subject to periodic back-ups. This capacity situation directly impacts system users just upstream of the lift stations. A program whereby the City financially assists with the installation of backflow valves in repeatedly affected homes appears reasonable. Some type of reimbursement program could be set up within the sewer utility fund. Should such a concept be found acceptable by the Council, City staff would begin to assemble program criteria and installation specifications for final consideration.
- 8) As noted in the attached resident petition and letter from New Hope's Engineer, the Yunkers Park area remains an area of concern. System capacity problems in both Cities require review of all options whereby storage capacity can be increased in the park itself. Because of the impact of any storage option on the park, authorization is being sought to consult with a park planner to prepare several sketch plans for submission to the City Council and Park & Recreation Commission. The suggested consultant services can be handled within existing budget limitations and would be coordinated with Park Department personnel.
- 9) The dredging of Memory Lane Pond will have some effect on the storage capacity of the facility, but in light of the problems encountered as a result of the July rainfall, the impact will be minimal. The severely restricted outlet situation into Robbinsdale is a real problem to the entire chain of ponds that drain this area of Crystal. In reviewing several outlet options, I am convinced an outlet directly from Memory Lane Pond to the north, wholly within Crystal, is both hydraulically and economically feasible. Such a system would require construction of an additional pump station but would place the entire system in Crystal

Re: Flood Follow-up
October 16, 1987
Page 3

and have the most direct effect on the most seriously flooded area. At this time, authorization is being sought to work with OSM & Associates to update a similar report prepared in 1978. From such an update, this office could then prepare a detailed proposal for a relief storm sewer system on which DNR and New Hope participation could be solicited. Use of discretionary funds within the budget would be needed to cover the initial OSM consultant charges.

- 10) The creek repair items mentioned in Item No. 1 of this report refer to erosion damage to the North Branch of Bassett Creek at Louisiana Avenue (near 36th Avenue) and Brunswick Avenue (near 32nd Avenue). Reimbursement was received from the Federal Government to repair the erosion to pre-existing conditions. The nature of the damage, however, does not allow merely replacing the eroded soil. At this point it is not believed that the required repairs can be completed entirely by City maintenance forces. A request may well be forthcoming this winter seeking some level of funding for contractual repair beyond the amount of reimbursement.

It is recommended consideration of this memorandum be placed on an upcoming Council agenda. Based on action taken on Items No. 7, 8 and 9, letters can then be sent to affected property owners concerning work approved and/or in progress.


WM:jrs

Encls

9/18/87

To: The Honorable Thomas Aaker
Mayor of the city of Crystal, Minnesota

Dear Mayor Aaker,

Certain residents in the area of Northern drive and Yukon continue to have a serious problem with high water inundating their homes during heavy rainfalls.

Prior to 1976 property development in the area caused excessive runoff to accumulate at the corner of Northern drive and Yukon Ave. North. At that time a new storm drain system was installed from the above mentioned corner to a small park several blocks away to alleviate the water problem. Time has proven that the storm drain may be inadequate as experience has shown that only about five or six inches of sudden rain is adequate volume to overwhelm the storm system.

This flooding problem has occurred twice in the last ten calendar years. In spite of meteorologists statements of such rains being "one in a century" or "one in a thousand years" the residents on Northern drive and Yukon have found it to be a "one in five year" rain fall.

There are six houses that incur minor and major damage each time a sudden rain occurs. Because of the split entry and front walkout design of these structures this represents a loss of almost half of the floor space of these homes.

The undersigned request the city of Crystal to review the present storm drain system and make the necessary modifications to protect our homes.

Sherry Bukstein

Sherry Bukstein
3124 Yukon Ave.

Don Gordon

Don Gordon
3148 Yukon Ave.

Leslie E. Harder

Leslie E. Harder
8419 Northern Drive

Steve Harteley

Steve Harteley
3137 Yukon Ave.

Mikhail Makovetsky

Mikhail Makovetsky
8500 Northern Drive

Robert H. Murphey
Dean Nallick

Robert H. Murphey
8427 Northern Drive

Dean Nallick
8424 Northern Drive

Sharah Nieters

Sharah Nieters
3149 Yukon Ave.

Tom & Theresa Rinkoski

Tom Rinkoski
8416 Northern Drive

Charlene Wehner
Dan Ylitalo

Charlene Wehner
3132 Yukon Ave.

Dan Ylitalo
3148 Yukon Ave.

Bonestroo, Rosene, Anderlik & Associates, Inc.

2335 W. Trunk Highway 36
St. Paul, MN 55113
612-636-4600

Engineers & Architects

Otto G. Bonestroo, P.E.
Robert W. Rosene, P.E.
Joseph C. Anderlik, P.E.
Bradford A. Lenberg, P.E.
Richard E. Turner, P.E.
James C. Olson, P.E.

Glenn R. Cook, P.E.
Keith A. Gordon, P.E.
Thomas E. Noyes, P.E.
Richard W. Foster, P.E.
Robert G. Schunicht, P.E.
Marvin L. Sorvala, P.E.
Donald C. Burgardt, P.E.
Jerry A. Bourdon, P.E.
Mark A. Hanson, P.E.
Ted K. Field, P.E.
Michael T. Rautmann, P.E.
Robert R. Pfeifferle, P.E.
David O. Loskota, P.E.
Thomas W. Peterson, P.E.
Michael C. Lynch, P.E.
Karen L. Willis, P.E.
James R. Muland, P.E.
Kenneth P. Anderson, P.E.
Keith A. Bachmann, P.E.
Mark R. Rolfs, P.E.
Robert C. Russek, A.I.A.
Thomas E. Angus, P.E.
Scott L. Young, P.E.
Charles A. Erickson
Leo M. Pawelsky
Harlan M. Olson
Susan M. Eberlin

August 19, 1987

City of Crystal
4141 Douglas Drive N.
Crystal, MN 55422

Attn: Mr. Bill Monk
City Engineer

Re: Yunkers Park & 29th Avenue Flooding
Our File No. 34 Gen.

Dear Bill,

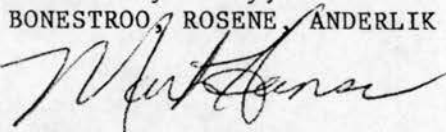
As we discussed, the City of New Hope experienced flooding in 6 homes along the south side of Yunkers Park which abuts 29th Avenue in New Hope. The flooding was basically the result of storm water exceeding the berm along its south side and entering critical homes abutting the park and the south side of 29th Avenue. The City has undertaken some immediate solutions by providing greater inlet capacity at the low point of 29th Avenue between Aquila Avenue and Yukon Avenue. However, we realize that during storms of the magnitude of July 23, the flooding occurring in this area is due to the storm water exceeding the berm in Yunkers Park. Based on the flooding that did occur, it is my estimation that if approximately 2 acre-feet of additional storage could have been provided in Yunkers Park, the flooding along 29th Avenue may not have occurred.

As you indicated, the City of Crystal is considering improvements to Yunkers Park which include providing new playground equipment. The City of New Hope is strongly requesting prior to making additional improvements to the park that consideration be given to evaluating the entire park layout and try to create additional storage for ponding purposes below the present berm elevation. I understand flooding did occur at Northern Drive and Yukon Avenue in Crystal and realize that to correct this problem will only compound the flooding that did occur in New Hope at Yunkers Park.

The City of New Hope is anxious to work with crystal to correct the flooding at Yunkers Park. I will make myself available at any time to evaluate this problem further.

If you have any questions, please contact this office.

Yours very truly,
BONESTROO, ROSENE, ANDERLIK & ASSOCIATES, INC.


Mark A. Hanson
MAH:li

cc: Daniel Donahue

5918e



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

MAYOR
Thomas N. Aaker

October 19, 1987

To: Crystal City Council

Re: Negotiations with Jerry Dulgar

Following the directions of the City Council, I and City Attorney David Kennedy met Monday October 19th at 10 AM with Mr. Dulgar at Mr. Kennedy's office. After a friendly negotiating session, we agreed to the following:

Salary:	\$61,000 a year for the first six months, \$62,000 per year thereafter.
Deferred Compensation	City will contribute \$2,000 per year to ICMA Deferred Compensation Plan.
Vacation:	4 weeks per year.
Benefits:	City benefit package and \$100,000 term life insurance.
Seperation:	180 day severance payment in event of involuntary seperation.
Moving expenses:	City pays normal moving expenses.

Those are the highlights of the contract which DAVE Kennedy is now preparing. Mr. Kennedy assures me the contract should be completed this week. The contract also provides for the managers car, expense account and professional dues. Mr. Dulgar, should you approve of these terms, will begin work November 30th.

Tom Aaker

CRYSTAL PARK AND RECREATION
September 2, 1987
Forest Park

The regular meeting of the Crystal Park and Recreation Advisory Commission was called to order at 7:02 pm by Chairperson Garry Grimes. Members present were: Ms. Saunders, Mr. Sochacki, Mr. Carlson, Ms. Reid, Mr. Hoffmann, Ms. Pitts, Ms. Veech and Mr. Stockhaus. Also present were: Mr. Smothers - council liaison - and Mr. Brandeen and Ms. Hackett from the department staff. Others in attendance included several residents from the Forest Park area.

The Commission members were introduced. Mr. Grimes reviewed the purpose of the neighborhood meetings.

The July minutes were approved as sent.

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

Citizens from the Forest Park area made the following comments:

1. New Playground equipment is needed - Mr. Brandeen reported that the Commission's 5 Year Plan was submitted to the city's Long Range Planning Commission which will make recommendations to the City Council. The Council will prioritize needs based on information from the Long Range Planning Commission.
2. Forest PTA gave the city \$4000 for the purchase of playground equipment. Should a petition be circulated and then presented to the Council for action? - It was suggested that the PTO organize and make presentations to the Council and School Board regarding this matter.
3. Present equipment is not safe/Who is liable for any injuries? - City only maintains the ballfields park building and wading pool so the school district would be responsible.
4. Match bricks on school building - Call the school district maintenance department.
5. Park and Recreation department does a great job!
6. Meeting notices should have been distributed over a wider area.
7. Possibility of opening wading pool earlier and

closing it later for a longer season - Staff is a problem when colleges are still in season. This year's season was 1 week longer. The weather usually turns cool in late August.

8. Good staff at park and pool this year.
9. Lots of glass - It was suggested that the school organize a glass pick-up time.
10. Who mows grass - district 281
11. Dog walking in park - Crystal has a leash law and "pooper-scooper" ordinance.
12. Request for a stop sign on 48th and Louisiana - A petition from the neighbors should be brought to the Council.
13. Request for a "Slow Children" sign - Those signs are not used anymore.

The residents were thanked for their comments.

Ms. Reid reviewed the last Crsytal Frolics meeting. The Frolics Committee is trying to get non-profit status. Officers were elected. Two Committee members appeared before the Council with a list of requests. They wanted information on income from Frolics events that were city sponsored. The committee also needed information on the site available for the carnival. The whole Frolics committee was not aware of this Council appearance. The Committee meets again on September 28.

The guidelines for renaming park facilities were reviewed. Discussion was set for the next meeting.

Mr. Brandeen reviewed the Community Center space needs study currently being done by Anderson-Dale. The building could house a Senior Center, gyms, kitchen and other community use facilities. Mr. Stockhaus asked if the Police Dept. would be located in this building. Mr. Brandeen said that city hall might renovated for their needs. Mr. Grimes asked if there would be a bond issue. That has not been determined yet.

Mr. Carlson reported on the golf course committee. Two sites could be considered:

1. MAC Park
2. Brunswick property west of Bassett Creek Park Creek area. Another consideration would be leased land from the Crystal Airport similar to the Richfield course at Twin Cities airport. Mr. Carlson was directed to write a letter

to the Council asking their permission to pursue this idea of leasing land from the MAC.

The MRPA Conference is October 14, 15, and 16. Commission members should let Mr. Brandeen know if they will attend.

Mr. Smothers informed the commission of the Crystal Lions Club donation of \$2,000 to complete the purchase of playground equipment at the park property on Angeline Drive/Soo Line Railroad. He requested that the commission consider that the park property be named "Lions Soo Line Park". The commission will consider this request at the next meeting. The Lions Club was thanked for their total donation of \$17,000. (\$11,000 - playground equipment/\$6,0000 - fitness course)

Ms. Saunders asked the status of the stop sign on West Broadway. Mr. Smothers said the council would not get the information until the September 15 meeting.

Ms. Reid reported that the Crystal Frolics Committee would like a group to help with the Honored Seniors Program. She asked the commission to discuss this. Other groups that could be approached are the Human Rights Commission or a church. This will be on the next commission meeting agenda.

The meeting was adjourned at 8:43 p.m.

Respectfully submitted,

Gene Hackett
Recorder

Crystal Park & Recreation Department
Monthly Report
September 1987

*All numbers are individual registrations unless noted.

ON GOING PROGRAMS - August start

1. Senior Center Activities
-Senior Center membership: 562. Daily attendance is 50 - 60.
2. Soccer (Youth/Saturday mornings)
-116 registered (1986: 117)/7 teams (1986: 8 teams): 4 teams grades 1-3; 3 teams grades 4-6./ League combined with Robbinsdale (7 teams).
3. Flag Football (Youth/Tuesday & Thursday After School & evenings)
-112 registered (1986: 85)/8 teams (1986: 7 teams): 4 teams grades 3-4; 4 teams grades 5-6.
4. 4 Person Football (Adults/Sunday afternoons)
-7 teams (1986: 6 teams)/Games played at Welcome Park.
5. Men's Fall Softball League (Adults/Wednesday evenings)
-8 teams registered (1986: n/a)/Games played at Becker Park.

ON GOING PROGRAMS

1. Senior Center Activities (September Update)

Welcome - 4
Cribbage - 32
Hiking - 10
Out-to-Lunch Bunch - n/a
Booktalkers - 10
500 (day) - 60
500 (evening) - 32
OWL - 21
Scrapbook - 6
Poker for Fun - 25
Bridge (day) - 60
Bridge (evening) - 32
Paint Class - 10
Pool - 20
Special Events:
Cook-Out - 52
State Fair Trip - 47
Golf Tournament - 24
Canterbury Downs - 38

2. Adult Activities
Men's Fall Golf League
Complete Body Workout (September) - 30
Over 50 and Fit (September) - 7
3. Youth Activities
None
4. Other Events (*Co-sponsored with other agencies)
*Tripsters - La Crosse Wisconsin
65 total - 20 from Crystal
*Tripsters - Door County/Mackinac Island
45 total - 12 from Crystal

PROGRAMS COMPLETED

1. Men's Golf Leagues - Summer 1987 - 57 registered
1986 - 48 registered
Fall 1987 - 32 registered
1986 - 38 registered

Objective: To provide a league play opportunity

Successes: Activity remains popular. End of season
tournaments were well liked.

Problems: None

Recommendations: Keep present format.

2. Women's/Sr. Golf League - 1987 - 23
1986 - 35

Objective: To provide league play on a weekly basis.

Successes: Everyone had a good time. Early morning tee
times were popular.

Problems: Weather - many hot and humid days kept number
of golfers down. Some golfers did not like Elm
Creek Golf Course.

Recommendations: Contact other golf courses to see if
league can transfer.

15-Oct-87

CITY OF CRYSTAL

1987 EXPENDITURE REPORT SEPTEMBER 1987

NORMAL % =

75.00%

C.ROBBE

DEPARTMENT	#	BUDGET AMOUNT	PRIOR MONTH YTD EXPENSES	ENCUMBERANCES	CURRENT EXPENDITURES	TOTAL EXPENSES	RATIO	UNENCUMBERED BALANCE
Mayor & Council	10	\$91,100.00	\$64,938.28	\$0.00	\$5,506.25	\$70,444.53	77.3%	\$20,655.47
Administration	11	\$506,674.00	\$292,387.29	\$1,786.22	\$33,593.27	\$325,980.56	64.7%	\$178,907.22
Assessing	12	\$103,321.00	\$69,564.52	\$0.00	\$3,522.26	\$73,086.78	70.7%	\$30,234.22
Finance	13	\$117,756.00	\$70,096.62	\$311.35	\$8,666.35	\$78,762.97	67.2%	\$38,681.68
City Buildings	14	\$178,025.00	\$94,882.79	\$9,643.38	\$9,496.49	\$104,379.28	64.0%	\$64,002.34
Police	15	\$1,364,378.00	\$837,611.03	\$4,543.40	\$96,731.48	\$934,342.51	68.8%	\$425,492.09
Fire	16	\$161,647.00	\$72,957.80	\$3,166.90	\$11,268.11	\$84,225.91	54.1%	\$74,254.19
Planning & Inspection	17	\$105,290.00	\$64,212.70	\$0.00	\$7,929.71	\$72,142.41	68.5%	\$33,147.59
Civil Defense	18	\$73,648.00	\$40,324.06	\$181.95	\$1,261.60	\$41,585.66	56.7%	\$31,880.39
Engineering	19	\$193,345.00	\$117,907.37	\$1,156.04	\$14,990.64	\$132,898.01	69.3%	\$59,290.95
Street	20	\$486,608.00	\$264,906.56	\$1,656.08	\$33,671.55	\$298,578.11	61.7%	\$186,373.81
Park Maintenance	21	\$387,464.00	\$241,004.74	\$2,803.27	\$22,517.66	\$263,522.40	68.7%	\$121,138.33
Weed Control	22	\$4,895.00	\$2,922.49	\$0.00	\$852.00	\$3,774.49	77.1%	\$1,120.51
Recreation	25	\$372,804.00	\$259,519.45	\$1,395.26	\$18,252.23	\$277,771.68	74.9%	\$93,637.06
Health	26	\$146,919.00	\$85,964.61	\$454.45	\$12,624.16	\$98,588.77	67.4%	\$47,875.78
Civil Service	27	\$18,500.00	\$12,793.66	\$0.00	\$1,000.00	\$13,793.66	74.6%	\$4,706.34
Legal	28	\$100,000.00	\$53,011.05	\$0.00	\$10,600.73	\$63,611.78	63.6%	\$36,388.22
Elections	29	\$13,225.00	\$294.76	\$0.00	13.86	\$308.62	2.3%	\$12,916.38
Misc Commissions	30	\$1,200.00	\$247.30	\$0.00	\$237.75	\$485.05	40.4%	\$714.95
Swimming Pool	31	\$71,434.00	\$51,240.82	\$0.00	\$7,476.84	\$58,717.66	82.2%	\$12,716.34
Non-Departmental	32	\$951,633.00	\$491,669.52	\$522.80	\$127,652.77	\$619,322.29	65.1%	\$331,787.91
Tree Disease	34	\$54,060.00	\$18,712.51	\$391.00	\$3,066.38	\$21,778.89	41.0%	\$31,890.11
TOTALS		\$5,503,926.00	\$1,906,051.68	\$28,012.10	\$430,932.09	\$3,638,102.02	66.6%	\$1,837,811.88
Thorson-Fund #83		\$430,967.00	\$73,477.95	\$1,166.54	\$11,427.57	\$84,905.52	20.0%	\$344,894.94
Utility Fund-#81								
Water	23	\$741,317.00	\$403,752.51	\$4,594.47	\$110,311.47	\$514,063.98	70.0%	\$222,658.55
Sewer	24	\$861,967.00	\$605,844.47	\$1,134.67	\$69,248.65	\$675,093.12	78.5%	\$185,739.21
TOTALS		\$1,603,284.00	\$573,573.22	\$5,729.14	\$179,560.12	\$1,189,157.10	74.5%	\$408,397.76

15-Oct-87 DATE

CITY OF CRYSTAL
C.ROBBESUMMARY OF REVENUES AS OF SEPTEMBER 1987
NORMAL PERCENT=

75.00%

GENERAL FUND 01

ESTIMATED
REVENUEPRIOR MONTH
YEAR TO DATERECEIPTS
CURRENT MORECEIPTS
YEAR TO DATEPERCENTAGE
RECEIVED

ACCT #

TAXES

3011	Current Ad Valorem Taxes	\$2,014,262.00	\$1,009,548.39	\$0.00	\$1,009,548.39	50.1%
3012	Delinq Ad Valorem Taxes	\$0.00	\$10,886.90	\$0.00	\$10,886.90	
3013	Penalties & Interest	\$7,000.00	\$6,688.47	\$0.00	\$6,688.47	95.5%
3014	Forfeited Tax Sale	\$0.00	\$802.04	\$0.00	\$802.04	
3015	Prepaid Special Assessments	\$0.00	\$0.00	\$0.00	\$0.00	
	Sub Total	\$2,021,262.00	\$1,027,925.80	\$0.00	\$1,027,925.80	50.9%

LICENSES & PERMITS

3111	Liquor License On Sale 06/30	\$49,500.00	\$29,745.00	\$0.00	\$29,745.00	60.1%
3112	Liquor Licenses Off Sale 06/30	\$1,600.00	\$1,936.00	\$0.00	\$1,936.00	121.0%
3113	Beer & Tavern Licenses 06/30	\$7,000.00	\$4,380.00	\$0.00	\$4,380.00	62.6%
3114	Club Licenses 06/30	\$2,600.00	\$1,808.50	\$0.00	\$1,808.50	69.6%
3115	Garbage & Refuse License 06/30	\$1,600.00	\$1,584.00	\$0.00	\$1,584.00	99.0%
3116	Taxi Cab Licenses	\$370.00	\$75.00	\$0.00	\$75.00	20.3%
3117	Music Box-Misc Amusements	\$13,000.00	\$418.00	\$0.00	\$418.00	3.2%
3118	Food Handling Licenses	\$12,500.00	\$3,128.88	\$45.00	\$3,173.88	25.4%
3119	Gas Pump & Station Licenses	\$2,100.00	\$290.00	\$0.00	\$290.00	13.8%
3121	Bowling Alley Licenses	\$580.00	\$0.00	\$0.00	\$0.00	0.0%
3123	Cigarette Licenses	\$1,000.00	\$84.00	\$0.00	\$84.00	8.4%
3124	Misc Licenses	\$1,000.00	\$831.75	\$0.00	\$831.75	83.2%
3125	Billboard-Sign Hangers License	\$1,000.00	\$858.00	\$132.00	\$990.00	99.0%
3126	Plumbing-Gas Licenses & Cards	\$4,800.00	\$2,958.00	\$121.00	\$3,079.00	64.1%
3127	Sign Licenses 05/15	\$9,500.00	\$9,583.90	\$0.00	\$9,583.90	100.9%
3128	Tree Trim Licenses	\$600.00	\$440.00	\$0.00	\$440.00	73.3%
3150	Dog Licenses & Impound Fees	\$8,000.00	\$4,338.75	\$468.50	\$4,807.25	60.1%
3151	Building Permits	\$55,000.00	\$38,133.10	\$7,073.57	\$45,206.67	82.2%
3153	Plumbing Permits	\$4,500.00	\$2,228.05	\$261.50	\$2,489.55	55.3%
3154	Sewer Permits	\$600.00	\$222.75	\$90.00	\$312.75	52.1%
3155	Water Permits	\$700.00	\$370.00	\$117.50	\$487.50	69.6%
3157	Driveway Permits	\$700.00	\$360.00	\$45.00	\$405.00	57.9%
3158	Street Excavation Permits	\$3,000.00	\$228.00	\$5.50	\$233.50	7.8%
3159	Misc Permits	\$0.00	(\$2,920.00)	\$0.00	(\$2,920.00)	
3161	Gas Permits	\$4,000.00	\$1,779.75	\$17,740.00	\$19,519.75	488.0%
3162	Burglar Alarm Permits 05/15	\$1,500.00	\$924.00	\$0.00	\$924.00	61.6%
3163	Mechanical Permits	\$8,000.00	\$5,922.03	\$1,112.75	\$7,034.78	87.9%
3164	Sign Permits	\$2,800.00	\$1,716.57	\$192.40	\$1,908.97	68.2%
3165	Parking Permits	\$0.00	\$0.00	\$0.00	\$0.00	
3166	Restaurant Hoods	\$800.00	\$975.00	\$125.00	\$1,100.00	137.5%
	Sub Total	\$198,350.00	\$112,399.03	\$27,529.72	\$139,928.75	70.5%

15-Oct-87 DATE

	ESTIMATED REVENUE	PRIOR MONTH YEAR TO DATE	RECEIPTS CURRENT MO	RECEIPTS YEAR TO DATE	PERCENTAGE RECEIVED
STATE SHARED TAXES					
3350 Local Government Aid	\$1,633,094.00	\$815,491.00	\$0.00	\$815,491.00	49.9%
3351 State Aid Streets	\$50,000.00	\$20,270.80	\$0.00	\$20,270.80	40.5%
3352 Machinery Tax Replacements	\$0.00	\$0.00	\$0.00	\$0.00	
Sub Total	\$1,683,094.00	\$835,761.80	\$0.00	\$835,761.80	49.7%
OTHER SERVICES					
3500 Misc Receipts	\$8,000.00	\$4,866.30	\$115.38	\$4,981.68	62.3%
3501 NWSCC and CAC	\$5,000.00	\$12,148.56	\$240.97	\$12,389.53	247.8%
3503 Bicycle License		\$286.00	(\$33.00)	\$253.00	
3511 Spec Rezoning App Charge	\$4,500.00	\$4,200.00	\$975.50	\$5,175.50	115.0%
3512 Sale of Maps-Documents etc	\$200.00	\$120.12	\$2.50	\$122.62	61.3%
3513 Engineering & Clerical Fees	\$60,000.00	\$0.00	\$0.00	\$0.00	0.0%
3514 Weed Cutting Charges	\$1,500.00	\$430.00	\$70.00	\$500.00	33.3%
3515 Filing Fees	\$0.00	\$0.00	\$0.00	\$0.00	
3516 License Investigations	\$1,000.00	\$200.00	\$0.00	\$200.00	20.0%
3517 Jail & Breathalyzer Tests	\$800.00	\$3,080.00	\$420.00	\$3,500.00	437.5%
3568 Accident Reports	\$1,000.00	\$1,067.95	\$119.00	\$1,186.95	118.7%
3569 Special Assessment Searches	\$4,600.00	\$7,219.50	\$502.50	\$7,722.00	167.9%
3570 Sanitarian Costs & Reimburse	\$97,320.00	\$86,460.91	\$0.00	\$86,460.91	88.8%
3580 Recreation Program Receipts	\$102,400.00	\$69,311.05	\$1,557.02	\$70,868.07	69.2%
3581 Crystal Facilities Used	\$200.00	\$25.00	\$217.50	\$242.50	121.3%
3582 Non-Budget Account	\$0.00	\$1,148.92	\$0.00	\$1,148.92	
3586 Water Tests	\$0.00	(\$160.00)	\$117.00	(\$43.00)	
3587 Swimming Pool Receipts	\$33,800.00	\$44,929.03	(\$61.00)	\$44,868.03	132.7%
3590 Refunds & Reimbursements	\$71,500.00	\$5,791.00	\$1,683.90	\$7,474.90	10.5%
3591 Insurance Refunds	\$0.00	\$10,188.00	\$0.00	\$10,188.00	
3592 Misc Land & Equip Sales	\$25,000.00	\$17,828.95	\$0.00	\$17,828.95	71.3%
3593 Misc Transfers	\$0.00	\$0.00	\$0.00	\$0.00	
3594 Building Sub-Rental	\$1,000.00	\$30.00	\$0.00	\$30.00	3.0%
3595 Waste Oil Revenues	\$800.00	\$5,338.27	\$144.80	\$5,483.07	685.4%
3599 Interest Earned	\$160,000.00	\$0.00	\$0.00	\$0.00	0.0%
3610 Court Fines	\$230,000.00	\$141,059.88	\$0.00	\$141,059.88	61.3%
3630 Forfeited Bail	\$0.00	\$4,935.00	\$600.00	\$5,535.00	
Previous Yr Fund Balance	\$790,000.00	\$790,000.00		\$790,000.00	
Sub Total	\$1,598,620.00	\$1,210,504.44	\$6,672.07	\$1,217,176.51	76.1%
TOTAL	\$5,501,326.00	\$1,929,693.14	\$34,201.79	\$3,220,792.86	58.5%

15-Oct-87 DATE

	ESTIMATED REVENUE	PRIOR MONTH YEAR TO DATE	RECEIPTS CURRENT MO	RECEIPTS YEAR TO DATE	PERCENTAGE RECEIVED
FUND #83 THORSON SCHOOL					
3500 Miscellaneous Receipts	\$0.00	\$0.00	\$0.00	\$0.00	
3580 Recreation Program Receipts	\$21,235.00	\$12,996.35	\$2,001.10	\$14,997.45	70.6%
3582 Non-Budget Activities	\$0.00	(\$1,000.00)	\$0.00	(\$1,000.00)	
3590 Refunds & Reimbursements	\$0.00	\$0.00	\$70,465.00	\$70,465.00	
3770 Office Rental	\$101,619.00	\$82,573.86	\$8,436.08	\$91,009.94	89.6%
3771 Gym Rental	\$6,000.00	\$4,381.50	\$250.00	\$4,631.50	77.2%
3772 Donations		\$2,000.00	\$0.00	\$2,000.00	
TOTAL	\$128,854.00	\$100,951.71	\$81,152.18	\$182,103.89	141.3%

FUND #81 UTILITY FUND

3500 Miscellaneous Receipts			\$0.00		
3599 Interest Earned	\$22,000.00		\$0.00		
3739 Misc Income-Water	\$4,000.00	\$1,760.48	\$172.60	\$1,933.08	48.3%
3740 Water Sales	\$740,000.00	\$524,242.74	\$80,126.17	\$604,368.91	81.7%
3741 Penalties Earned-Water	\$13,000.00	\$9,636.22	\$1,251.48	\$10,887.70	83.8%
3742 Sales of Meters-Horns	\$7,000.00	\$1,830.40	\$802.20	\$2,632.60	37.6%
3743 Joint Water Comm Reimb	\$10,000.00	\$7,834.34	\$0.00	\$7,834.34	78.3%
3744 Metro Waste Reimburse	\$7,000.00	\$0.00	\$0.00	\$0.00	0.0%
3759 Misc Income-Sewer	\$4,000.00	\$904.54	\$1,867.13	\$2,771.67	69.3%
3760 Sewer Service Revenue	\$872,000.00	\$512,895.18	\$81,922.73	\$594,817.91	68.2%
3761 Penalties Earned-Sewer	\$16,000.00	\$10,450.53	\$1,072.70	\$11,523.23	72.0%
TOTAL	\$1,695,000.00	\$1,069,554.43	\$167,215.01	\$1,236,769.44	73.0%

FUND #82 STREET LIGHTING

3764 Street Lighting Revenue	\$101,099.00	\$60,354.52	\$8,040.24	\$68,394.76	67.7%
3765 Penalties Earned	\$2,000.00	\$1,230.06	\$124.90	\$1,354.96	67.7%
TOTAL	\$103,099.00	\$61,584.58	\$8,165.14	\$69,749.72	67.7%



DOUGLAS DRIVE FAMILY PHYSICIANS, P.A.

MERLE S. MARK, M.D.
DALE R. KAYE, M.D.

BRUCE P. CAMERON, M.D.
MARVIN A. BROOKS, M.D.

KATHLEEN D. BROOKS, M.D.
DANIEL J. FEELY, M.D.

October 12, 1987

City Council
City of Crystal
4141 Douglas Drive
Crystal, MN. 55422

Dear Ladies and Gentlemen:

On behalf of the physicians, I would like to express our sincere appreciation for the very generous reduction in assessments for the Douglas Drive curb, gutter and sidewalk project. The notice came as a very pleasant surprise and we just want you to know we very much appreciate it.

Sincerely

Sandy Tykeson
Assistant Manager