

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

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COUNCIL AGENDA

August 16, 1988

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on August 16, 1988, at 7:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota.

The Secretary of the Council called the roll and the following were present:

Staff

Councilmembers

P Herbes	_P_ Dulgar
P Moravec	_P_ Olson
Rygg	P Kennedy arrived 7:06
Langsdorf	Monk
_P Aaker	Peterson
P Leppa	George
P Smothers	
to the Flag.	e audience in the Pledge of Allegiance
(approve) (approve, making the	and seconded by Councilmember <u>Sm</u> to be following exceptions:
minutes of the Regular City C	to) the council meeting of August 2, 1988.
and Regular City C	Motion Carried

CONSENT AGENDA

- Set 7:00 P.M., or as soon thereafter as the matter may be heard, September 6, 1988 as the date and time for a public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a request for a variance to build a new house at 3541 Lee Avenue North.
- 2. Set 7:00 P.M., or as soon thereafter as the matter may be heard, September 6, 1988 as the date and time for a public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a request for a variance to allow two curb cuts at 3557 Orchard Avenue North.
- 3. Set 7:00 P.M., or as soon thereafter as the matter may be heard, September 6, 1988 as the date and time for a public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a request for a variance to expand a nonconforming building at 6625 - 45th Avenue North.
- 4. Set 7:00 P.M., or as soon thereafter as the matter may be heard, September 6, 1988 as the date and time for a public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a request for a variance to expand a non-conforming building at 5540 Lakeland Avenue North.
- 5. Set 7:00 P.M., or as soon thereafter as the matter may be heard, September 6, 1988 as the date and time for a public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a request for a variance to encroach in the side street sideyard setback at 5325 Welcome Avenue North.
- 6. Set 7:00 P.M., or as soon thereafter as the matter may be heard, September 6, 1988 as the date and time for a public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a request to consider a parking variance of 45 spaces at the VFW building at 5222 56th Avenue North.
- 7. Set 7:00 P.M., or as soon thereafter as the matter may be heard, September 6, 1988 as the date and time for a public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a request for a parking variance of 20 spaces for a restaurant expansion at 6121 42nd Avenue North.
- 8. Consideration of a request from Fireman's Relief Association to hold a street dance and raffle in the parking lot of the John T. Irving Fire Station, 5341 Douglas Drive, on August 20, 1988.
- Consideration of a request from Crystal Lions Club to sell 3.2 beer at the John T. Irving Fire Station, 5341 Douglas Drive, on August 20, 1988 for the Crystal Fireman's Relief Association's street dance and raffle.

- 10. Consideration of a request from VFW Post #494 to sell pulltabs at the John T. Irving Fire Station on August 20, 1988 for the Crystal Fireman's Relief Association's street dance and raffle.
- 11. Consideration of a request from Crystal Lion's Club to operate a 3.2 beer stand in the parking lot at 5410 Lakeland Avenue North (Elk's Lodge #44) on September 10, 1988 and waiver of fee.
- 12. Consideration of a request for a temporary on-sale liquor license for an event at the Elk's Lodge #44 on September 11, 1988 between 1:00 p.m. and 5:30 p.m.

Moved by Councilmember	and seconded by Councilmember	to
remove item,, and	from the Consent Agenda.	_′
(2)	Motion Carried.	
Moved by Councilmember Kana approve the Consent Agenda		
	Motion Carried.)

PUBLIC HEARINGS

1. 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 Edward C. Brandeen for a variance of 14 feet in the required 40' rear yard setback to build a 16' x 20' three-season porch and a 6' x 20' deck at 6816 - 39th Avenue North. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. Those present and heard were: (5 votes needed for approval)

The Mayor closed the Public Hearing.

Moved by Councilmember Lygg and seconded by Councilmember 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. 4) a, to grant a variance of 14 feet in the required 40' rear yard setback to build a 16' x 20' three-season porch and a 6' x 20' deck at 6816 - 39th Avenue North as requested in variance application #88-40.

Motion Carried.

REGULAR AGENDA

Patty Wilder, Executive Director of Northwest Hennepin Human Services Council, appeared before the City Council to discuss the 1989 Budget.

Leppe / Mor to thank Patty Wilder and Crystel Representative on the Haman Services Council, Paul Schulle, for appearing Sufare the Council and to direct stoff to consider the 4.5 cent per capita increase in funding when preparing the 1989 budget.

Matter 1989 budget.

The City Council considered a resolution denying preliminary approval of proposed plat for the Winnetka Woods Addition located at 3411 Winnetka Avenue North.

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

RESOLUTION NO. 88-42

RESOLUTION DENYING PRELIMINARY APPROVAL OF PROPOSED PLAT FOR WINNETKA WOODS

By roll	call and voting ay	re: ALL	. ,			
voting:	; voting no:		_,	,;	absent,	not
vocing.	Motion carried,	resolution	declared	adopted		

2 2. The City Council considered a building permit for interior and exterior changes at Rapid Oil, 5602 Lakeland Avenue North.

Moved by Councilmember m and seconded by Councilmember to (approve) (deny) (continue until the discussion of) building permit #989 for Rapid Oil, 5602 Lakeland Avenue North.

Motion Carried.

3 4. The City Council considered the applications of Phyllis Isaacson and Mary Pat Hanauska for appointment to the Environmental Quality Commission.

Kygg I Sm to appoint both applicants, flips coin to see which would be appointed to the unexpired term expiring 12-31-90, and have the remaining applicant altered meeting until such time as another opening occurs on the Commission.

Aye: Rygg, Sm, Herbes No: Langs, Maranes, aaker, Leppa

mation Failed.

Moved by Councilmember Aerhe and seconded by Councilmember and to appoint Mary Gat Hanauska to the Environmental Quality Commission for an unexpired term expiring 12-31-90.

Motion Carried.

The City Council considered the applications of Renee Werner, Lois Ehret, Sherwood Mellom, and Arlene J. West for appointment to the Human Relations Commission. Sherwood Mellom did not appears.

Moved by Councilmember separand seconded by Councilmember separant to appoint so the Human Relations Commission for unexpired terms expiring 12-31-88.

Motion Carried.

Rygg / Herber to appoint arlene West to the Human Kelalions Commission for an unexpired term expiring 12-31-88.

motion Carried

7

August 16, 1988

Council Agenda

8. The City Council considered final plat approval of Beelen Addition at 3836-38 Douglas Drive.

Moved by Councilmember 1999 and seconded by Councilmember septe to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 88-44

RESOLUTION APPROVING PLAT

By roll	call and voting aye: ; voting no:	ALL,		; absent,	,
voting:	, vocing no			_, absenc,	noc
(Motion carried, res	olution dec	lared adopt	ed.	

9. The City Council considered First Reading of an Ordinance revising variance procedure for non-conforming lots and structures in R-1 District. (5 votes needed for approval)

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

ORDINANCE NO. 88-

AN ORDINANCE RELATING TO ZONING: AMENDING CRYSTAL CITY CODE (APPENDIX I - ZONING) SUBSECTION 515.05, SUBDIVISION 2: SUBSECTION 515.55, BY ADDING A SUBDIVISION; REPEALING SUBSECTION 515.55, SUBDIVISIONS 9 AND 11

and further, that the second and final reading be held on September 6, 1988.

Motion Carried.

10. The City Council considered the First Reading of an Ordinance relating to skateboards.

Moved by Councilmember Mov and seconded by Councilmember Son to adopt the following ordinance:

ORDINANCE NO. 88-

AN ORDINANCE RELATING TO SKATEBOARDS: AMENDING CRYSTAL CITY CODE BY ADDING A SECTION

and further, that the second and final reading be held on September 6, 1988.

Motion Carried.

11. The City Council considered attendance to the League of Minnesota Cities Regional meeting on Monday, September 12, 1988.

Bouncilmember Langedorf indicated that she would be attending and had sent her registration in.

12. The City Council considered City Council attendance to the City Picnic on August 25, 1988.

The City Mgn, asked that any covencilmenters planning to attend, please get their responses to staff.

3. The City Council Considered a resolution rescending all sprinkling restrictions for water sustaneur in the City of Crystal.

Herber Leppa to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

Kexolution No. 88-45 By rall call ite. - ALL

motion Carried, res. declared adapted.

mor Leppa to remove from the table for consideration at the Sept.

mtg. The 2 reading of an ordinance amending cristal city Cole regarding

mater website sales as a conditional use in B-3 (auti-oriented commercial) and I-1 (light

industrial) district. industrial) districts. mation carried

Mor/ Leppa to remove from the table for consideration at the Sept. 6, 1988 15 mtg., First Reading of an ordinance rezoning preperty at 6048 Lakeland au. no. from B-4 (Community Commercial) to B-3 (auto-Oriented Commercial) as requested by Gunnary Marling.

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

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

Meeting adjourned at 8:57pm. * The City Mga. advised Council that stoff was working on obtaining a public relations from and a Citizens Committee for the Community lenter Bond Issue. If Council has names for Citizens Committee, submit to stoff. Council member Leppa questioned the status of altorney Generals Openion regarding Charitable Lambling. The City attainey advised that he is still waiting for the openion. The Councilmental Lygge asked staff if there there were any applicants provided the east scide of West Broadway for auto oriented zoning. The Councilmenter Morauce injuried of the status of Memory Lane pond dredging. Steff advised that pumping started aug. 15 m and contractae is getting ready to more in.

to lings process

APPLICATIONS FOR LICENSE

AUGUST 16, 1988

FOOD ESTABLISHMENT - Itinerant (Exempt)

Crystal Fire Department, one day only, August 20, 1988,

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

Gordon's Rendering, New Brighton, MN Willman Trucking, Minneapolis, MN

SIGN HANGER - \$66.00

Crosstown Sign Inc., 10166 Central Ave. NE, Blaine, MN 55434

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

Cio Bella's Pizza, 2732 Douglas Drive, two days, flea market, August 19 & 20, 1988, Lamplighter Square.

Tom Thumb, 2708 Douglas Drive, 4 days flea market, August 18 through 21, 1988, Lamplighter Square

Old Fashion Donut, 2720 Douglas Drive, 2 days flea market, roundup, August 18 through August 19, 1988. Lamplighter Square.

TO: City of Crystal Councilmembers

FROM: Jerry Dulgar, City Manager

RE: Preliminary Agenda for the August 16, 1988 Council Meeting

On the Consent Agenda, comment on Item 8:

I've discussed the street dance with police, fire, and various departments that might have any concerns and they have indicated that there have been no problems with the dance and suggested that we go ahead and grant the request.

Items 11

and 12 Again, I've reviewed these with the police department and they had no concern about these licenses being granted.

Public Hearings - no comment.

Regular Agenda Items:

- Item 1 Patty Wilder, Executive Director of Northwest Hennepin Human Services Council, will be present to discuss with the Council their budget requests for 1989. I don't believe we need to approve it at that time; we should do that when we approve the budget as a whole.
- Item 4 Consideration of applications of Phyllis Isaacson and Mary Pat Hanauska for the Environmental Quality Commission. We only have one vacancy at this time although we have heard that there will be probably another vacancy in the near future.
- Item 5 Consideration of appointments to the Human Relations Commission. We have two openings at this time to go through 1988 calendar year.
- Item 6 Consideration of Fireman's Relief Association proposed Bylaws. You have my memo relative to this which I'm sure
 won't be too popular with the firemen. However, I think
 that the things that I've said needed to be said. I don't
 really have any problem with the by-laws in general, and
 should indicate to you that they are not that dissimilar
 from the by-laws in a lot of other cities. There is a great
 variety in the various lump sums and pension programs of
 various Fire Departments around. In fact, our retirement
 program here is not as lucrative as the one in Anoka,

although they did not have the lump sum program, I don't believe.

- Item 9 Consideration of First Reading of an Ordinance revising variance procedure. Bill, Don, and the Planning Commission have done a lot of work on this ordinance. We feel that it will be a good step in removing some of the relatively routine variances we have coming into the Council all of the time because of some of the small lots inherent in different places of the City because of the original planning. I'd recommend that we have a First Reading and if there are some adjustments that the Council wants to make, we can do that before the Second Reading. Bill and Don will be present to answer questions.
- Item 10 Consideration of First Reading of an Ordinance relating to skateboards. Again, review this ordinance. I would recommend that we have a First Reading and that we make adjustments that the Council might deem appropriate before the Second Reading. The police department and City Attorney's office have done a lot of work on it but there still might be some refinement that the Council wants to add.
- Item 11 Attendance to the League of Minnesota Cities Regional meeting, Monday, September 12. I would like to have any of the Council who plan to attend to let us know so that we can get the reservations in right away.
- Item 12 Consideration of City Council attendance to the City Picnic on August 25, 1988. We just wanted to remind you of the picnic and get you all to fill out a form so that we will have a better handle on the number of people who will be there for buying food, drinks, etc.

I have no prior knowledge of anyone wishing to appear on the Open Forum. See you Tuesday; have a nice weekend!

Jerry Dulgar

JD/js

P.S. We just received another application for appointment to the Human Relations Commission (Arlene J. West, 4149 Kentucky Avenue North) and will add her to item #5 on the regular agenda.

Sent with Preliminary Agenda on 8-12-88:

- Council minutes of August 2, 1988 meeting.
- Planning Comm. minutes of August 8, 1988 meeting.
- Charitable Gambling Application for Crystal Firemen's Relief Assoc. for 8-20-88.
- Application for a 3.2 beer license for Crystal Lion's Club at John T. Irving Fire Station on 8-20-88.
- Charitable Gambling Application for VFW Post #494 for pulltabs at John T. Irving Fire Station on 8-20-88.
- Application for a 3.2 beer stand at 5410 Lakeland Avenue North on September 10, 1988.
- Letter and application from Elks Lodge #44 for a temporary on-sale liquor license for September 11, 1988.
- Memo from Bldg. Inspector dated 7/28/88 re: variance #88-40 at 6816 39th Avenue North.
- Letter and invoice from Northwest Hennepin Human Services Council dated 5/16/88 for contribution from the 1989 Budget in the amount of \$5,002.00.
- Letter from City Attorney dated 8/10/88 re: Winnetka Woods Preliminary Plat; resolution.
- Memo from Bldg. Inspector dated 8/10/88 re: Bldg. Permit #989 at 5602 Lakeland Ave. No.
- Applications for appointment to the Environmental Quality Commission from Phyllis Isaacson and Mary Pat Hanauska.
- Applications for appointment to the Human Relations Commission from Renee Werner, Mr. S. O. Mellom, and Arlene J. West.
- Memo from City Manager dated 8/11/88 re: Fire Relief Associations's Request to Approve Revised By-laws; Letter from City Attorney dated 7/28/88 re: Fireman's Relief Assoc. Proposed By-laws and excerpt from MN Statutes; memo from Crystal Firefighters' Relief Association dated 7/14/88 & proposed by-laws; Memo from Crystal Firefighters' Relief Association dated 7/14/88 and current by-laws; copy of Crystal Firefighters Relief Association General Fund Lump Sum Plan; Bylaws of City of Brooklyn Center Fire Relief Assoc.; Article re: Bloomington F.D.; New Hope Volunteer Fireman's Relief Assoc. 1987.

Memo from CIty Engr. dated 8/10/88 re: bids for reroofing utility garage.

Memo from City Engr. dated 8/2/88 re: Beelen Addition Final Plat.

Memo from City Engr. dated 7/7/88 re: variance procedure for non-conforming lots & structures in R-l District.

Letter from City Attorney dated 8/9/88 re: Crystal Skateboard Ordinance.

Letter from City of New Brighton dated 7/27/88 re: League of MN Cities Regional mtg. 9/12/88.

Employees Picnic sign-up sheet.

Crystal Park & Rec. Dept. monthly report for July '88. Crystal Park & Rec. Advisory Comm. minutes of 7/13/88.

Letter from State Rep. Ann Rest dated 8/8/88 re:

Resolution No. 88-373 regarding the opposition to changes in post-retirement inflator mechanisms for local police and paid firefighters' pension plans. (Our Resolution No. 88-37.

Memo from LMC dated 8/8/88 re: 1989 Conference Planning Committee Membership.

AMM Bulletin dated 8/5/88 re: AMM and Metropolitan Activities of Importance.

Memo from City Engr. dated 8/12/88 re: Rezoning for Norling Motors.

Action Needed Memo from the August 2, 1988 Council meeting.

Included with the packet on August 16, 1988:

City of Crystal 1988 Expenditure Report for July 1988. Letter to Jonathan Stiegler from Wm. Monk dated 8-12-88 (copy not needed in agenda packet per Bill Monk).

Resolution rescinding all sprinkling restrictions for water customers in the CIty of Crystal.

Daulene August 12, 1988 TO: City of Crystal Councilmembers FROM: Jerry Dulgar, City Manager RE: Preliminary Agenda for the August 16, 1988 Council Meeting On the Consent Agenda, comment on Item 8: I've discussed the street dance with police, fire, and various departments that might have any concerns and they have indicated that there have been no problems with the dance and suggested that we go ahead and grant the request. Items 11 and 12 Again, I've reviewed these with the police department and they had no concern about these licenses being granted. Public Hearings - no comment. Regular Agenda Items: Item 1 Patty Wilder, Executive Director of Northwest Hennepin Human Services Council, will be present to discuss with the Council their budget requests for 1989. I don't believe we need to approve it at that time; we should do that when we approve the budget as a whole. Item 4 Consideration of applications of Phyllis Isaacson and Mary Pat Hanauska for the Environmental Quality Commission. We only have one vacancy at this time although we have heard that there will be probably another vacancy in the near future. Item 5 Consideration of appointments to the Human Relations Commission. We have two openings at this time to go through 1988 calendar year. Consideration of Fireman's Relief Association proposed By-Item 6 laws. You have my memo relative to this which I'm sure won't be too popular with the firemen. However, I think that the things that I've said needed to be said. I don't really have any problem with the by-laws in general, and should indicate to you that they are not that dissimilar from the by-laws in a lot of other cities. There is a great variety in the various lump sums and pension programs of various Fire Departments around. In fact, our retirement program here is not as lucrative as the one in Anoka,

although they did not have the lump sum program, I don't believe. Consideration of First Reading of an Ordinance revising Item 9 variance procedure. Bill, Don, and the Planning Commission have done a lot of work on this ordinance. We feel that it will be a good step in removing some of the relatively routine variances we have coming into the Council all of the time because of some of the small lots inherent in different places of the City because of the original planning. I'd recommend that we have a First Reading and if there are some adjustments that the Council wants to make, we can do that before the Second Reading. Bill and Don will be present to answer questions. Item 10 Consideration of First Reading of an Ordinance relating to skateboards. Again, review this ordinance. I would recommend that we have a First Reading and that we make adjustments that the Council might deem appropriate before the Second Reading. The police department and City Attorney's office have done a lot of work on it but there still might be some refinement that the Council wants to add. Item 11 Attendance to the League of Minnesota Cities Regional meeting, Monday, September 12. I would like to have any of the Council who plan to attend to let us know so that we can get the reservations in right away. Item 12 Consideration of City Council attendance to the City Picnic on August 25, 1988. We just wanted to remind you of the picnic and get you all to fill out a form so that we will have a better handle on the number of people who will be there for buying food, drinks, etc. I have no prior knowledge of anyone wishing to appear on the Open Forum. See you Tuesday; have a nice weekend! Jerry Dulgar JD/js P.S. We just received another application for appointment to the Human Relations Commission (Arlene J. West, 4149 Kentucky Avenue North) and will add her to item #5 on the regular agenda.

COUNCIL AGENDA - SUMMARY

Call to order

Roll call

Pledge of Allegiance to the Flag

Approval of the minutes of the meeting of August 2, 1988.

Consent Agenda

- Set public hearing to consider a request for a variance to build a new house at 3541 Lee Avenue North.
- Set public hearing to consider a request for a variance to allow two curb cuts at 3557 Orchard Avenue North.
- Set public hearing to consider a request for a variance to expand a non-conforming building at 6625 - 45th Avenue North.
- 4. Set public hearing to consider a request for a variance to expand a non-conforming building at 5540 Lakeland Avenue North.
- 5. Set public hearing to consider a request for a variance to encroach in the side street sideyard setback at 5325 Welcome Avenue North.
- 6. Set public hearing to consider a parking variance of 45 spaces at the VFW building at 5222 56th Avenue North.
- Set public hearing for a parking variance of 20 spaces for a restaurant expansion at 6121 - 42nd Avenue North.
- 8. Consideration of a request from Fireman's Relief Association to hold a street dance and raffle in the parking lot of the John T. Irving Fire Station, 5341 Douglas Drive, on August 20, 1988.
- 9. Consideration of a request from Crystal Lions Club to sell 3.2 beer at the John T. Irving Fire Station, 5341 Douglas Drive, on August 20, 1988 for the Crystal Fireman's Relief Association's street dance and raffle.

- 10. Consideration of a request from VFW Post #494 to sell pulltabs at the John T. Irving Fire Station on August 20, 1988.
- 11. Consideration of a request from Crystal Lion's Club to operate a 3.2 beer stand in the parking lot at 5410 Lakeland Avenue North (Elk's Lodge #44) on September 10, 1988 and waiver of fee.
- 12. Consideration of a request for a temporary on-sale liquor license for an event at the Elk's Lodge #44 on September 11, 1988 between 1:00 p.m. and 5:30 p.m.

Public Hearings

 Public hearing to consider a request from Ed Brandeen for a variance to the rear yard setback of 14' to build a 16' x 20' three-season porch and a 6' x 20' deck at 6816 - 39th Avenue North.

Regular Agenda Items

- 1. Appearance by Patty Wilder of the Northwest Hennepin Human Services Council to discuss the 1989 Budget.
- Consideration of a resolution denying preliminary approval of proposed plat for the Winnetka Woods Addition located at 3411 Winnetka Avenue North.
- 3. Consideration of a building permit for redoing exterior surface and adding wing walls at 5602 Lakeland Avenue North (Rapid Oil).
- 4. Consideration of the applications of Phyllis Isaacson, 7000 Lombardy Lane, and Mary Pat Hanauska, 5248 Hampshire Avenue North, for appointment to the Environmental Quality Commission for a term expiring 12-31-90.
- 5. Consideration of the applications of Renee Werner, 6924 - 35th Avenue North, and Sherwood Mellom, 3508 Douglas Drive, for appointment to the Human Relations Commission for terms expiring 12-31-88.
- 6. Consideration of the Fireman's Relief Association proposed By-laws.
- 7. Consideration of awarding bids for reroofing of Sewer & Water Maintenance garage.
- 8. Consideration of final plat approval of Beelen Addition at 3836-38 Douglas Drive.

- 9. Consideration of First Reading of an Ordinance revising variance procedure for non-conforming lots and structures in R-1 District.
- Consideration of First Reading of an Ordinance relating to skateboards.
- 11. Consideration of attendance to the League of Minnesota Cities Regional meeting on Monday, September 12, 1988.
- 12. Consideration of City Council attendance to the City Picnic on August 25, 1988.

Open Forum

Informal Discussion and Announcements

Licenses

Adjournment

APPLICATIONS FOR LICENSE

AUGUST 16, 1988

FOOD ESTABLISHMENT - Itinerant (Exempt)

Crystal Fire Department, one day only, August 20, 1988,

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

Gordon's Rendering, New Brighton, MN Willman Trucking, Minneapolis, MN

SIGN HANGER - \$66.00

Crosstown Sign Inc., 10166 Central Ave. NE, Blaine, MN 55434

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

Cio Bella's Pizza, 2732 Douglas Drive, two days, flea market, August 19 & 20, 1988, Lamplighter Square.

Tom Thumb, 2708 Douglas Drive, 4 days flea market, August 18 through 21, 1988, Lamplighter Square

Old Fashion Donut, 2720 Douglas Drive, 2 days flea market, roundup, August 18 through August 19, 1988. Lamplighter Square.

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Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on August 2, 1988 at 7:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota. The Secretary of the Council called the roll and the following were present: Herbes, Moravec, Rygg, Aaker, Langsdorf, Leppa, Smothers. Also in attendance were the following staff members: Jerry Dulgar, City Manager; David Kennedy, City Attorney; William Monk, Public Works Director; Donald Peterson, Building Inspector; Darlene George, City Clerk.

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

The City Council considered the minutes of the Regular City Council meeting of July 19, 1988.

Moved by Councilmember Moravec and seconded by Councilmember Smothers to approve, the minutes of the Regular City Council meeting of July 19, 1988.

Motion Carried.

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

1. Set 7:00 p.m., or as soon thereafter as the matter may be heard, August 16, 1988, as the date and time for a public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a request from Ed Brandeen for a variance of 14 feet in the required 40' rear yard setback to build a 16' x 20' three-season porch and a 6' x 20' deck at 6816 - 39th Avenue North.

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

Motion Carried.

The City Council considered the following Public Hearings:

1. 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 Daniel F. Otten to vary the rear yard setback requirements and to vary the requirement from the corner of the property to the curb cut to allow the construction of a 80' x 50' double house at 5756 Orchard Avenue North.

The Mayor closed the Public Hearing.

A. Moved by Councilmember Smothers and seconded by Councilmember Herbes 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

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the strict application of Section 515.13, Subd. 4a), to grant a variance of 13' in the required 40' rear yard setback, for construction of a 80' by 50' double house at 5756 Orchard Avenue North as requested in variance application #88-34.

Motion Carried.

B. Moved by Councilmember Leppa and seconded by Councilmember Moravec to deny as recommended by and based on the findings of fact of the Planning Commission a variance of 18' in the required 50' from the corner of the property to the curb cut at 5756 Orchard Avenue North as requested in variance application #88-36.

Motion Carried.

2. It being 7:00 p.m., or as soon thereafter as the matter may be heard, Mayor Aaker declared this was the date and time as advertised for a public hearing at which time the City Council will consider tentative approval of proposed plat Winnetka Woods located at 3411 Winnetka Avenue North. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. Those present and heard were:

Tim Keane, Attorney
Diane Schipper, 3425 Winnetka (presented a letter in
opposition dated 7-27-88 to Mayor and Council from
Winnetka Park residents.

Mike Blehert, 3408 Utah Avenue North
Paul Goda, 3349 Winnetka Avenue North
John Javner, 3309 Winnetka Avenue North
Ralph Tully, Attorney representing property owner
Jim Glyer, 3425 Winnetka Avenue North
Ms. Blehert, 3408 Utah Avenue North.

The Mayor closed the Public Hearing.

Moved by Councilmember Moravec and seconded by Councilmember Langsdorf that staff provide findings of fact for denial and bring back to the August 16, 1988 Council meeting.

Motion Carried.

The Mayor called a recess at 8:29 p.m. and the meeting was reconvened at 8:43 p.m.

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

 Dana Sorenson, Associate Director, and Carl Parker, Detached Worker for Crystal, of the Northwest Y.M.C.A. appeared before the City Council to discuss an increase in the financial support for 1989. Alan Spillers, Executive Director, was also introduced by Mr. Sorenson.

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Moved by Councilmember Smothers and seconded by Councilmember Leppa to approve a \$1,000 increase (making a \$14,000 total) for the Detached Worker Program of the Northwest Y.M.C.A., and further, to direct staff to make such increase in the 1989 City of Crystal Budget.

Motion Carried.

2. The City Council considered a request for a mid-block stop sign on Georgia between 34th and 36th Avenues. Those appearing and heard were:

Diane Meier, 3442 Georgia Avenue North Nancy Emond, 3443 Georgia Avenue North Emily Emond, 3443 Georgia Avenue North Kelly Hausler, 3413 Georgia Avenue North.

Moved by Councilmember Moravec and seconded by Councilmember Rygg to install a stop sign on Georgia Avenue North southbound at 34th Avenue.

Motion Carried.

3. The City Council considered a a resolution regarding employment as presented by Arthur Cunningham of the Civil Service Commission.

Moved by Councilmember Moravec and seconded by Councilmember Rygg to refer the resolution to City staff for reviewal of the wording contained in the resolution.

Motion Carried.

 The City Council considered sign variance requests from Johnson Equipment Company at 5141 Lakeland Avenue North.

Moved by Councilmember Smothers and seconded by Councilmember Leppa to approve sign variance applications #88-2 and #88-3 for 5141 Lakeland Avenue North, with the assurance that the tower will go down.

Motion Carried.

5. The City Council considered a request from Carl and Dawn Schultz, 5913 Kentucky Avenue North, to have beer in Becker Park for a family reunion on August 13, 1988.

Moved by Councilmember Smothers and seconded by Councilmember Herbes to approve a request from Carl and Dawn Schultz, 5913 Kentucky Avenue North, to have beer in Becker Park for a family reunion on August 13, 1988.

Motion Carried.

The Mayor called a recess at 10:00 p.m. and the meeting was reconvened at 10:10 p.m.

6. The City Council considered the First Reading of an Ordinance rezoning property at 6048 Lakeland Avenue North from B-4 (Community Commercial) to B-3 (Auto Oriented Commercial) as requested by Gunnar Norling.

page 287

The Mayor asked for a motion for removal of this item from the table with no response from Councilmembers. Item remains tabled.

7. The City Council considered the Second Reading of an Ordinance amending water use restrictions.

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

ORDINANCE NO. 88-5

AN ORDINANCE RELATING TO THE CITY WATER SYSTEM: AMENDING CRYSTAL CITY CODE, SUBSECTION 715.41

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

Motion Carried.

8. The City Council considered a resolution regarding water usage restriction.

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

RESOLUTION NO. 88-40

RESOLUTION ESTABLISHING A TOTAL SPRINKLING BAN FOR WATER CUSTOMERS IN THE CITY OF CRYSTAL

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

Motion carried, resolution declared adopted.

- 9. The City Council considered a report from Bill Monk, City Engineer, regarding Twin Lake dredging at TH 100. No action was taken.
- 10. The City Council considered the 1988 contract with Police Supervisors.

Moved by Councilmember Smothers and seconded by Councilmember Langsdorf to approve the 1988 contract with Police Supervisors.

Motion Carried.

page 288

11. The City Council considered the appointment of election judges and designation of polling places for the September 13, 1988, primary election.

Moved by Councilmember Smothers and seconded by Councilmember Rygg to appoint election judges and designation of polling places for the September 13, 1988, primary election.

Motion Carried.

12. The City Council considered a request from the League of Minnesota Cities for volunteers to serve on the Joint Committee with AMM on a Solid Waste Study.

Mayor Aaker appointed Councilmember Langsdorf to serve on the committee.

Councilmember Smothers volunteered in the event that Councilmember Langsdorf is unable to serve on the committee.

13. The City Council considered a Resolution Approving And Authorizing Execution Of Amendment No. 1 To Loan And Bond Purchase Agreement Relating To \$6,000,000 Commercial Development Revenue Bond Of 1984 (Crystal Gallery Project) Of The City Of Crystal, Minnesota.

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. 88-41

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF AGREEMENT NO. 1 TO LOAN AND BOND PURCHASE AGREEMENT RELATING TO \$6,000,000 COMMERCIAL DEVELOPMENT REVENUE BOND OF 1984 (CRYSTAL GALLERY PROJECT) OF THE CITY OF CRYSTAL, MINNESOTA

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

Motion carried, resolution declared adopted.

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

Motion Carried.

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

Motion Carried.

				A	ugust	2,	1988
					page	289	9
The	meeting	was	adjourned	at	10:45	p.	m.

	Mayor
ATTEST:	
City Clerk	

CRYSTAL PLANNING COMMISSION MINUTES

August 8, 1988

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

Moved by Commissioner Elsen and seconded by Commissioner Halpaus to approve the minutes of the July 11, 1988, meeting.

Motion carried.

 Consideration was given to Variance Application #88-37 as requested by Timothy J. Bownik to allow two curb cut openings at 3557 Orchard Ave. N.

Moved by Commissioner Elsen and seconded by Commissioner Christopher to recommend to the City Council to deny Variance Application #88-37 to vary the strict application of Section 515.09, Subd. 4 h) 10), to allow two curb cut openings at 3557 Orchard Ave. N., P.I.D. #07-029-24-21-0016, as requested by Timothy J. Bownik.

The findings of fact are: The hazard of backing out on to 36th Ave. not consistent with City policies and would not be best interest of City; creating a precedent of allowing two curb cuts.

Motion carried.

2. Richard and Brenda Swanson appeared regarding Variance Applications #88-38 and #88-39 to expand a non-conforming building, said non-conformity being the existing building encroaches in the rear yard setback, and to vary the rear yard setback requirements to allow for an addition at 6625 - 45th Ave. N.

Moved by Commissioner Guertin and seconded by Commissioner Halpaus 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 515.05, Subd. 2, to expand a non-conforming use; and Section 515.13, Subd. 4 a) to grant a variance of 17'6" in the required 40' rear yard setback to permit an addition to the existing house at 6625 - 45th Ave. N., P.I.D. #17-118-21-11-0053.

August 8, 1988 - continued

The findings of fact are: It is a nice addition to house; improve the appearance of the house; will make the non-conforming rear yard setback less.

Motion carried.

- 3. James Scott, building owner, and Yee Tee Wang of Keng's Chow Mein appeared regarding Variance Application #88-44 to grant a variance in the required number of parking spaces and a building permit for remodeling and expansion to the existing building at 6121 - 42nd Ave. N.
 - A. Moved by Commissioner Elsen and seconded by Commissioner Halpaus to recommend to the City Council to deny Variance Application #88-44 to allow a variance of 20 spaces of the required 40 parking spaces at 6121 42nd Ave. N., P.I.D.#16-118-21-23-0082, as requested by Yee Tee Wang.

The findings of fact are: Fifty percent reduction of the on site parking is excessive given proposed use; the parking spaces available make year round usage questionable.

By roll call and voting aye: Barden, Elsen, Guertin, Halpaus and Nystrom; voting no: Christopher and Magnuson.

Motion carried 5 to 2.

B. Moved by Commissioner Elsen and seconded by Commissioner Nystrom to recommend to the City Council to deny authorization to issue building permit #979 to Yee Tee Wang for remodeling and expansion to the existing building located at 6121 - 42nd Ave. N., P.I.D. #16-118-21-23-0082, subject to standard procedure.

By roll call and voting aye: Barden, Elsen, Guertin, Halpaus and Nystrom; voting no: Christopher and Magnuson

Motion carried 5 to 2.

 Robert Mikulak of Rapid Oil appeared regarding a building permit for redoing exterior surface and adding wing walls at 5602 Lakeland Ave. N.

Moved by Commissioner Christopher and seconded by Commissioner Barden to recommend to the City Council to approve authorization to issue building permit #989 to Rapid Oil for redoing the exterior surface and adding wing walls at 5602 Lakeland Ave. N., P.I.D. #04-118-21-32-0022, subject to standard procedure.

Motion carried.

August 8, 1988

5. Consideration was given to Conditional Use Permit Application #88-42 of Crystal Shopping Center Assoc. (Paster Enterprises) for a drive-in convenience food establishment in a B-4 District at 5557 West Broadway.

Moved by Commissioner Barden 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, Monday, September 12, 1988, to consider the request of Crystal Shopping Center Assoc. in Application #88-42 to allow a drive-in convenience food establishment in a B-4 District (Community Commercial) at 5557 West Broadway, P.I.D. #05-118-21-43-0003.

Motion carried.

- 6. Walter Johnson, Architect, appeared regarding Variance Application #88-43 to grant a variance in the required number of parking spaces and a building permit for interior remodeling and additions to the VFW at 5222 56th Ave. N.
 - A. 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 515.09, Subd. 8 v), and grant a variance of 45 spaces of the required 216 parking spaces at 5222 56th Ave. N., P.I.D. #04-118-21-43-0010, as requested in Application #88-43 of Walter Johnson for the Charles R. Knaeble #494 VFW.

The findings of fact are: VFW represents long term use; variance reasonable given club type use.

Motion carried.

B. Moved by Commissioner Barden and seconded by Commissioner Guertin to recommend to the City Council to approve authorization to issue building permit #992 to Walter Johnson for interior remodeling and building 50' x 50', 28'4" x 13' and 24'6" x 17'8" additions to the Charles R. Knaeble #494 VFW at 5222 - 56th Ave. N., P.I.D. #04-118-21-43-0010, subject to standard procedure.

Motion carried.

August 8, 1988

- 7. Walter Johnson, Architect, appeared regarding Variance Application #88-31 to expand a non-conforming building, said non-conformity being the existing building encroaches 8' in the required 22' front yard setback, and a building permit for additions to the existing building at 5540 Lakeland Ave. N. (The Paddock).
 - A. Moved by Commissioner Christopher and seconded by Commissioner Barden 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 515.05, Subd. 2, to allow the expansion of a non-conforming building to permit 14' x 54'2" and 8' x 24'3" additions to be constructed at 5540 Lakeland Ave. N., P.I.D. #04-118-21-33-0013, as requested in Application #88-31 of Walter Johnson for L.J.D. Inc. (The Paddock).

The findings of fact are: It is already a nonconforming building; nothing to do with the addition of the expansion.

Motion carried.

B. Moved by Commissioner Christopher and seconded by Commissioner Guertin to recommend to the City Council to approve authorization to issue building permit #995 to Walter Johnson for L.J.D. Inc. (The Paddock) for 14' x 54'2" and 8' x 24'3" additions to the existing building located at 5540 Lakeland Ave. N., P.I.D. #04-118-21-33-0013, subject to standard procedure.

Motion carried.

8. Consideration was given to final approval of Beelen Addition located at 3836-38 Douglas Drive.

Moved by Commissioner Halpaus and seconded by Commissioner Guertin to recommend to the City Council to grant final approval of Beelen Addition which is a replat of Units 1 and 2 Condominium No. 281 Beelen Condominiums.

Motion carried.

9. Consideration was given regarding Variance Application #88-41 for a deck on the house which will encroach in the required 30' side street side yard setback at 5325 Welcome Ave. N.

August 8, 1988 - continued

Moved by Commissioner Barden 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. 3 a) 2) iii), to grant a variance of 14' in the required 30' side street side yard setsback for a 16' x 24' deck on the existing house, 5325 Welcome Ave. N., P.I.D. #09-118-21-21-0020, as requested in Application #88-41 of Kevin J. Gannon.

The findings of fact are: It is a nice addition to the house; does not encroach in street right-of-way.

Motion carried.

 Reconsideration was given to amendment to the variance procedure for non-conforming residential uses and structures.

Moved by Commissioner Christopher and seconded by Commissioner Nystrom to recommend to the City Council to approve An Ordinance Relating to Zoning: Amending Crystal City Code (Appendix I - Zoning) Subsection 515.05, Subdivision 2: Subsection 515.55, by Adding a Subdivision; Repealing Subsection 515.55, Subdivisions 9 and 11.

Motion carried.

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

Motion carried.

The meeting adjourned at 9:23 p.m.

Vice-Chairperson Magnuson

Secretary Elsen



CG-00020-01 (6/87)

White — Board Pink — Organization

Minnesota Charitable Gambling Control Board Room N475 Griggs-Midway Building 1821 University Avenue St. Paul, MN 55104-3383 (612) 642-0555

LAWFUL GAMBLING EXEMPTION

FOR BOARD USE ONLY

INSTRUCTIONS: 1. 2. 3. PLEASE TYPE	When dive the	completi ne gold c ed with a	for exemption ng form, do no opy to the City in exemption n formation, sign	t comple or Cour umber a	ete shaded a nty. Send the added to the	areas until a e remaining e form. Wh	after the activit g copies to the en your activit	Board. They is concl	uded; co	will be emplete
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Name of Local Governing Body (City or County)					Township Name (Must be notified when County is the approving body)					
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Canary — Board returns to Organization to complete shaded areas. ${\sf Gold-City} \ {\sf or} \ {\sf County}$

CRYSTAL FIRE DEPT. 2nd ANNUAL OPEN HOUSE & STREET DANCE

ON 20 AUG. 1988 FROM 1 - 6 PM WE WILL BE HAVING AN OPEN HOUSE AT OUR NORTH FIRE STATION. WE WILL BE GIVING AWAY POP, CANDY FLOSS, POPCORN, BALLOONS, COFFEE, AND TEE SHIRTS. THE TEE SHIRTS WERE DONATED BY THE CRYSTAL LYONS CLUB. EACH HOUR WE WILL HAVE A DRAWING FOR THOSE PRESENT TO WIN A SMOKE DETECTOR AND A FIRE EXTINGUISHER. WE WILL HAVE FIRE TRUCKS FROM ROBBINSDALE AND MAPLE GROVE THERE, GIVING RIDES TO KIDS. THERE WILL BE GAMES FOR THE KIDS, ALSO DEMONSTRATIONS ON FIRE SAFETY. WE ALSO HOPE TO HAVE TWO OLD CARS OUTSIDE SO THAT WE CAN DEMONSTRATE TO THE PEOPLE OUR "HURST RESCUE TOOL" THAT THE CITY PURCHASED FOR OUR FIRE DEPARTMENT.

AT 7:00 PM WE WILL HAVE A BANDSHELL THAT WE ARE RENTING FROM ROBBINSDALE IN OUR FIRE STATION PARKING LOT. WE WILL HAVE MUSIC BY "ARTISAN" UNTIL 11:00 PM UNLESS THE CROWD WARRANTS THE MUSIC TO GO UNTIL MIDNITE, BUT THAT WILL BE AS LATE AS WE WILL PAY THE BAND TO PLAY. DURING OUR OPEN HOUSE AND DANCE WE WILL BE SELLING FOOD AND POP. THE LYONS CLUB WILL SELL BEER. WE WILL BE ASKING TIMESAVERS FOR THE USE OF THEIR PARKING LOT DURING THESE HOURS.

THANK YOU.

APPLICATION FOR LICENSE

4141 Douglas Drive, Crystal, Minnesota 55422

CRYSTAL, MINNESOTA	
GENTLEMEN:	
WE LIDIUS CLUB OF CHYSTAL	
	Fee, S. Waived
5707 Khode Island Ave No.	NewX Renewal
Crystal, MN 55428	Telephone537-5064
enclose the sum of	
	said City and have complied with all the e:
NOW, THEREFORE, I R Smoths in felly Seas Cl SFLL 3.2 Beer AT The Crystal V at the north Fire Station parking Lot on for the period 4:00 f.m. through	ule Criffiereby make application to
SELL 3.2 BEER AT The Crystal V	Ol. Fire Man's STreet Dance
for the period 4:00 f.m. through	13:00 nidnight subject to all
conditions and provisions of said Ordinance.	
City Use Only	
	Lives Club & Criptal
R	Inthese
	Signature of Applicant

tificate of Insurance THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES LISTED BELOW. J. A. PRICE AGENCY, INC. COMPANIES AFFORDING COVERAGES 7100 SHADY OAK ROAD EDEN PRAIRIE TRANSCONTINENTAL CO. MINNESOTA 55344 COMPANY (612)944-8790 NAME AND ADDRESS OF INTURED COMPANY C LION'S CLUB OF MINNESOTA C/O CORPORATE RISK MGRS. COMPANY D 7525 MITCHELL ROAD EDEN PRAIRIE, MINNESOTA COMPANY E This is to certify that policies of insurance listed below have been issued to the insured named above and are in force at this time. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies. Limits of Liability in Thousands (000) TYPE OF INSURANCE POLICY NUMBER POLICY EXPIRATION DATE EACH OCCURRENCE AGGREGATE GENERAL LIABILITY BODILY INJURY COMPREHENSIVE FORM PREMISES-OPERATIONS PROPERTY DAMAGE EXPLOSION AND COLLAPSE HAZARD UNDERGROUND HAZARD PRODUCTS COMPLETED OPERATIONS HAZARD CONTRACTUAL INSURANCE BODILY INJURY AND BROAD FORM PROPERTY PROPERTY DAMAGE COMBINED INDEPENDENT CONTRACTORS PERSONAL INJURY PERSONAL INJURY AUTOMOBILE LIABILITY BODILY INJURY (EACH PERSON) 5 COMPREHENSIVE FORM BODILY INJURY (EACH ACCIDENT) OWNED HIRED PROPERTY DAMAGE 5 NON-OWNED BODILY INJURY AND PROPERTY DAMAGE EXCESS LIABILITY COMBINED BODILY INJURY AND UMBRELLA FORM PROPERTY DAMAGE OTHER THAN UMBRELLA FORM COMBINED WORKERS' COMPENSATION STATUTORY and **EMPLOYERS' LIABILITY** OTHER LEACH ACCIDEN LIQUOR CCP 180 63 93 10/01/88 *SEE LIABILITY REI OW DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES *\$500,000 BI EACH PERSON; \$500,000 BI EACH COMMON CAUSE; \$500,000 PD EACH COMMON CAUSE; \$500,000 LOSS OF MEANS OF SUPPORT EACH COMMON CAUSE; \$500,000 Cancellation: Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 10 days written notice to the below named certificate holder, but failure to must such a store shall impose no obligation or habitity of any kind upon the compliny WALLAND DESCRIPTION OF THE PROPERTY OF THE PRO DATE SSURE 10/28/87 CRYSTAL LIONS CLUB



Minnesota Charitable Gambling Control Board Room N475 Griggs-Midway Building 1821 University Avenue St. Paul, MN 55104-3383 (612) 642-0555

LAWFUL GAMBLING EXEMPTION

FOR BOARD USE ONLY

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5222 No 56th Ave Crys						County Hennepin			
Chief Executive Officer's Name Richard Hendrickson Phone (612, 533-0567					Manager's Nam	arold L	Phone Number (612) 537-9914		
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CG-00020-01 (6/87)		te — Board — Organiza	The United	10	Canary — Bo		Organization to com	plete shaded areas.	

APPLICATION FOR LICENSE

4141 Douglas Drive, Crystal, Minnesota 55422

HONORABLE CITY COUNCIL CRYSTAL, MINNESOTA

GENTLEMEN:	
I Crystal Lions Club for WE Elk's Lodge #44 5410 Lakeland Ave. N.	Fee, \$13.25/day + ins. Seasonal x NewRenewal x
enclose the sum of Thirteen and 25/100	Telephone537-5064
to the City of Crystal as required by the Ordinances of sa requirements of said Ordinances necessary for obtaining this Licenses NOW, THEREFORE, I Crystal Lions Club for Elk's Lodge #44	hereby make application to
operate one 3.2 beer stand in the parking in the parking in the period. September 10, 1988 through the parking in the parki	•••••••••••••••••••••••••••••••••••••••
City Use Only	01

August 5, 1988

I request that fee be waived to operate one 3.2 beer stand in the parking lot at 5410 Lakeland Ave. N. on September 10, 1988, for the Crystal Lions Club for Elk's Lodge #44. Thank you.

Rollie Smothers

Certificate of Insurance

	ADDRESS AGENCY.	TNC	COM	PANIES AFFORD	ING COVERAGES			
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORM THIS CERTIFICATE DOES NOT AMEND EXTEND OR ALTO VAME ON A SOCIETY OF AGENCY. J. A. PRICE AGENCY, INC. 7100 SHADY OAK ROAD EDEN PRAIRIE MINNESOTA (612)944-8790 VAME AND AGENESS OF INCOME? LION'S CLUB OF MINNESOTA C/O CORPORATE RISK MGRS. 7525 MITCHELL ROAD EDEN PRAIRIE, MINNESOTA 55344 This is to certify that policies of insurance listed below have been issued to the insured of any contract or other document with respect to which this certificate may be issue		COMPANY A TRANSCOQUETAGENERAL CO						
MIN	VESOTA	55344	COMPANY C					
NAME AND	12)944-8790 1 happess of incomes							
C/0	V'S CLUB OF MINN CORPORATE RISK							
7525 MITCHELL ROAD		COMPANY E						
This is to	certify that policies of insurance list	ed below have been issued to the insured	d named above	and are in force at this	time. Notwithstanding a	ny requirement, te	erm or condition	
of any c	ontract or other document with resp exclusions and conditions of such po	sect to which this certificate may be issu	ued or may pe	rtain, the insurance af	forded by the policies des	cribed herein is si	ubject to all the	
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MINNEAPOLIS - CRYSTAL Elks Lodge No. 44

Benevolent and Protective Order of Elks

A FRATERNAL ORGANIZATION

5410 LAKELAND AVENUE • CRYSTAL, MINNESOTA 55429 • (612) 533-8360

August 1, 1988

City of Crystal and Liquor Control Division

Re: Application and permit for one (1) day temporary On-Sale liquor license.

Gentlemen:

Our organization was contacted by the Robbinsdale Shriners to hold an "Oasis" at our facility. They currently do not have a place to hold it. This is a luncheon and libation for all the Shrine workers following the Pancake Breakfast. The luncheon would be September 11, 1988 between 1:00 pm and 5:30 pm.

As we currently do not have a Sunday Liquor license, we are making an application for a one (1) day temporary On-Sale liquor license for September 11, 1988. We would appreciate your consideration of this request at your August 16th council meeting.

Thank you for your consideration.

Sincerely and Fraternally,

Ed Thonander Exalted Ruler PS-09079-01 (8/85)

PHONE 612-296-6159

MINNESOTA DEPARTMENT OF PUBLIC SAFETY LIQUOR CONTROL DIVISION 333 SIBLEY • ST. PAUL, MN 55101



APPLICATION AND PERMIT FOR A 1 to 3 DAY TEMPORARY ON-SALE LIQUOR LICENSE

TYPE OR PRINT INFORMATION						
NAME OF ORGANIZATION	DATE ORGANIZED	TE ORGANIZED NO. OF MEMBERS			MPT NUMBER	
MPLS./CRYSTAL ELKS #44	4/25/1886	25/1886 329			85	
STREET ADDRESS		CITY		STATE	ZIP CODE	
5410 Lakeland Ave. N.		Crystal			MN	55429
NAME OF PERSON MAKING APPLICATION		BUSINESS PHONE HOME PHONE				33,123
Ed Thonander		(612)541-1234		(612)	535-12	64
DATES LIQUOR WILL BE SOLD? (1 TO 3 DAYS)	DOES OR	RGANIZATION HAVE A CHARTER GENERAL PURPOSE OF ORGANIZATION				
September 11, 1988	es 🗆 No		ilantrop			
ORGANIZATION OFFICER'S NAME	1 A	ADDRESS	ЦП	TIANCIOP	IC Q FI	aternar
Ed Thonander Exalted Ruler						
ORGANIZATION OFFICER'S NAME	5409 53rd Ave. N. Crystal, MN 55429					
			o N	Manla Cm	orro MNI	55260
Don Trout Treasurer ORGANIZATION OFFICER'S NAME		11343 73rd Av	e. N.	Maple Gr	ove, MN	55369
			N7 JI	201 1	***	101 55/07
Lenny Stelzel Secretary		8005 36th Ave	. N. 4f	321 New	норе,	EN 55427
Will the applicant contract for intoxicating liquor services the services. _NO Will the applicant carry liquor liability insurance? If so, the (Note: Insurance is not mandatory)				quor license	ee providin	g
Yes Reliance Insurance Co. \$5,000	000					
Yes Reliance Insurance Co. \$5,000 North River Insurance Co.\$5,000						
Notell River Insurance Co. \$5,000	APPRO	DV/A1				
	AFFRO	JVAL				Charles of
CITY OFCrystal CITY FEE AMOUNT DATE FEE PAID		DATE APPROVED LICENSE DATES				
Darlene George SIGNATURE CITY CLERK		APPROVED LIQUOR				
NOTE: Do not separate these two parts, send both p	parts to the	address above and th	e original s	signed by th	is division	

will be returned as the license. Submit to the City Clerk at least 30 days before the event.

DATE: July 28, 1988

TO: Jerry Dulgar, City Manager

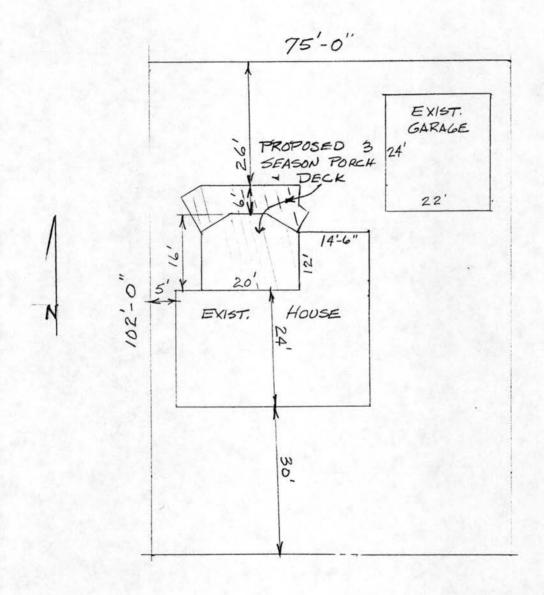
FROM: Don Peterson, Chief Building Inspector

RE: Variance #88-40 at 6816 39th Avenue North

The lots in Colonial Acres 2nd Addition are all 102' in depth. With the present set backs it does make it difficult to expand or add to these homes without the need of a variance to the rear yard.

The applicant wishes to build a 16' X 20' three season porch and a 6' X 20' deck. This will require a variance of 14' to the 40' rear yard set back required in Sec. 515.13 Subd 4(a).

I will have a transparency showing the proposed structures and the applicant will be present to answer any further questions.



39TH AVE NO. 6816 - 39TH AVE NO.

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

No. 88-40

APPEAL FOR A VARIANCE TO THE ZONING ORDINANCE

Property Identification Number: 17-118-21-5	
applicant: Edward C. Brandon	
(Print Name) gth Aug No	537-0745
(Address)	(Phone No.)
wner: Some (Print Name)	
Sang	
(Address)	(Phone No.)
EQUEST: Applicant requests a variance on the abo of the Zoning Ordinance, as am	ended, which requires 40' REAR VARD
FUR PROPERSO 3 SEASON FOR	
tate exactly what is intended to be done on, or w	
ith the Zoning Ordinance. A plot plan drawn to sitted with the application.	cale showing the proposal must be sub-
xplain in <u>detail</u> wherein your case conforms to the	following requirements:
 That the strict application of the provisions practical difficulties or unnecessary hardship its general purpose and intent. 	of the Zoning Ordinance would result in s (other than economic) inconsistent with
THIS LOT IS ONLY 1	02' IN DENTH WHICH IS
CONCIDERABLY LESS THAN IME	
ally to other property in the same zone or neig	ndornood.
That the granting of a variance will not be mate fare or injurious to the property or improvement the property is located.	erially detrimental to the public wel- t in such zone or neighborhood in which
TE: The Planning Commission is required to make	
owing applicant makes that all three of the above dition thereto must find that the granting of such jectives of the Comprehensive Plan.	-enumerated conditions axist and in
IS PROPERTY IS:	plicant's Signature)
TORRENS / ABSTRACT	1) (A.
- Call	at a Asianda
(Ow	ner's Signature)
loffice D	se Only)
(Office U E:\$ 75.00 DATE RECEIVED:	8 RECEIPT # 41228
	KECEIPT # 418/40
	Datel
pproved) (Denied) - Planning Commission . (pproved) (Denied) - City Council	Date)

LeFevere Lefler Kennedy O'Brien & Drawz

a Professional Association

August 10, 1988

2000 First Bank Place West Minneapolis Minnesota 55402

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

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 Steven B. Schmidt John G. Kressel James M. Strommen Ronald H. Batty William P. Jordan William R. Skallerud Rodney D. Anderson Corrine A. Heine David D. Beaudoin Steven M. Tallen Mary Frances Skala Leslie M. Altman Timothy J. Pawlenty Rolf A. Sponheim Julie A. Bergh Darcy L. Hitesman David C. Roland Karen A. Chamerlik Paul D. Baertschi

Herbert P. Lefler, Retired

Arden Fritz

Mayor and City Council City of Crystal 4141 Douglas Drive North Crystal, Minnesota

Attn: City Manager

Re: Winnetka Woods Preliminary Plat

Dear Council Members:

Attached find my draft resolution denying preliminary approval to the Winnetka Woods plat. It has been prepared, with assistance from Bill Monk, in response to your direction at the August 2, 1988 Council meeting to prepare a resolution of denial for your consideration at the August 16, 1988 Council meeting.

I have attempted to incorporate in the findings section (Section 2) the objections and concerns to the plat stated by Council members at the August 2 meeting. You will want to review the resolution carefully to see that it accurately sets out the reasons for denial as you see them. You should feel free to make any changes in the resolution where factual matters are not correct or where the findings do not reflect your views. The purpose of the formal findings is to clearly set out the reasons for the denial for the record and for the Clayton L. LeFevere, Retired guidance of the Applicant.

> Procedurally, the motion should be for the adoption of the resolution, with a second, followed by discussion and amendment, if any, and passage.

Yours very truly,

Lefevere, LEFLER, KENNEDY, & DRAWZ

DJK:1b/38 enclosure

cc:Jerry Dulgar Bill Monk

(City Attorney Draft: 8-10-88)

RESOLUTION NO. 88-

RESOLUTION DENYING PRELIMINARY APPROVAL OF PROPOSED PLAT FOR WINNETKA WOODS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL: Section 1. Background.

- 1.01. On April 4, 1988 Homedale Builders, Inc. (Applicant) submitted an application for preliminary approval of the replatting of Lots 1, 2 and 3, Block 1, Winnetka Park, 5th Addition, in the City (Replat).
- 1.02. Under standard city procedures, the Replat was referred to the City Planning Commission for review. The Planning Commission, after study on May 2, 1988, continued consideration of the Replat to review the proposal in the light of its concerns about noise and traffic impact, environmental impact, drainage considerations, density of proposed land use, and conformance with zoning code standards of lot size and dimensions.
- 1.03. In a memorandum dated May 4, 1988, the City Engineer, as staff of the Planning Commission, reported to the Planning Commission indicating that (i) the Replat would result in two lots, Nos. 1 and 5, being substandard; (ii) extensive storm sewer improvements in the area of proposed Lot 1 would be required; (iii) Hennepin County required that access to Winnetka Avenue, fronting the Replat, must be through the proposed cul-de-sac and that additional right of way of Winnetka must be

dedicated; and (iv) Pollution Control Agency noise standards require that significant noise mitigation measures would be required in connection with development in the Replat.

- 1.04. On June 13, 1988 the Planning Commission, at a public meeting with the Applicant present, reviewed a revised Replat prepared by Applicant to respond to the factors discussed in section 1.03. The revised Replat required Lot 1 to provide driveway access through the cul-de-sac and made other minor variations in the Replat. The Planning Commission also considered further data about noise levels, drainage, lot density, the extent of grading necessary to make the lots on the Replat buildable, and the substandard nature of the proposed Lot 1. These considerations are summarized in the City Engineer's memorandum to the City Manager, dated July 28, 1988.
- 1.05. The Planning Commission, on June 13, 1988, by unanimous vote, disapproved the Replat finding that (i) the required variance in lot size for Lot 1 was not justified and would require future variances when building occurred on the lot; (ii) the drainage problems relating to Lot 1 were not adequately addressed; (iii) there was uncertainty about the adequacy of proposed noise mitigation measures; and (iv) the Replat proposed an unreasonably high density of land use for the area of the Replat.
- 1.06. The Replat was presented to this council for a public hearing on preliminary approval on this date. All of the memoranda and data discussed above was available to the Council in advance of the public hearing and council consideration, together

with the City Engineer's memorandum of July 28, 1988 addressed to the City Manager outlining the Planning Commission's actions discussed in section 1.05. Applicant, by its representative, was given a full opportunity to present arguments in favor of the Replat as was the attorney for the owner of the land involved and all interested and affected property owners. The City Engineer presented a thorough review of all of the data discussed above, was available for examination by the Applicant, and responded to numerous questions from this council and others present. The proceedings were video taped and that video tape has been available for review by Applicant and this council.

- 1.07. Upon conclusion of the public hearing, members of this council expressed concerns about the Replat and articulated numerous objections to the Replat as proposed with special emphasis on (i) the adequacy of the reasons for the proposed variance necessary for Lot 1 and the resulting need for future variances for buildings; (ii) the feasibility of adequately addressing the drainage requirements for Lot 1; and (iii) adequacy of proposed noise mitigation measures necessary to prevent violation of Pollution Control Agency noise standards where buildings would be constructed on the Replat.
- 1.08. After full consideration of all testimony and data relating to the Replat, this council, by unanimous vote, directed the city staff and city attorney to prepare a resolution denying preliminary approval of the Replat for consideration by this council at its next regular meeting.

Sec. 2. Findings.

- 2.01. Based upon the data, testimony, responses to questions and all other information presented to this council at and prior to the public hearing on the Replat held on August 2, 1988, this Council makes the findings of fact set forth below.
- 2.02. The Replat would create a substandard Lot 1 in that Lot 1 would not conform to zoning code requirements for lot depth (100 feet required; 84 feet proposed). There has been no demonstration to the Council by Applicant that an unusual hardship on the land exists which would justify the variance as required by law, and it is determined that granting such a variance by approval of the Replat would violate the spirit and intent of the City's planning and land use regulations.
- 2.03. Approving the Replat with the accompanying approval of the variance for Lot 1 would, in effect, approve the future variances regarding setbacks necessary for the construction of a building on the Lot 1 as proposed. The front yard setback requirement for residential buildings is 30 feet and the rear yard setback requirement is 40 feet. Thus only 14 feet of the lot could be technically available for a structure. Approval of the proposal for Lot 1 would approve a buildable lot and create the very hardship on the land necessary to justify future building variances.
- 2.04. Applicant has not demonstrated to this Council the land involved cannot be replatted in such a way as to achieve Applicant's objectives without creating a substandard Lot No. 1, nor has Applicant offered any testimony as to whether its request

for six lots with the accompanying variance in the Replat is made for any reason other than to enhance the economic value of the development of the Replat. Applicant has not demonstrated to the Council's satisfaction that adequate storm drainage control measures can be or will be taken to insure proper drainage of the area north of Lot 1. Inadequate storm drainage would intensify the substandard nature of Lot 1. 2.06. This Council is aware of its responsibilities under Pollution Control Agency Rules to take reasonable measures to prevent the establishment of land use activities in any location where PCA noise standards would be violated immediately upon establishment of the land use. Applicant has not demonstrated to this Council that such reasonable measures can be or will be taken to prevent or mitigate the violation of those standards. 2.07. This Council finds that (i) the consideration of the Replat by the Planning Commission was thorough and deliberative; (ii) the Planning Commission's recommendation for disapproval was reasonable; and (iii) great weight should be given to the Planning Commission's findings and recommendations. This Council concurs substantially in the findings and recommendations of the Planning Commission. 2.08. This Council has considered carefully the concerns expressed at the public hearing by property owners in the neighborhood surrounding the proposed Replat relating to noise, traffic, the quality of the environment in the Replat and the general character of the neighborhood. This Council finds these - 5 -

concerns genuine and directly related to this Council's objections to the Replat regarding the substandard nature of Lot 1, the intensity of land use proposed, and the potential adverse effect of increased noise levels on existing land uses and those proposed by the Replat.

2.9. This Council's judgment is that the Replat as proposed, taking into consideration the findings expressed in this section as a whole, (i) is contrary to the best interests of the City and its inhabitants; (ii) proposes the use of land more intense and with greater density than is reasonable appropriate for the site under the land use regulations of the city; (iii) violates the spirit, intent and substantive provisions of the City's land use regulations; and (iv) should not be preliminarily approved as proposed.

Sec. 3. Denial.

- 3.01. The application for preliminary approval of the Replat is denied.
- 3.02. The Clerk is authorized and directed to immediately transmit a certified copy of the resolution to the Applicant.

	Mayor	
test		

lb/miscl-33

DATE: August 10,1988

TO: Jerry Dulgar, City Manager

FROM: Don Peterson, Chief Building Inspector

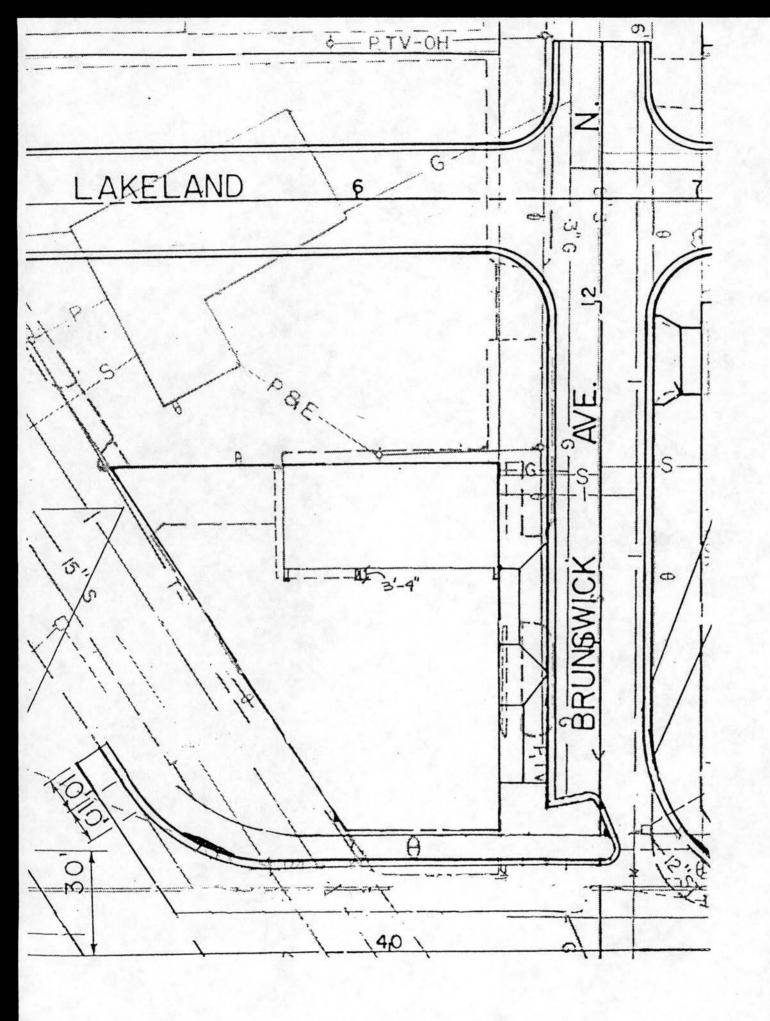
RE: Building Permit #989 at 5602 Lakeland Ave. N.

Rapid Oil Change has a new owner and they are changing the image of all their buildings.

The changes consist of blocking up some windows, resurfacing the exterior and adding three 3' 4" wing walls which will accommodate the new "sign-can."

I will have a transparency of the site and Robert Mikulak will be present to answer questions.

kk





ENVIRONMENTAL QUALITY COMMISSION
Name PHYLLIS ISAACSON Address 7000 LOMBARDY LN 55428
Phone (home) 533-3133 (Office) 626-5368
Resident of Crystal Since (year) 1988
occupation medical accounts specialist employer managing Business activitie
Education: (please indicate highest grade completed or highest degree and major course of study) I'M A JUNION AT THE U of M Through Extension
Civic and other activities: (please list past and present civic activities and organizational memberships, particularly those which may be relevant to the appointment you are seeking)
I was chain of AN Employee task force of our department of the
I was chain of AN Employee task force of our department of the university of minnesoto. I also serves on a sub-committee that was
formed to work with the civil service committee at the
university
Comments (please briefly describe other qualifications, experience and other information which you would like the City Council to consider or which you believe are particularly relevant to the appointment you are seeking. Use additional pages if necessary.)
The quality of the environment has long Been an important issue to me AND I have Been a recycler for the post
15 years. The Kent AND Drought This summer Than wish
Spector of What CONTINUED ENVIRONMENTAL DAMAGE MIGHT
DO AND INCURSED the uncercy that the guality we now enjoy, Be mointained. As a recent citizen of the
enjoy, Be mointained. As A recent citizen of the
and I wolf Like to Recome. INVOLUTE IN
this GOAL At the local Cevel. Thouk you for Your consideration.
consideration.
Date Submitted: AUGUST /

(Return to: City Manager, 4141 Douglas Drive North, Crystal, Minnesota 55422)

Envioumental Quality COMMISSION
Name MARY PAT HANAUSKA Address SAYR Dampshie 10 5428
Phone (home) 533-5948 (Office)
Resident of Crystal Since (year) 1969
Occupation Register Duse Employer e/BEnterprises
Education: (please indicate highest grade completed or highest degree and major course of study) Bachdad Science / Newsing + Healt.
Civic and other activities: (please list past and present civic activities and organizational memberships, particularly those which may be relevant to the appointment you are seeking)
My activities, tothis point, are related to church, plitical
and professional organizations such as the American
Cover Society and minn Pruses Organization. Shave not
been dietly involved in civic groups.
Comments (please briefly describe other qualifications, experience and other information which you would like the City Council to consider or which you believe are particularly relevant to the appointment you are seeking. Use additional pages if necessary.)
m's raisesforg you at atalated to my profession in health and principly in my personal interest in the
responsibility that each of us has for environmental
quality. I have read many books and articles on this issue and have a strong laire to be involved
latronnerion 3. boat lasol e no a local level. Environmental
andity is an exist to entired to boy and as a long time resident of Crystal, I have a prisonal stake in its feture.
Date Submitted: 8-3-8, 1988.

(Return to: City Manager, 4141 Douglas Drive North, Crystal, Minnesota 55422)

CITY OF CRYSTAL	APPLIC	CATION FOR APPOIN	TMENT TO THE
	Huma	in Kelations	COMMISSION
Name Renee Werner	Address 6924	35TH ave N.	55427
Phone (home) 535-4747	(Office) NA	1	и и при
Resident of Crystal Since (ye		11	
Occupation AT Home Parent for	2 young boys En	mployer M/A	
Education: (please indicate in major course of study)	highest grade com	mpleted or highes - College general	degree and
Civic and other activities: and organizational membership the appointment you are seek	(please list pas ps, particularly	st and present ci	vic activities
comments (please briefly description which you would believe are particularly reladditional pages if necessary of would like to Aubmit memission. As a women and a parent of the usues pertaining to Human	like the City Con evant to the appoint of appoint the appoint of appoint the appoint of a young Child a Relations of feet	concil to consider bintment you are countment to the drend from interest lam interest lam well put	or which you seeking. Use Human Relations ested and concert ed for and would
I can offer qualities such as	and enthusiasm good organizat	Lowards this vo	Cuntar position
to goal orlented competant and ling to assume sesponsibility to iveness of thuman Lights.	o workhard research	erch casues and of	ceateut for increase
My professional beckground	as on accounting	an Business La	vas enployed as
My professional beckground - amunistrative assistant to a Co Mr. in 1985. I am currently	Doga setail co	children Julliam	can prior to move
d	0 8	88. Pence 1.	n Wesnes
Date Submitted: July 2		1 01/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1	

(Return to: City Manager, 4141 Douglas Drive North, Crystal, Minnesota

CITY OF CRYSTAL APPLICATION FOR APPOINTMENT TO THE
Name Delene J West Address 4149 Bentucky Que Ho
Phone (home) 537-1783 (Office) 55427
Resident of Crystal Since (year) 1955
Occupation Latined accountant Employer
Education: (please indicate highest grade completed or highest degree and major course of study)
Civic and other activities: (please list past and present civic activities and organizational memberships, particularly those which may be relevant to the appointment you are seeking) CDBH Heart Money
(CDB & Grand Money)
Treas - Daith Lilac Won Lutheron Church - 7 your
Comments (please briefly describe other qualifications, experience and other information which you would like the City Council to consider or which you believe are particularly relevant to the appointment you are seeking. Use additional pages if necessary.) Through work or CDBA committee have become Jusoned on Handway - eldosty - and their Informed on Handway - eldosty - and their needs which need to be addressed,

Date Submitted: 8-12-, 1988.

APPLICATION FOR APPOINTMENT TO THE

	Human Relations COMMISSION
Name Lois E. Ehret Address	4059 Douglas Drive N. Crystal 55422
2	Zip #
Phone (home) <u>535-4864</u> (Office)	535-5515
Resident of Crystal Since (year) 1973	
OccupationBusiness Owner	Employer Graphicx Now-5600 Bass Lk.
Education: (please indicate highest gramajor course of study) 2 Year business	ade completed or highest degree and degree- GlobeBusiness College
Civic and other activities: (please li	
12 years total - Troop leader & area	chair in charge of approx. 45 troops.
WELCOME WAGON pres. PTA president. No	ORTH HENNEPIN BUSINESS & PROFESSIONAL
WOMEN (BPW) various committees plus P	res. elect for 1988-89.VOLUNTEER for Di
ner At Your Door-Senior Citizen Cente	r, Elim Church. Heart & Cancer fund blo
solicitationNAT'L. ASSOC. OF WOMEN Comments (please briefly describe other information which you would like the Cibelieve are particularly relevant to the additional pages if necessary.)	qualifications, experience and other
Belonging to and participating in	the above orgsanizations and being

a business owner I come in contact with many people in all walks of life and of all ages. While in Scouts I participated in a program to promote Scout membership among the minority communities.

Also through BPW a large focus is on promoting equality for girls and women, be it through educating our young people or pushing for legislation

Date Submitted: August 9, , 1988 .

to help working women.

(Return to: City Manager, 4141 Douglas Drive North, Crystal, Minnesota 55422

CITY OF CRYSTAL	APPLICATION FOR APPO	INTMENT TO THE
	juman Relater	COMMISSION
Name MR S O MELLOM 3508 DOUGLAS DR N CRYSTAL MN 55422		
		Zip #
Phone (home) $535-6775$ (Office)		
Resident of Crystal Since (year)198	6	
Occupation Retired	Employer	
Education: (please indicate highest gramajor course of study) $BA - S$	ide completed or higher occil-Psy	est degree and
Civic and other activities: (please land organizational memberships, particulate appointment you are seeking)	ilarly those which may	he relevant to
Brilf Oficer - 4 SHRmy) - Ohr	n Kanbujolic Con	centy DFL Party
Pres-Selection Committee for	Military Acap the (longDist
Charles Member of Lives + Often	mistelles Them	Dec Am Jeg-VIEW + CA
Comments (please briefly describe other information which you would like the Cibelieve are particularly relevant to the additional pages if necessary.)	ty Council to considence appointment you are	er or which you seeking. Use
7 amily Tite + Sex Ed.	teacher - Will	enach
Family hope 24 years of Jon 24 years	co, 37 years &	ealing effection
Retired teacher Retired Army Jok		
Retired Army ffe	eer (1)	

Date Submitted: 1 Aug , 1988.

(Return to: City Manager, 4141 Douglas Drive North, Crystal, Minnesota 55422)

18 Meee om

NORTHWEST HENNEPIN



HUMAN SERVICES COUNCIL

May 16, 1988

Dear Mayor Thomas Aaker,

Attached you will find the municipal contribution request for 1989. The request is for a 20 cent per capita contribution which represents a 4.5 cent increase per capita.

This increase is needed to meet the rising operational costs experienced by the agency. The Council has had subsidized rent for many years. In 1988, the rent for the agency was \$3,500. The Council was forced to relocate because of the closing of Thorson Community Center. A thorough search for economic space included 78 sites considered. The best value location was secured. In 1989 the rent will increase to nearly \$9,000 at the new location, including meeting room rental. This represents an increase of \$4,500 in 1989, \$5,000 in 1990, and \$5,500 in 1991. Additional increases have been seen in utility costs, in insurance costs required by funders, and in general operating costs.

In determining this 1989 municipal contribution request, Northwest Hennepin Human Services Council also researched the municipal contributions provided to the other two suburban human service councils. The per capita rates range from 20 cents to 81 cents in the West and South Council areas. Both Councils also receive substantial additional in-kind support in free space, and with one Council in free bookkeeping assistance, none of which is received by NWHHSC.

During 1988 the Council did a study to determine the net market value of the services provided during a fiscal year(1987). The total market value included direct and indirect services. This figure was then divided by each city on a per capita and per use basis to arrive at an investment return rate. The investment return for Crystal for each \$1.00 contributed was \$29.57 in direct services and \$16.32 in indirect services for a combined rate of return of \$45.89. The combined per capita rate in 1987 for direct and indirect services was \$7.02.

The Northwest area has the smallest budget and yet represents the largest population and the area with the greatest human service needs of the suburban planning areas.

BROOKLYN CENTER BROOKLYN PARK CHAMPLIN CORCORAN CRYSTAL DAYTON GOLDEN VALLEY HANOVER HASSAN

MAPLE GROVE NEW HOPE OSSEO PLYMOUTH ROBBINSDALE ROGERS The request to Crystal for 1989 is \$5,002.00. This contribution will help the Council continue to provide quality planning, research and coordinating services to the fifteen municipalities of the Northwest Heonepin area.

Sincerely

Patricia S. Wilder Executive Director,

cc: Jerry Dulgar

Sincerely,

Geralyn Barone

Executive Board Chair

Levalyn Barone



HUMAN SERVICES COUNCIL

INVOICE

TO:

City of Crystal

FROM:

Northwest Hennepin Human Services Council

DATE:

May 16, 1988

TOTAL CONTRIBUTION TO THE NWHHSC 1989 OPERATING BUDGET: \$5,002.00

BROOKLYN CENTER BROOKLYN PARK CHAMPLIN CORCORAN CRYSTAL DAYTON

GOLDEN VALLEY HANOVER HASSAN MAPLE GROVE NEW HOPE OSSEO

PLYMOUTH ROBBINSDALE ROGERS August 11, 1988

TO: Mayor and City Council

FROM: Jerry Dulgar, City Manager

Re: Fire Relief Association's Request to Approve Revised By-laws

Attached please find a copy of a letter from City Attorney Dave Kennedy relative to the legality of the proposed changes. As he notes the proposed changes are allowable according to state law.

As the Council requested, I have reviewed the proposed by-laws and some by-laws of some other Relief Associations. One of the first things I should point out is in reviewing the present by-laws, the proposed by-laws and state law, I determined that any changes must be approved by two-thirds vote of the membership. In talking to the Relief Association, I found that there was no vote recorded when they voted on the changes so I have asked them to re-vote and record the vote in their minutes. The vote by the Association is scheduled for this Sunday.

The Relief Association Board has already reviewed the by-laws and voted on them. I'm told the by-laws passed: four voting aye, two voting nay, and two abstentions.

The other cities' by-laws that I looked at to some extent were Bloomington, Brooklyn Center, Brooklyn Park, and New Hope. I should point out too that many of the ideas in the proposed by-laws here came from Gus Welter, member of the Bloomington Fire Department, and the guru of part-time Fire Departments and Pension Funds in Minnesota. If you refer to the attached article regarding the Bloomington Fire Department, you will see his name mentioned prominently there.

You will note in the article that the Bloomington Fire Department members get a very good pension plus lump sum payment as do many other departments members. You'll note that their's is higher than ours but also please note that they get only \$2.00 per call whereas our people and many other ones get \$5.00 or more per hour.

Also, please note in the article that Bloomington receives no pay for training, meetings, etc. where our people are paid for much of this time. This article simply points out that Bloomington can afford to pay a higher lump sum and possibly higher pension because they don't pay money out all along for hourly or per meeting amounts like a lot of other cities do.

Also please note on the second page of the article regarding Bloomington that the lump sump is not vested for 20 years to encourage people to stay. You'll note that on page 11 of the proposed by-laws for Crystal that people are vested after two years.

Also please note in Section 423 of Minnesota Statute, annotated as attached, that vesting in the Relief Association now occurs after five years. It seems to me that the two year vesting and our lump sump plan plus the 5 year vesting in the Relief Association is going to encourage people to leave earlier rather than to stay as the Bloomington article suggests.

If you look through the Brooklyn Center By-laws as attached, you'll note that they gave retired members and spouses both increases when they gave themselves an increase in 1984.

Please note on page 9 of the New Hope By-laws that vesting occurs after 5 years of service and they receive less than the Crystal Relief Association proposes.

The above are only observations regarding these other cities or departments and there are different circumstances also as I understand but I thought that you should note these things.

Specific observations that I would make relative to our proposed bylaws are why is no consideration given to retired members who I understand helped build the general fund? Why go to two years vesting instead of five or more? It seems the five would mesh rather well with state law and would encourage people to stay at least that long when they would be trained and would have contributed something to the Relief Association and to the City.

Something that I think is bothering some people about the proposal too is whether the department has been and will be upfront with people about where the funds that they are raising go and exactly what kind of salary and benefits etc. they get. I think they should be upfront and let people know that the money they are raising from the beer tent and the street dance and different things goes to give them a lump sum pension benefit or severance which is in addition to their regular Relief Association Pension and in addition to the hourly or per meeting amounts they get paid.

Besides the things that I have mentioned in this memo, I will be prepared to discuss and review the request with the Council at the meeting. Please feel free to call me before the meeting if you have questions or comments.

JD/js

LeFevere Lefler Kennedy O'Brien & Drawz

a Professional Association

2000 First Bank Place West Minneapolis Minnesota 55402

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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 Steven B. Schmidt John G. Kressel James M. Strommen Ronald H. Batty William P. Jordan William R. Skallerud Rodney D. Anderson Corrine A. Heine David D. Beaudoin Steven M. Tallen Mary Frances Skala Leslie M. Altman Timothy J. Pawlenty Rolf A. Sponheim Julie A. Bergh Darcy L. Hitesman David C. Roland Karen A. Chamerlik Paul D. Baertschi Arden Fritz

Clayton L. LeFevere, Retired Herbert P. Lefler, Retired July 28, 1988

Mr. Jerry Dulgar City Manager City of Crystal 4141 Douglas Drive North Crystal, Minnesota 55422

Re: Fireman's Relief Association Proposed By-laws

Dear Jerry:

I have reviewed the proposed amended by-laws for the Firefighters Relief Association and have the following comments.

- 1. The proposed by-laws are a complete revision and rewriting of the present by-laws. Because of this I have not been able to make a detailed comparison to identify all of the changes. There are a number of small "nits" and typos that I can pass on to Don Toavs if he wishes.
- 2. I would suggest that the language of the by-laws be made gender neutral. All third person pronouns in the draft are masculine.
- 3. I do not have the necessary information to be sure that the benefit schedules in the proposed by-laws reflect those approved by the Council from time to time. The present by-laws merely refer to benefits set by Council resolution. A careful comparison of existing benefits to those in the proposal should be made. I note, too, that in 1986 a change in Article X relating to benefits from the General Trust Fund and its funding has not been included in the existing by-laws. Generally speaking, I think the existing by-laws are better organized and drafted than the proposal.
- 4. The significant change in the proposal is in a new Article XI providing for a lump sum pension from the General Fund, called a "defined contribution lump sum pension plan". As I read the proposed by-laws this new plan would replace the present lump sum general fund plan set out in Article X of the present by-laws.

Mr. Jerry Dulgar July 28, 1988 Page 2

The present plan provides for a lump sum pension payment entitlement for a member with at least ten years' service credit. The new proposal appears to vest after two years service. I do not have the data (or the ability) to determine if the funding of that vested pension payment is adequate, but I suppose if its amount is tied to available monies in the General Fund the funding should take care of itself. In any event, I think Miles Johnson should make sure that proper segregation and investment of those funds set aside for this benefit are assured.

I think the basic legal question involved in this proposal is whether the proposed use of General Fund monies for this purpose is authorized by law, and I think that it is. The statute, Minnesota Statutes, Chapter 424A, provides that General Fund monies may be used for any purpose authorized by the Articles of Incorporation of the Association or its by-laws, and the proposed by-laws are clearly consistent with the law on that point. In addition, the existing by-laws, as noted above, provide for pension distribution from the General Fund. (The present and proposed by-laws also are consistent with the law on the use of the Special Fund.) The only question about the proposal, it seems to me, is whether the proposed policy of lump sum pension distributions from the General Fund after two year's service and the resulting possibility of those payments exceeding payments already made to retired members is sound. And, of course, that is a question for the Council's judgment after analyzing the Association's rationale.

By the way, rather than restate the parameters and uses of the Special Fund and the General Fund, I'm enclosing copies of the relevant statutes which are quite clear. I think you'll note from the statute that any donations to the Association for Special Fund purposes must go to that Fund. Unrestricted gifts may go into the General Fund.

Yours very truly,

David J. Kennedy

DJK:caw

Enclosure

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municipal fire department shall be managed by a board of trustees consisting of nine members. Six trustees shall be elected from the membership of the relief association and three trustees shall be drawn from the officials of the municipalities served by the fire department to which the relief association is directly associated. The bylaws of a relief association may provide that one of the six trustees elected from the relief association may be a retired member receiving a monthly pension who is elected by the membership of the relief association. The three ex officio trustees shall be the mayor, the clerk, clerk-treasurer or finance director, and the chief of the municipal fire department.

Every relief association that is a subsidiary of an independent nonprofit firefighting corporation shall be managed by a board of trustees consisting of ten members. Six trustees shall be elected from the membership of the relief association, three trustees shall be drawn from the officials of the municipalities served by the fire department to which the relief association is directly associated, and one trustee shall be the fire chief. The bylaws of a relief association may provide that one of the six trustees elected from the relief association may be a retired member receiving a monthly pension who is elected by the membership of the relief association. The three ex officio trustees who are the elected officials shall be selected as follows:

(1) if only one municipality contracts with the independent nonprofit firefighting corporation, the ex officio trustees shall be three elected officials of the contracting municipality who are designated by the governing body of the municipality;

(2) if two municipalities contract with the independent nonprofit firefighting corporation, the ex officio trustees shall be two elected officials of the largest municipality in population and one elected official of the next largest municipality in population who are designated by the governing bodies of the applicable municipalities; or

(3) if three or more municipalities contract with the independent nonprofit corporation, the ex officio trustees shall be one elected official of each of the three largest municipalities in population who are designated by the governing bodies of the applicable municipalities. An ex officio trustee shall have all the rights and duties accorded to any other trustee except the right to be an officer of the board of trustees. A board shall have at least three officers, which shall be a president, a secretary and a treasurer. These officers shall be elected from among the elected trustees by either the full board of trustees or by the membership, as specified in the bylaws, and in no event shall any trustee hold more than one officer position at any one time. The terms of the elected trustees and of the officers of the board shall be specified in the bylaws of the relief association, but shall not exceed three years. If the term of the elected trustees exceeds one year, the election of the various trustees elected from the membership shall initially and shall thereafter continue to be staggered on as equal a basis as is practicable.

Subd. 2. Fiduciary duty. It shall be the duty of the board of trustees to faithfully administer any provisions of statute or special law applicable to the relief association without prejudice and consistent with the expressed intent of the legislature. The members of the board shall act as trustees with a fiduciary obligation to the state of Minnesota which authorized the creation of the relief association, to the taxpayers who aid in its financing, and to the firefighters who are its beneficiaries.

History: 1979 c 201 s 14; 1980 c 607 art 15 s 12; 1981 c 224 s 210; 1983 c 219 s 8

424A.05 RELIEF ASSOCIATION SPECIAL FUND.

Subdivision 1. Establishment of special fund. Every relief association shall establish and maintain a special fund within the relief association.

Subd. 2. Special fund assets and revenues. The special fund shall be credited with all fire state aid moneys received pursuant to sections 69.011 to 69.051, all taxes levied by or other revenues received from the municipality pursuant to sections 69.771 to 69.776 or any applicable special law requiring municipal support for the relief association, any moneys or property donated, given, granted or devised by any person which is specified for use for the support of the special fund and any interest earned upon the

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s consisting of nine ie relief association lities served by the d. The bylaws of a ted from the relief tho is elected by the shall be the mayor, inicipal fire depart-

onprofit firefighting ten members. Six tion, three trustees fire department to all be the fire chief. ustees elected from hly pension who is officio trustees who

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rustees to faithfully ne relief association ne legislature. The tion to the state of o the taxpayers who

210; 1983 c 219 s 8

ef association shall

hall be credited with 051, all taxes levied sections 69.771 to or the relief associay any person which est earned upon the assets of the special fund. The treasurer of the relief association shall be the custodian of the assets of the special fund and shall be the recipient on behalf of the special fund of all revenues payable to the special fund. The treasurer shall maintain adequate records documenting any transaction involving the assets or the revenues of the special fund. These records and the bylaws of the relief association shall be public and shall be open for inspection by any member of the relief association, any officer or employee of the state or the municipality, or any member of the public, at reasonable times and places.

- Subd. 3. Authorized disbursements from the special fund. Disbursements from the special fund shall not be made for any purpose other than one of the following:
- (1) For the payment of service pensions to retired members of the relief association if authorized and paid pursuant to law and the bylaws governing the relief association;
- (2) For the payment of temporary or permanent disability benefits to disabled members of the relief association if authorized and paid pursuant to law and specified in amount in the bylaws governing the relief association;
- (3) For the payment of survivor benefits to surviving spouses and surviving children of deceased members of the relief association if authorized by and paid pursuant to law and specified in amount in the bylaws governing the relief association;
- (4) For the payment of any funeral benefits to the surviving spouse, or if no surviving spouse, the estate, of the deceased member of the relief association if authorized by law and specified in amount in the bylaws governing the relief association:
- (5) For the payment of the fees, dues and assessments to the Minnesota state fire department association and to the state volunteer firefighters' benefit association in order to entitle relief association members to membership in and the benefits of these state associations; and
- (6) For the payment of administrative expenses of the relief association as authorized pursuant to section 69.80.
- Subd. 4. Investments of assets of the special fund. The assets of the special fund shall be invested only in securities authorized by section 69.775.

History: 1979 c 201 s 15; 1981 c 224 s 211; 1981 c 224 s 274; 1983 c 219 s 9

424A.06 RELIEF ASSOCIATION GENERAL FUND.

Subdivision 1. Establishment of general fund. Any volunteer firefighters' relief association may establish and maintain a general fund within the relief association.

- Subd. 2. General fund assets and revenues. To the general fund, if established, shall be credited all moneys received from dues, fines, initiation fees, entertainment revenues and any moneys or property donated, given, granted or devised by any person, for unspecified uses. The treasurer of the relief association shall be the custodian of the assets of the general fund and shall be the recipient on behalf of the general fund of all revenues payable to the general fund. The treasurer shall maintain adequate records documenting any transaction involving the assets or the revenues of the general fund. These records shall be open for inspection by any member of the relief association at reasonable times and places.
- Subd. 3. Authorized disbursements from the general fund. Disbursements from the general fund may be made for any purpose authorized by either the articles of incorporation or bylaws of the relief association.
- Subd. 4. Investment of assets of the general fund. The assets of the general fund may be invested in any securities authorized by the bylaws of the relief association.

History: 1979 c 201 s 16; 1980 c 509 s 163

July 14, 1988

Tabled from 7-19-88 mtg. Hold

TO:

Jerry Dulgar, City Manager

FROM:

Crystal Firefighters' Relief Association

Attached please find the proposed By-Laws of the Firefighters' Relief Association.

BYLAWS OF THE

CRYSTAL FIREFIGHTERS' RELIEF ASSOCIATION

ARTICLE I

PURPOSE

Section 1. The purpose of the Association shall be to provide disability, pension, and death benefits to members, their widows and children.

ARTICLE II

MEMBERSHIP

Section 1. Any regular active member of the Crystal Fire Department shall be eligible to apply for membership in this association.

Section 2. Written application may be made at any regular or special meeting of the Board of Trustees for consideration. The Board of Trustees shall conduct an investigation to determine if the applicant, due to some medically determinable physical or mental impairment or condition, would constitute for the association a predictable and unwarranted risk of liability for benefits at an age earlier than the minimum age specified for receipt of a service pension. If no such impairment or condition exists, the Board of Trustees shall appoint the applicant to membership in the association.

Section 3. Resignation or expulsion from the Crystal Fire Department or moving from the vicinity of the City of Crystal to take up residence elsewhere, shall terminate the membership of the member so resigning, expelled, or removing; provided, however, that any member who has served for at least the minimum number of years required by Article IX of these bylaws for vesting of pension rights as an active member of the Crystal Fire Department shall retain membership in this association, regardless of resignation, expulsion, or removal, exempt from payment of dues and such other regulations which may be from time to time imposed. Membership shall terminate when payment of a lump sum service pension or a lump sum total disability pension has been approved by the Board of Trustees.

Section 4. Each member shall pay to the association annual dues, as established from time to time at a regular meeting of the association, payable on or before the date of the annual meeting of each year. A new member whose application for membership has been approved after

July 1 shall not be required to pay dues for the remainder of the year of appointment.

Section 5. Any member of the association who fails to pay the dues within 30 days of the time when such payment was due, stands suspended from membership and forfeits all rights and benefits thereunder by such non-payment without any action by the association, or any officer thereof.

Section 6. Any member who shall, in the opinion of a majority of the members of the Board of Trustees, fraudulently claim benefits from, or defraud or attempt to defraud the association in any way, shall be suspended from membership by the board, and shall forfeit all further rights to benefits from the association.

Section 7. Any suspended member can only be reinstated upon application for reinstatement in writing, presented at a regular or special meeting of the association, accompanied by a sum of money equal to the amount which would have been payable during the period of suspension, upon the favorable vote of 2/3 of the members present and voting at such meeting, providing that a quorum is present.

Section 8. Any former member whose pension rights became vested before such member resigned from the Crystal Fire Department may maintain membership in the association as a Social Member.

Section 9. A Social Member is any former member who wishes to maintain membership in the Association and is on the deferred or the early vested pension roll or is receiving a monthly pension.

ARTICLE III

BOARD OF TRUSTEES

Section 1. The Board of Trustees shall be composed of the following nine persons: a President, a Vice President, a Secretary, a Treasurer, and two general trustees, each of whom shall be elected at the annual meeting of the association from its members, for a two year term as specified in this Article, or until his successor has been elected and qualified, and the statutory ex officio members; the Chief of the Crystal Fire Department, the Mayor, and the city clerk or the finance director of the City of Crystal. Ex officio trustees shall have all of the rights, duties, and responsibilities as the elected trustees, except the right to be an officer of the Association and shall not be considered in establishment of a Quorum for transaction of business. One of the elected members of the Board of Trustees may be a retired member who is on the deferred or the early vested pension roll or is receiving a monthly pension.

Section 2. The terms of office of the general trustees and the officers shall be arranged as follows: one general trustee, the

President, and the Treasurer shall be elected for two year terms at the elections held during the annual meeting in even numbered years; and one general trustee, the Vice President, and the Secretary shall be elected for two year terms at the elections held during the annual meeting in odd numbered years. If a vacancy, other than a vacancy caused by removal for cause of an officer or trustee, occurs during the term of office of any officer or trustee, the remaining members of the Board of Trustees shall elect a member of the association to serve for the unexpired term of the vacated position.

Section 3. A general trustee or officer may be removed for cause. Cause for removal shall include, but shall not be limited to, the breach of the duties as set forth in Articles III and IV of these bylaws. One or more of the trustees or officers may be removed at a meeting of the membership which has been called for that purpose by a 2/3 vote of those present and voting at such meeting, provided a quorum is present. Notice of the meeting at which removal is to be considered shall be given to each member and shall include the purpose of the meeting. The general trustee or officer shall be furnished with a statement of the particular charges at least five days before the meeting is to be held. At the meeting, the general trustee or officer shall be given an opportunity to be fully heard as to each charge. If a general trustee or officer is removed, a replacement shall be elected at the same meeting, and such replacement shall serve out the unexpired term of the removed general trustee or officer.

Section 4. It shall be the duty of the Board of Trustees to provide for the safe and profitable investment of the unappropriated funds of the association, and whenever investments are made, to investigate and pass upon the securities offered and to attend to the drawing up and execution of the necessary papers. The board shall order an audit of the books and accounts of the secretary and the treasurer annually, according to law, and shall submit a written report of the condition of the association to the members annually.

Section 5. The investment of the funds of the association shall be in the exclusive control of the Board of Trustees, in conformance with state statutes.

section 6. The members of the Board of Trustees shall act as trustees with a fiduciary obligation to the members of the association, to the City of Crystal, and to the State of Minnesota.

ARTICLE IV

DUTIES OF OFFICERS

Section 1. It shall be the duty of the President to attend and to preside at all meetings of the association and the Board of Trustees. He shall enforce the due observance of the Articles of Incorporation and the bylaws and see that the other officers properly perform the

duties assigned to them. He shall sign all checks issued by the Treasurer and all other papers which require his signature. He shall be a member of all committees except the Aid Committee, and he shall exercise careful supervision over the affairs of the association. He shall receive such salary as may be fixed from time to time by the Board of Trustees, subject to approval of the association, and payable from the Special Fund of the association.

Section 2. It shall be the duty of the Vice President to perform the duties of the President in his absence. In the absence of both the President and the Vice President, it shall be the duty of the association to elect a President Pro Tem, who shall perform the duties incident to the office.

Section 3. It shall be the duty of the Secretary to keep a true and accurate record of the proceedings of all meetings of the association and of the Board of Trustees. He shall keep a correct record of all amendments, alterations and additions to the Articles of Incorporation or the bylaws in a separate book from the minute books of the association. He shall cause due notice of all special meetings of the association and of the Board of Trustees to be given. He shall receive all moneys due the association and pay the same over to the Treasurer, taking a receipt for the same, and failing to do so, he may be impeached and expelled from the association. He shall keep a roll of membership, with the date of joining, resignation, discharge, leaves of absence, dues and assessments paid, and relief or pensions furnished. His books shall be at all times open to inspection by the Board of Trustees. Prior to entering upon the duties of the office, he shall give a bond in such amount and with such sureties as may be Such bond shall be required and approved by the Board of Trustees. paid for from the Special Fund of the association. He shall sign all orders for payment issued to the Treasurer, and jointly with the Treasurer, prepare and file all reports and statements required by He shall receive such salary as may be fixed from time to time by the Board of Trustees, subject to approval of the association, and payable from the Special Fund of the Association.

Section 4. It shall be the duty of the Treasurer to receive from the Secretary all funds belonging to the association and hold them subject to the order of the President and countersigned by the Secretary. He shall keep separate and distinct accounts of the Special and General Funds, and shall prepare and present to the Board of Trustees a statement of the assets and liabilities of each fund at each meeting of the Board of Trustees, and prior to the annual meeting of the association. Failing in his obligations, he may be impeached and expelled from the association. He shall deliver to his successor in office, or to any committee appointed by the Board of Trustees to receive the same, all moneys, books, papers and other items pertaining to the office immediately upon expiration of his term of office. Prior to entering upon the duties of his office, he shall give a bond in such amount as required by law, and with such sureties as may be required and approved by the Board of Trustees. Such bond shall be

paid for from the Special Fund of the association. Jointly with the Secretary, he shall prepare and file all reports and statements required by law. He shall receive such salary as may be fixed by the Board of Trustees from time to time, subject to approval of the association, and payable from the Special Fund of the association.

Section 5. There shall be an Aid Committee, composed of the Vice President and two other members of the association, who may or may not be members of the Board of Trustees, appointed by the President. The Vice President shall be the chairman of this committee. The duty of the committee shall be to make provision for the assistance to be rendered to each sick or disabled member, and to the survivors of any deceased member.

ARTICLE V

MEETINGS

Section 1. The annual meeting of the association, for the election of officers and trustees, and other business, shall be held on the third Sunday in January of each year. Any member who seeks an elective position in the association shall file for said position between the dates of December 15 and January 10 next preceding the annual meeting at which elections for the position which is sought shall be held. Filing shall be in written form and submitted to the Filing Officer who has been appointed by the President. No member shall file for more than one position for any one election. A current member of the Board of Trustees who seeks an office other than the one currently held shall resign from the current position at the time of filing for another position. Nominations may also be made from the floor at the meeting at which the election will be held. All elections shall be made by ballot.

- Section 2. Monthly meetings of the association shall be held on alternating second Sundays and Mondays of each month except the annual meeting.
- Section 3. The board of trustees shall hold regular quarterly meetings, and it shall hold its annual meeting immediately following the annual meeting of the Association.
- Section 4. Special meetings of the association or the board of trustees may be called by the President, or two members of the Board of Trustees, and shall also be called upon written request of six or more members of the association. Members or trustees shall be notified by the Secretary of such special meetings, and the object of the meeting shall be contained in such notice.
- Section 5. A majority of the Board of Trustees then in office, except ex officio members, and 40% of the members of the association shall constitute quorums for the transaction of business at their meetings.

Less than a quorum may adjourn a meeting to a future time, which the Secretary shall make known to all affected members.

Section 6. All reports of Special Committees and resolutions shall be submitted in writing, and no report shall be accepted unless it is the report of the majority of a committee, provided, however, that a minority shall be permitted to present its views in writing.

Section 7. All meetings shall be conducted according to Robert's Rules of Order, as revised.

Section 8. The Order of Business shall be:

Call to order
Roll Call
Reading of minutes of previous meeting
Reading of minutes of meetings of board of trustees.
Reading of reports of special committees
Reports of Officers
Propositions for membership (board of trustees meetings)
Reports of standing committees
Unfinished business
Election of trustees and officers (annual meeting)
New business
Adjournment

Section 9. Each member who is currently in good standing and who is present at a meeting shall be entitled to one vote on any matter voted upon by the members at such meeting. The act of a majority, provided a quorum is present, shall serve as a recommendation to the Board of Trustees.

ARTICLE VI

FUNDS

Section 1. The funds received by the association from dues, fines, entertainments, and other miscellaneous sources shall be kept in the General Fund of the association on the books of the Secretary and the Treasurer, and may be disbursed for any purpose reasonably related to the welfare of the association or its members, as authorized by a majority of the members present and voting at any annual, regular or special meeting of the members.

Section 2. All funds received by the association from any tax sources, and all funds or property donated or granted to the association for the benefit of this fund shall be kept in a Special Fund on the books of the Secretary and the Treasurer and shall not be disbursed for any purpose except those specifically authorized by law.

Section 3. No disbursement of funds of this association shall be made except by checks drawn by the Treasurer, or City Treasurer and countersigned by another Board Officer. Except when issued for salaries, pensions and other fixed charges, the exact amount of which has previously been determined and authorized by the Board of Trustees (or the members, in case of disbursements from the General Fund), no check shall be issued until the claim to which it relates has been approved by the Board of Trustees.

Section 4. All money belonging to the association shall be deposited to the credit of the association in such banks, trust companies, savings and loan associations, or other depositories as the Board of Trustees may designate.

ARTICLE VII

APPLICATION FOR BENEFITS

- Section 1. All applications for relief or pension benefits shall be made in writing on forms furnished by the Secretary.
- Section 2. All applications for disability benefits shall be submitted to the Board of Trustees at a regular or special meeting of the board. The application shall be accompanied by a certificate from the attending physician or surgeon setting forth the nature of the illness or injury, the cause and duration thereof, the length of time the applicant has been unable to perform any of the duties connected with his regular occupation and those of a firefighter, and an estimate of the time at which the applicant will be able to return to his regular occupation and to perform the duties of a firefighter.
- Section 3. All applications for pensions shall be submitted to the Board of Trustees at a regular or special meeting of the board. Applications shall be verified by an oath of the applicant and shall state the age of the applicant, the period or periods of service in, and the date of retirement from, active duty in the Crystal Fire Department, the length of time he has been a member of the association, and such other information as the Board of Trustees may require.
- Section 4. No benefits or pensions shall be paid until the application therefor has been approved by a majority vote of the Board of Trustees. Decisions of the board shall be final as to the payment of such benefits or pensions. No other benefits shall be paid to or on behalf of any member who has received a lump sum service pension.
- Section 5. For purposes of computing benefits or pensions payable under Articles VIII, IX, X, AND XI a "year of service" shall be defined as a period of 12 full months of active duty in the Crystal Fire Department, beginning on the date when the member became an active firefighter in said fire department. If a member's period of

active service has not been continuous, parts of years shall be added together to compute full years. All leaves of absence of more than 90 days shall be excluded in computing the period of active service time.

ARTICLE VIII

SICK AND DISABILITY BENEFITS

Section 1. A member of the association who is on active duty in the Crystal Fire Department, who becomes sick or disabled to the extent that he is unable to perform any of the duties of his regular occupation, and who is under the care of a physician, for 7 consecutive days or more, shall be entitled to a benefit of \$10 per day, commencing with the 4th day of such illness or disability, but the total amount of temporary disability payments for any one illness or disability shall not exceed \$1,000. Applications for short term disability payments shall be made by or on behalf of the applicant within 10 days after the disability commences, and no disability benefits shall be paid for a period which covers more than 3 days before the application is made

Section 2. If a member of this association shall become totally and permanently disabled, to the extent that a physician or surgeon acceptable to the Board of Trustees shall certify that such disability will permanently prevent said member from performing his duties in the Crystal Fire Department, the association shall pay each month to such member during the period of such total disability the sum of \$15 for each year that he served as an active firefighter in the Crystal Fire Department. If such total disability continues to the time when the member reaches the age of 50 years, the disability benefit shall be converted to a service pension, the amount of which shall be calculated according to the number of years that the member served as an active firefighter in the Crystal Fire Department. A totally disabled member shall have the right to select and receive a lump sum disability pension of \$1,500 for each year of active service in lieu of a monthly disability pension. If a member who has received a lump sum disability pension should subsequently recover and return to active duty in the Crystal Fire Department, any amount paid to him as a disability pension shall be deducted from the amount of a future service or disability pension.

ARTICLE IX

DEATH BENEFITS

Section 1. Upon the death of any member who is an active firefighter in the Crystal Fire Department at the time of death, the association shall pay to the surviving spouse, if any, and if there is no surviving spouse, to the surviving child or children, if any, and if no child or children survive, to the estate of such deceased member,

the sum of \$1,500 for each year that the deceased member served as an active firefighter in the Crystal Fire Department; but in no case shall such death benefit be less than \$7,500. Upon the death of a retired member who was receiving a monthly pension at the time of death, the association shall pay to the named beneficiary, or the surviving spouse, or the estate of such deceased member, the sum of \$2,000. No death benefit shall be paid on behalf of a deceased former member who had received either a lump sum service pension or a lump sum total disability benefit.

ARTICLE X

SERVICE PENSIONS AND SURVIVOR BENEFITS

- Section 1. A member who has retained membership in the association for at least 10 years, and who has served as an active firefighter in the Crystal Fire Department for 20 years or more, and has reached the age of 50 years or more, shall be paid monthly until death the sum of \$15 for each year that he served as an active firefighter in said fire department, to a maximum of \$450 per month.
- Section 2. A member of the association who shall have served as an active firefighter in the Crystal Fire Department for at least 20 years, but has not reached the age of 50 years, may retire from said fire department and be placed on the deferred pension roll. When he reaches the age of 50 years, and provided that at that time he has been a member of the association for at least 10 years, upon application therefor he shall be paid monthly until death the sum of \$15 for each year that he served as an active firefighter in said fire department, to a maximum of \$450 per month. During the time that a member is on the deferred pension roll, he will not be eligible to receive any of the benefits provided for in Article VIII.
- Section 3. Lump Sum Service Pension Option. Any member who becomes eligible to receive a monthly service pension may, at the time of becoming eligible, irrevocably elect to receive a lump sum in lieu of any other benefits to which such member or member's survivor or survivors may be entitled. Such election, on a form provided by the Secretary, shall be presented to the Board of Trustees, together with the application for pension. The lump sum pension shall be calculated at \$1,500 for each year of active service performed by such member in the Crystal Fire Department, but no such pension shall exceed \$45,000.
- Section 4. In the event of the death of an active_firefighter or retired member who was receiving a monthly pension, the surviving spouse, if any, shall be paid monthly until death or remarriage, 1/2 of the monthly pension which such deceased member had earned at the time of death. If such member leaves a surviving minor child or children in addition to a spouse, such child or children, in the aggregate, shall be paid 1/2 of the monthly service pension which such member had earned at the time of death. Such payment shall cease when

the youngest surviving child reaches the age of 18 or marries, whichever event occurs first.

Section 5. Option in lieu of monthly pension and early vesting provision. A member of the association who has served for 10 years or more, but less than 20 years, as an active firefighter in the Crystal Fire department may retire from said fire department and be placed on the early vested pension roll. Upon reaching the age of 50 years and attainment of at least 10 years of membership in the association, such member shall, upon application therefor, be paid in the following manner: (Amounts based on reduction factors contained in Minn. Statutes 424A.02, sub. 2, for a lump sum pension of \$1,500 per year of active service, or a monthly pension of \$15 per year of active service, after 20 years of service.):

	ACTIVE SERVIC		SINGLE LUMP SUM PAYMENT	OR AMOUNT PER MONTH FOR REMAINDER OF LIFE
-	10	11	\$ 9,000	\$ 90.00
	11	12	10,560	105.60
	12	13	12,240	122.40
	13	14	14,040	140.40
	14	15	15,960	159.60
	15	16	18,000	180.00
	16	17	20,160	201.60
	17	18	22,440	224.40
	18	19	24,840	248.40
	19	20	27,360	273.60

Section 6. If a member has selected a lump sum pension he shall be paid interest on the principal from the time of retirement to the age of 50 years, at the rate actually earned not to exceed 5% per annum.

Section 7. During the time that a member is on the early vested pension roll, he shall not be eligible to receive any of the benefits provided for in Article VIII. Lump sum pensions payable to members on the early vested pension roll shall be based on the amount payable in effect at the time of such early retirement.

Section 8. If a member who is on the early vested pension roll dies before becoming eligible to receive the pension, the amount payable will be paid to the member's beneficiary.

Section 9. Any former member receiving a monthly service pension or is on the early vested or deferred pension roll, except members who have selected lump sum pensions, shall receive any increases in pension or ancillary benefits which have been granted to active members.

ARTICLE XI

GENERAL FUND LUMP SUM PENSION

Section 1. A defined contribution lump sum pension plan shall be established within the General Fund of the association as of January 1, 1988. An individual account shall be established for each member who is an active firefighter in the Crystal Fire Department. The initial amount to be credited to each account shall be determined as follows:

(a) The assets of the General Fund shall be calculated as of January 1, 1988, and the sum of \$20,000 shall be set aside as an expense reserve from which to pay for such expenses as shall be authorized by the members or board at a regular or special meeting;

(b) The total number of months of active service time for each active firefighter member shall be calculated as of December 31, 1987;

(c) The amount determined in clause (a), minus the expense reserve, shall be divided by the amount determined in clause (b), to calculate the value of each month of active service to be credited for service prior to January 1, 1988.

(d) As of January 1, 1988, each individual account shall be credited with the amount determined by multiplying the value of each month of service times the number of months of service credited to the

account owner.

Section 2. After January 1, 1988, credits to each account will be made the end of each calendar year in the following manner:

(a) An amount sufficient to replenish the expense reserve to \$20,000 shall be transferred to the reserve account from the non-investment income of the general fund for the calendar year;

(b) Each member's account shall be credited with an equal share of the remaining non-investment income of the General Fund for the

calendar year;

- (c) Any interest or investment income earned on the assets of the General Fund during a calendar year, minus the overhead expenses of the General Fund, shall be credited in proportion to the share of the assets of the General Fund shown in the account at the beginning of the year;
- Section 3. At the time of retirement or resignation from active service in the crystal Fire Department, a member shall be entitled to that portion of the assets of the General Fund to the credit of the member in the member's individual account. If a member dies before having been paid the amount credited to such deceased member's account, the amount of such account shall be paid to the deceased member's named beneficiary, or if no beneficiary has been named, to the surviving spouse or to the estate of the deceased member.
- (a) Vesting in the General Fund Lump Sum Pension shall began upon completion of two years as a member of the association.

ARTICLE XII

AMENDMENTS

Section 1. The Bylaws of the association may be amended, altered, or replaced by a 2/3 vote of the members present at any annual or special meeting, provided that written notice of intent to amend, alter, repeal, or replace the Bylaws has been given to each member or mailed to each member at his last known address at least 30, but no more than 45, days prior to the date set for such meeting, and provided further, that if such amendment or alteration shall change the amount of benefits or pensions to be paid from the Special Fund, approval of the Council of the City of Crystal shall be obtained, as required by law, before such alteration or amendment shall become effective.

July 14, 1988

TO: Jerry Dulgar, City Manager

FROM: Crystal Firefighters' Relief Association

Attached please find the current By-Laws of the Firefighters' Relief Association.

BY-LAWS

CRYSTAL FIREFIGHTER'S RELIEF ASSOCIATION

REVISION DATED: February 10, 1985

EFFECTIVE: November 20, 1985

ARTICLE I

Section 1. The object of the Crystal Firefighter's Relief Association (the "Association") is to provide disability, pension, and death benefits to members, their widows, (widowers) and children.

ARTICLE II

- Section 1. Any person who applies for and is accepted as an apprentice firefighter with the City of Crystal Fire Department shall become a member of the Association after completion of the probationary period as determined by the Association and upon approval of the person's application for membership in the Association by the Board of Trustees.
- Section 2. Application. Any firefighter desiring to become a member of the Association shall file a written application for membership on a form provided by the Association with its Secretary and shall, at the time of filing the application, pay to the Secretary the dues charged for membership in the Association. Should the application be rejected, the said payment of dues will be refunded to the applicant.
- Section 3. Dues An annual fee for membership in the Association shall be established at the Annual Meeting and shall be due and payable on February 15 of each year. Any member of the Association who fails to pay annual dues on or before the regular March meeting is automatically suspended from the membership. Said suspension carries with it the forfeiture of all the membership rights and benefits.
 - Subdivision 1. New Members. All new members of the association who do not have at least six (6) months of service time in the Association as of February 15 of the year of joining are exempt from that year's annual dues.
 - Subdivision 2. Social Members. Any former member who is drawing a monthly disability service pension, or who has served at least twenty (20) years active duty with the Crystal Fire Department and either has resigned or retired, may maintain membership in the Association as a social member upon payment of \$5.00 annual dues.

ARTICLE III

Meetings

Section 1. Membership Meetings. The annual meeting of the membership of the Association shall be held on the 3rd Sunday in January of each year. The regular monthly meeting of the membership shall be on the 2nd Monday and 2nd Sunday of each month alternating, with the exception of the annual membership meeting for the election of officers of the Association which shall be held the 2nd Sunday of December.

Section 2. Trustee's Meetings. The Board of Trustees shall meet at the call of the President of the Association. The President shall call a meeting of the Board within five days of the receipt of a written request for such a meeting from any two members of the Association. Regular Board meetings may be established by resolution of the Board and may be held without a call of meeting or notice as set forth herein. The Board is fully empowered to act at regular meetings.

Section 3. Quorum. A majority of the Board of Trustees constitutes a quorum for the transaction of its business and 40% of the members of the Association in good standing constitutes a quorum for the transaction of the regular business of the Association.

Section 4. Election of Officers.

Subdivision 1. All members in good standing have one vote for each office to be filled.

Subdivision 2. All officers shall be elected at large.

<u>Subdivision 3.</u> All officers shall be elected for a term of two years and shall serve until their successors have been elected and duly qualified.

<u>Subdivision 4.</u> All members desiring to run for office shall make written application on a form provided by the secretary.

Subdivision 5. Members may file for office starting September 1st and the closing date for filing is midnight, September 30th.

<u>Subdivision 6</u>. The office of President, Secretary and one Trustee shall be open for election on odd number years. The office of Vice President, Treasurer and one Trustee shall be open for election on even number years.

<u>Subdivision 7.</u> A primary election shall be held for the purpose of selecting two candidates for each office. The two candidates receiving the two highest number of votes shall be the candidates for the respective offices at the general election.

Subdivision 8. A person currently holding an office must submit a letter of resignation on or before August 31st, effective on the date of the January meeting.

<u>Subdivision 9.</u> The presiding officer at the meeting of the primary election shall appoint three election judges to conduct the election held in December.

Subdivision 10. None of the appointed judges may be a candidate for office.

Subdivision 11. The primary election shall be held in October. Only members in attendance are eligible to vote. The ballot will be provided by the secretary.

Subdivision 12. The general election shall be by ballot, prepared in advance by the appointed election judges.

Subdivision 13. If a voting member cannot, for good reason, be present for the general election in December, the absent member may request a ballot from the judges, in writing.

<u>Subdivision 14.</u> If a person is elected to office and does not qualify, a special election shall be held for these open offices no later than the second Sunday in the February following.

Subdivision 15. Any office not filled by election shall be appointed by the new Board of Trustees.

ARTICLE IV

Officers and Trustees

- Section 1. Officers. The officers of the Association shall consist of a President, Vice President, Secretary, and Treasurer.
- Section 2. <u>Trustees</u>. The elected trustees shall consist of six members, the President, Vice President, Secretary, Treasurer and two Trustees. Said Trustees shall be elected from the membership of the Association.
- Section 3. Election. Officers and Trustees shall be elected by the membership at the annual December election meeting and shall take office at the annual meeting of the membership in January, and shall remain in office for the term of two years or until their successors have been elected and duly qualified.
- Section 4. Vacancies. Vacancies occurring in the membership of the Board of Trustees through resignation, death, removal or retirement, shall be filled by the Board by appointing a member of the Association to fill such vacancy for the unexpired term thereof.
- Section 5. Ex Officio Members. The following City of Crystal officials shall be ex Officio members of the Board of Trustees: Mayor, City Treasurer, and the Chief of the Department. Ex Officio members may attend all meetings of the Board and may vote. However, such members shall not be considered for the purpose of establishing a quorom.

ARTICLE V

Management

Section 1. The Association shall be managed by the Board of Trustees.

ARTICLE VI

Officers' Duties

Section 1. President. The President shall attend and preside at all meetings of the Association and of the Board of Trustees. The President shall enforce the due observance of the Articles of Incorporation and By-Laws of the Association, and shall see that the officers properly perform the duties assigned to them. The President shall also sign all orders on the Treasury and all other papers requiring the President's signature. The President is a member of all committees, and shall exercise a careful supervision over the affairs of the Association. The President shall receive a salary to be determined by the members of the Association at its annual meeting.

Section 2. Vice President. The Vice President shall attend all meetings of the Association and, in the absence of the President, shall preside at all meetings of the Association and of the Board of Trustees and, in addition, shall perform such duties as may from time to time be delegated by the Board.

Section 3. Secretary. It shall be the duty of the Secretary to keep a true and accurate record of the proceedings of all meetings of the Association and Board of Trustees. The Secretary shall keep a separate record of the Articles of Incorporation and By-Laws of the Association and of all amendments thereto. The Secretary shall cause a due notice of all special meetings of the Association and Board to be given. The Secretary shall receive all dues owing the Association and pay the same to the Treasurer, taking a receipt for the same. The Secretary shall keep a roll of membership with the date of joining, resignation, discharge, assessments paid and relief furnished. The books shall at all times be open to inspection by the Board. The Secretary, prior to entering upon the duties of office, shall give bond in such sum and with such sureties as may be required and approved by the Board conditioned upon the faithful discharge of the trust and the full performance of the duties of the office. The Treasurer of the City of Crystal and the Secretary of the Association, as administrators of the firefighter's pension fund, shall, during the month of June of each year, prepare and certify an estimate of the necessary appropriation sufficient to meet the current normal cost. The current normal cost is determined by the entry age normal cost method based upon a three percent interest assumption, plus an additional amount sufficient to retire the accumulated deficit in accordance with the Volunteer Firefighters' Relief Association Financing Guidelines Act ("Act"). The estimate shall be reduced by aid or estimated aid from the State of Minnesota. In the year after passage of the Act, and at least once every four years thereafter, the Association shall obtain an actuarial survey and report to assist in the preparation of annual estimates required by law. Said survey and report shall be prepared in accordance with the provisions of the law. The records of account shall be maintained under the direction of the City Treasurer and the Secretary of the Association. The system of accounting employed shall be in accordance with generally accepted accounting principles, and shall employ applicable actuarial assumptions in a manner which will provide an actuarial measurement of the liabilities for accumulated pension reserves needed for in-service members, the liabilities for rights which have become vested, and the over-all financial solvency of the fund. Within 90 days following the end of each fiscal year, the City Treasurer shall submit a report to the City Council which shall reflect the financial condition of the Relief Association fund. The City shall levy a tax for the Firefighter's Pension Fund equal to the net amount so certified, in the manner and at the time it levies other taxes. When the fund has reached a point sufficient to fully fund the Association, the tax levy shall be established at an amount sufficient to maintain the fund in a completely funded status as new obligations are incurred. The proceeds of this tax shall be paid into the Firefighter's Pension Fund. The

Secretary shall receive a salary to be determined by the members of the Association at its annual meeting.

Section 4. Treasurer. The Treasurer shall receive all moneys belonging to the Association and hold them subject to the order of the Board of Trustees of the Association. The Treasurer shall deliver the funds constituting the Special Fund, to the Treasurer of the City of Crystal who shall maintain the Special Fund subject to order of the Board of Trustees and Treasurer of the Fire Department Relief Association. The Treasurer shall cause to be paid all orders drawn on him or her by order of the Board and duly signed by President, or, in the President's absence, by the Vice President or the Secretary. The Treasurer shall keep separate and distinct accounts for the general and special funds, and shall prepare and present to the Association a full detailed statement of the assets and liabilities of each fund at each annual meeting of the Association. The Treasurer shall also maintain a separate account for the General Trust Fund described in Article X of these By-Laws. The Treasurer shall employ a system of accounting as implemented by the Secretary of the Association in cooperation with the City Treasurer.

The Treasurer shall deliver up to his or her successors in office, or any committee appointed by the Board to receive the same, all moneys, books, papers, documents, instruments, and other materials pertaining to the office immediately upon the expiration of his or her term of office. Prior to entering the office of Treasurer, bond shall be given in such sum and with such sureties as may be required and approved by the Board, conditioned upon the faithful discharge of the trust and full performance of the duties of the office. The Treasurer shall receive a salary to be determined by the members of the Association at its annual meeting.

Section 5. Trustees. The Board of Trustees shall manage the affairs of the Association and shall profitably and safely invest the unappropriated funds of the Association. The Board of Trustees may invest all of the unappropriated funds of the Association with the exception of \$3,000.00, which shall remain in the Treasury for relief purposes. The funds of the Association shall be invested by the Board in securities which are permitted by law.

Section 6. The Board of Trustees shall annually appoint the City Treasurer and Two members of the Association as an advisory investment committee. The Committee shall review the investment of the Association's funds and shall advise the Board of Trustees with regard to the investment of such funds within the restrictions imposed by law and the general investment goals established by the Board of Trustees.

ARTICLE VII

Funds

Section 1. General Fund. The property and money of this Association shall be divided into two separate and distinct funds. The "general fund" shall consist of all moneys received from membership fees, dues, fines, entertainments, and donations now due or hereafter to become due, and all interest on moneys loaned by the Association from the general fund.

Section 2. Special Fund. The "Special Fund" shall consist of and include all moneys received from the City of Crystal, State of Minnesota, and other moneys placed therein by resolution of the Association, provided that all interest on moneys loaned from this fund shall be added to and become a part of the same fund.

ARTICLE VIII

Death Benefit From Special Fund

Section 1. Death Benefit. Upon the death of any member or pensioner who is a former member at the time of death, the sum of \$2,000.00 shall be paid to the beneficiary named in the member's certificate, upon the order of the Board of Trustees. In the case of the prior death of a beneficiary without a change made on the certificate, testamentary letters of administration shall be furnished to the Board by the personal representative of the deceased member's estate and the money shall then be paid to said personal representative for the estate.

Subdivision 1. Pensioner Defined. A pensioner is hereby defined as a former member of the Crystal Fire Department who is drawing a monthly disability service pension, or a former member who served 20 years active service with said department and has either retired with a monthly service pension, or served 20 years active service with said department and resigned and collected a lump sum service award.

ARTICLE IX

Section 1. Claims. The Board of Trustees shall receive and review all claims for service, widows', widowers', children's and disability pensions and shall order payment of such awards when said claims are made in accord with, and meet all requirements of the law and these By-Laws. All applications for service awards described in this Article under Section 1, Subdivision 1, and Section 3, should be made ninety (90) days prior to the event or occurrence which entitles the applicant to such award. All applications for remaining awards and benefits described in the article should be made within sixty (60) days of the event or occurrence which entitles the applicant to such award or benefit.

Subdivision 1. Service Pension. The Association shall provide for the payment to a member who has retired or shall retire and who has reached the age of fifty (50) years or more and who has served twenty (20) years or more, but not more than 30 years, as a voluntary firefighter for the City of Crystal a service pension as set by the Crystal City Council. This service award shall be payable to the members upon retirement for the remainder of their natural life. Length of service shall be measured from the date the firefighter was accepted by the City Council or the City Manager as a probationary firefighter of the Crystal Fire Department.

Subdivision 2. Spouse's Pension. The Association shall provide for the payment of a pension to the spouse upon the death of a member or pensioner who qualifies for a pension under Subdivision 1., Section 1., Article IX. The award shall be one half of the amount the deceased firefighter or pensioner was entitled to. The pension shall be paid, as the By-Laws of the Association provide, for the spouse's natural life; provided that if the spouse remarries, such pension shall cease and terminate as of the date of remarriage. For the purpose of this subdivision, the term "spouse" shall mean any person who is the dependent spouse of a deceased active member or retired former member living with the member at the time of the death of the active member or retired former member and for at least one year prior to the date on which the member terminated active service and membership.

Subdivision 3. Children's Pension. The Association shall provide for the payment of a pension for the surviving children upon the death of a member or a pensioner who qualifies for a pension under Subdivision 1, of Section 1, under Article IX. The award shall be one fourth of the amount the deceased firefighter or pensioner was entitled to and shall be payable to each child under the age of eighteen (18) years.

(ea) The term "surviving children" shall mean a child or children of the deceased member or pensioner, or who were born within nine months following the member's death. The term shall include children adopted by the deceased member or pensioner but shall not include children who predecease the member.

Section 2. Claims - Disability. The Association shall pay a monthly service award as set by the Crystal City Council, to a member who has served as a volunteer firefighter for more than ten but less than twenty years and whose position as a volunteer firefighter has been eliminated or who has become physically or mentally disabled so as to be totally and permanently incapable of performing service in the Fire Department as determined by a Board of Examiners, said Board to consist of all or part of the Board of Trustees or a panel appointed Board in conjunction with a competent medical person or persons. This award shall become payable upon the member's reaching the age of fifty (50) years. In the case of physical or mental disability incurred in the line of duty, the above service

award shall be paid commencing 100 days after the date of disability. A service award pursuant to this subdivision shall be payable for life.

Subdivision 1. Widow's or Widower's Pension. The Association shall provide for the payment of a pension to the widow or widower of a disabled member who qualifies for an award under Section 2 of Article IX. This award shall be payable upon the death of the disabled member in a like amount and subject to the same conditions as Article IX, Section 1, Subdivision 2.

Subdivision 2. Children's Pension. The association shall provide for the payment of a children's pension to the surviving children of a disabled member who qualifies for an award under Section 2 of Article IX. The pension shall be payable upon the death of the disabled member in a like amount and subject to the same conditions as Article IX, Section 1, Subdivision 3, for each child under age eighteen (18).

Subdivision 3. Temporary Disability Benefits. The Association shall provide temporary disability compensation to members who become temporarily disabled. Said disability shall have arisen from or shall have occurred during the performance of the member's duties as a volunteer firefighter or member of the Crystal Firefighter's Relief Association. A member shall be "disabled" within the meaning of this Section only if such disability prevents the member from performance the necessary duties as a volunteer firefighter. The amount of such benefits shall be \$10.00 per day for not more than 100 days. No benefit for disability shall be paid unless the member notifies the Secretary of the Association of the disability and applies for benefits within 30 days after disability commences. Such applications shall be on forms provided by the Association and shall be accompanied by an affidavit of the applicant stating the nature of the disability, the length of time such disability has existed, and how, when and where such disability was caused. Such application shall not be acted upon until after the applicant has been examined by a physician designated by the Board of Trustees. The applicant must submit to such physical examination within 30 days after filing application or the applicant shall forfeit all claim to disability pension. After the physical examination report has been received, the Board of Trustees, if it considers the applicant disabled, may provide for the payment of a disability pension. The Board may, at any time while a disability pension is being paid to a member order such member to undergo a further physical examination by a physician designated by the Board. The Board may terminate the disability pension if it determines the disability no longer exists. The disability pension shall be paid at the sole and exclusive discretion of the Board of Trustees upon determination that a member is disabled, that the disability arose from or occurred during the performance of the member's duties as a volunteer firefighter, or member of the Association, and that the disability prevented the member from performing the necessary duties as a volunteer firefighter. Should the applicant feel aggrieved by an action of the Board, the applicant shall file written objection and reasons therefore with the Board within 60 days from notice of such action by the Board. The Board shall provide the applicant with an opportunity to be heard on the grievance. Upon failure to so object within the time provided, the Board's determination shall be final and conclusive.

Section 3. Service Benefit - 20 Years Service or More. The Association shall provide for the payment to a member who has heretofore resigned or shall hereafter resign and who has reached the age of 50 years or more and has served 20 years or more active duty on the Crystal Fire Departmet, a lump sum service award in an amount set by the Crystal

City Council. This benefit may be chosen as an alternate to the benefit described under Subdivision I. of Section I, Article IX. The action of a member choosing this benefit hereunder rather than under Subdivision I, Section, Article IX, does relieve the Association of any and all further claims with the exception of the Article VIII, Section I, Death Benefit.

Subdivision (1). Service Benefit less than 20 years. The Association shall provide for the payment to a member who has resigned or shall resign and who has reached the age of 50 years or more and who has served more than 10 years as an active member of the Crystal Fire Department a lump sum service award in an amount set by the Crystal City Council. The action of a member choosing this benefit hereunder relieves the Association of any and all further claims.

Subdivision (2) Interest on deferred lump sum pensions shall be paid at the rate actually earned, not to exceed five (5)% during the period of deferral.

Section 4. Conversion to Full-Time Department - Credit. If the City of Crystal shall at any time convert the volunteer Fire Department to nonvolunteer, and if any volunteer firefighter should become a full-time firefighter, volunteer time shall apply toward the firefighter's retirement under the terms of the full-time retirement program of the City; provided, however, that benefits shall be determined on a pro rata basis so that volunteer benefits are paid for the time worked as a volunteer and benefits under the full-time retirement program of the City shall be paid for the time spent as a paid salaried firefighter.

ARTICLE X

General Trust Fund

Section 1. Benefit. Whenever any member of the Association in good standing dies, retires, or resigns from the Crystal Fire Department, they or their beneficiary shall be entitled to receive a lump sum payment from the general trust fund. As each member completes ten active years of service on the Department, that member shall be entitled to receive \$100.00 for each completed year of service or the sum of \$1,000.00. The member shall also receive \$100.00 per year for each completed year thereafter up to and including 20 years, providing that the members of the Association continue to earn sufficient funds to support said trust fund. Said payment will be made to the member upon acceptance by the Board of Trustees of the member's letter of resignation, or, in case of a member's death, the Board is authorized to pay the beneficiary after receipt of proof of death.

Section 2. General Trust Fund. As each member completes the tenth year of service, the Board of Trustees will provide for the transfer of \$1,000.00 from the General Fund to the General Trust Fund to the credit of the specific member. As each member who has completed ten years of service on the Department completes each additional year of service thereon, the Board shall provide for the transfer of an additional \$100.00 from the General Fund to the General Trust Fund to the credit of the specific member. No withdrawals from the General Trust Fund whatsoever, may be made for any purpose but for the payment of the benefits described above or for the investment and reinvestment of the funds.

ARTICLE XI

Exemptions from Process

Section 1. All payments made, or to be made by the Association, shall be totally exempt from garnishment, execution, or legal process, and no persons entitled to such payments shall have the right to assign the same, nor shall the Association have authority to recognize any assignment or to pay any sum or account thereof; and any attempt to transfer any such right or claim or any part thereof shall be void.

ARTICLE XII

Section 1. All questions relating to the payments of benefits and pensions shall be determined by a majority vote of the Board of Trustees, and all such payments shall be made only by order of a majority vote of the Board. The Board shall act promptly upon all applications and shall, in writing, notify the applicant of its determination. Except as hereinbefore provided, pensions or benefits shall be paid for the period commencing on the date when the applicant becomes eligible, regardless of the time when the application is approved.

ARTICLE XIII

Section 1. Any person who is receiving or has been determined eligible to receive a pension or benefit as herein provided may waive such pension or benefit or any part thereof for a limited period of time or permanently by filing a written notice of waiver signed by the person entitled to receive the pension or benefit and notarized and filed with the Secretary. Any such waiver shall be final and conclusive and the pensioner shall not thereafter be entitled to recoup or reclaim any pension or benefit so waived.

ARTICLE XIV

Definitions

- Section 1. Fiscal Year. The fiscal year of the Association is the calendar year.
- Section 2. Department. "Department" means the Volunteer Fire Department of the City of Crystal, Minnesota.
- Section 3. Member. "Member" means a duly elected member of the Crystal Firefighter's Relief Association.
- Section 4. Association. "Association" means the Crystal Firefighter's Relief Association, a benevolent association formed and incorporated under the law of the State of Minnesota on March 6, 1951.
- Section 5. Firefighter. "Firefighter" means a Crystal Fire Department volunteer firefighter or apprentice volunteer firefighter who has applied for and been accepted as such under the Constitution and By-Laws of the Crystal Fire Department.
- Section 6. Social Member. A social member is any former member who is either drawing a monthly disability service pension, or one who has served 20 or more years active duty with the Crystal Fire Department and either resigned or retired, and who wishes to maintain membership in the Association through the payment of their annual dues. Social members are not entitled to vote, nor hold any office in the Association.

ARTICLE XV

Suspension

- Section 1. Cause. The following shall be cause for suspension of a member from the Association:
 - (A) The failure to pay annual dues on or before the regular March meeting of the Association.
 - (B) Suspension from the Fire Department as provided in the Constitution and By-Laws of the Fire Department.
 - (C) Failure of an officer of the Association to perform those duties required by the Articles of Incorporation and By-Laws of the Association.
- Section 2. Suspension. The suspension may be temporary or permanent.
 - (A) Temporary Suspension. Temporary suspension occurs where Temporary Suspension from the Fire Department occurs, in which case a suspension from the Association automatically occurs for the same period of time.
 - (B) Permanent Suspension. A permanent suspension occurs automatically upon the happening of a permanent suspension under the Department's Constitution and By-Laws or upon a majority vote of the members of the Association for any other cause set forth above.
 - (C) Forfeiture. During the suspension period, the member retains all rights and benefits as a member of the Association, except that the time during which the member is suspended shall not be included in computing the period of service in determining benefits or pensions under these By-Laws.
 - (D) Reinstatement. A suspended member may be reinstated by written application for reinstatement, filing said written application with the Secretary of the Association, together with any annual dues then owing by the member, and by receiving an approval of two-thirds of the members present and voting upon such application for reinstatement at a regular meeting of the Association. If the application for reinstatement is rejected, the accrued dues accompanying the same will be returned to the applicant. No application for reinstatement is required following a temporary suspension as reinstatement automatically occurs at the end of the temporary suspension period.

ARTICLE XVI

Conduct of Meetings of Membership

Section 1. Rules of Conduct. At regular and special meetings of the Association, the membership shall elect a President Pro Tem to preside at the meeting in the event that both the President and Vice President of the Association are absent. When any motion is brought to the floor and seconded and is determined by the presiding officer to require further consideration by the Association, the presiding officer shall declare that a vote upon said proposal shall be taken at the next regular meeting of the Association and shall provide for the posting of notice of a vote upon the proposal for a period of 30 days at all stations.

ARTICLE XVII

Amendments

Section 1. Requirements These By-Laws may be amended by the Association at any regular meeting thereof by a vote of two-thirds of the members present; provided that the number present constitutes a quorum and provided that notice of any proposed amendment shall have been given by reading the same at the regular meeting next preceding that upon which such amendment is acted upon.

Section 2. Council Approval. All amendments to these By-Laws must have approval of the City of Crystal City Council before becoming active.

ARTICLE XVIII

Rules of Order

Section 1. Roberts Rules. All meetings of this Association shall be conducted in accordance with the rules prescribed in Roberts Rules of Order, revised:

Order of Business

- 1. Call to order.
- 2. Reading minutes of previous meeting.
- 3. Reading of reports on minutes of Board of Trustees.
- 4. Report of officers.
- 5. Application for membership.
- 6. Reports of special committees.
- 7. Balloting for members.

CRYSTAL FIREFIGHTERS RELIEF ASSOCIATION GENERAL FUND LUMP SUM PLAN

			FULL YEARS @12/31	FULL MONTHS @12/31	VALUE AT 12/31/87	88 ADD TO FUND \$5 K	88 ADD INT @ 5.25%	VALUE AT 12/31/88
JUDD	ANDERSON ANDERSON	19 May-64 01-Dec-71	23	283	5,616.32	135.14	294.86	6,046.31
GREG	ANTRIM	14-Jul-69	16 18	192 221	3,810.36	135.14	200.04	4, 145.54
ANDY	AYD	01-May-84	3	43	4,385.89 853.36	135.14 135.14	230.26	4,751.28
DON	BAKER	01-Sep-71	16	195	3,869.90	135.14	44.80	1,033.30
RON	BILLSTROM *	13-Dec-74	16	156	3.095.92	135.14	203.17 162.54	4,208.21 3,393.59
DON KERRY	BOHN CHARLET	01-Aug-82	. 5	64	1,270.12	135.14	66 68	1,471.94
SCOTT	CRANDALL	01-Dec-74 01-Mar-78	5 13 9 6	156	1,270.12 3,095.92 2,341.79	135.14	162.54 122.94	3,393.59
BRUCE	DECKER	01-Jan-81	9	118	2,341.79	135.14	122.94	3,393.59 2,599.87
JON	DOLENCE	01-Sep-70	17	207	1,647.19 4,108.05	135.14	86.48	1,868.80
MIKE	DOLENCE	01-Sep-70	17	207	4,108.05	135.14 135.14	215.67 215.67	4,458.86
KEVIN	DOTY	01-Sep-80	7	87	1.726.57	135.14	90.64	4,458.86 1,952.35
TIMOTHY	DURAND DYKE	01-Apr-87	7 0 0 5	9	1,726.57 178.61	135.14	9.38	323.12
RANDY	EBERLING	01-Apr-87 01-Oct-82	õ	62	178.61	135.14	9.38	323.12
BOB	ENSMINGER	01-Nov-70	17	62	1,230.43	135.14	64.60	1,430.16
MARK	GAULKE	01-Mar-78	9	205 118	4,068.36 2,341.79	135.14	213.59	4,417.08
RAYMOND	HARRISON	01-Apr-87	ŏ	9	178.61	135.14 135.14	122.94 9.38	2,599.87
RUSSELL	HOLLAND	01-Aug-82	0 5 15	64 187	1,270.12	135.14	66.68	323.12
DAVID	KLICK LINDERHOLM	01-May-72	15	187	3,711.14	135.14	194.83	4,041.11
TEVEN	LONGAECKER	01-Apr-87	.0	. 9	178.61	135.14	9.38	323.12
AMES	LOOK	01-Apr-76 01-Oct-73	11	140 170	2,778.39	135.14	145.87	3,059.39
ANDY	LUNDGREN	01-May-72	15	187	3,373.76	135.14	177.12	3,686.02
TEVEN	MATIS	10-Jun-79	15 8 6	102	3,711.14 2,024.26	135.14 135.14	194.83	4,041.11
OHN	MORK	01-Sep-81	6	75	1,488.42	135.14	106.27 78.14	2,265.66 1,701.70
ON	NYSTROM	01-Aug-86	1	16	317.53	135.14	16.67	469.34
RT	OAS QUADY *	01-Jul-66	21	258	5,120,18	135.14	268.81	5,524.12
LOYD	SCHREINER	01-Jan-83 01-May-71	4	59	1,170.89	135.14	61.47	1,367.50
COTT	SMOTHERS	01-Nov-85	16	200	3,969.13	135.14	208.38	4,312.64
BONARD	SODD	01-Aug-82	5	25 64	496.14	135.14	26.05	657.32
ON	TOAVS	01-May-71	16	200	1,270.12 3,969.13	135.14 135.14	66.68 208.38	1,471.94
AVID	TOMSCHIN	01-Nov-79	16 2 5 16 8 5	97	1,925.03	135.14	101.06	4,312.64 2,161.23
AVID	WARNACK	01-Jan-82	5	71	1,409.04	135.14	73.97	1,618.15
TATE	WEIS	01-May-72	15	187	3,711.14	135.14	194.83	4,041.11
======	37		361	4535	90,000.00	5,000.00		99,725.00

BYLAWS THE CITY OF BROOKLYN CENTER FIRE DEPARTMENT RELIEF ASSOCIATION

ARTICLE I. OFFICERS, TRUSTEES, AND COMMITTEES

Section 1. Board of Trustees. The Board of Trustees shall be composed of the President, Vice-President, Secretary and Treasurer of this Association, and two trustees elected in the same manner as the officers of the Association. The Board of Trustees shall also include the Mayor, Clerk, and Fire Chief of the City of Brooklyn Center, who shall serve as ex-officio members. The exofficio members shall not serve as officers of the Board of Trustees.

Section 2. Term. Each officer shall hold office for the term of two years and until the officer's successor has been elected and has qualified. Each elected trustee who is not an officer shall hold office for the term of two years, and such terms shall expire in alternate years.

Section 3. Election. Each officer and each elected trustee shall be a member of the Association. The Secretary and Treasurer shall be elected at the regular annual meeting, and the President and Vice-President shall be elected at the regular annual meeting in the alternate year.

Section 4. Vacancies. Vacancies in office or any other vacancy on the Board of Trustees shall be filled by appointment by the remaining members of the Board for the unexpired portion of the term.

Section 5. Removals. Any officer or elected trustee may be removed for cause at a special meeting of the members by a majority vote of those entitled to vote at an election of officers and trustees. No officer or trustee shall be removed unless written notice of the meeting at which removal is to be considered states such purpose. When an officer or trustee has been removed, new officers or trustees may be elected at the same meeting to serve until the next annual meeting of the members and until their successors have been elected and have qualified.

ARTICLE II. POWERS AND DUTIES OF OFFICERS AND BOARD OF TRUSTEES

Section 1. President's Duty. The President shall preside at all meetings of this Association, sign all checks drawn by the Treasurer for the payment of such sums of money as may from time to time be authorized by the Bylaws or as may be properly voted by the Board of Trustees, sign all certificates and notices requiring the President's signature to authenticate them, and have general supervision over the Association and its affairs.

The President shall furnish a surety bond approved by and in an amount set by the Board of Trustees; the amount of bond required may be altered from time to time in the discretion of the said Board. Said bond shall be paid for by the Association.

Section 2. Vice-President's Duty. The Vice-President shall assist the President and during the President's absence or disability perform the duties of the President.

Section 2. Age Requirements. No person under the age of 18 or who has reached his 56th birthday shall be accepted as a member of this Association from and after the date of the adoption of these Bylaws. All members shall retire from the Association according to the provisions of Section 5-1102 d of the City Ordinances.

Section 3. Termination of Membership. Resignation or termination from the Brooklyn Center Fire Department shall be deemed resignation from the Association.

ARTICLE V. MEETINGS

Section 1. Meetings of the Board of Trustees. Regular meetings of the Board of Trustees shall be held at such times and places as are designated by said Board. Notice of such meetings shall not be required. Special meetings of the Board of Trustees may be called by the President or any two members of the Board by making a request therefor to the Secretary, who shall notify all members of the Board of the time, place and purpose of the meeting at least 24 hours in advance.

Section 2. Annual Meeting. The annual meeting of this Association shall be held on the second Monday of December of each year, except that if said day is a holiday, said meeting shall be held on the next succeeding Monday. The place of meeting shall be designated and may be changed from time to time by the Board of Trustees. Written notice of the annual meeting shall be given to all members at least five days in advance.

Section 3. Special Meetings. Special meetings of the members may be called at any time upon the written order of the President and one other member of the Board of Trustees, or of five members of this Association. The Secretary shall give written or telephone notice to each member of the Board of Trustees and each member of this Association entitled to vote of the time, place and purpose of such meeting at least three days in advance.

Section 4, Quorums. A majority of the members of the Board of Trustees shall constitute a quorum for the transaction of any business at meetings of the Board and one half of the members of the Association shall constitute a quorum for the transaction of any business at the annual or at any special meeting of the members, provided that five affirmative votes shall be necessary for trustees' approval of any application for benefits and five affirmative votes shall be necessary for trustees' approval of investments. A number less than a quorum may adjourn any meeting of the Board of Trustees or the annual or any special meeting of the members.

Section 5. Order of Business. At the annual and at all special meetings the order of business shall be as follows:

- (a) Call to order
- (b) Roll call
- (c) Reading of minutes of previous meetings
- (d) Secretary's report
- (e) Treasurer's report
- (f) Committee reports
- (g) Unfinished business
- (h) New business
- (i) Adjournment

- "Surviving spouse" means the surviving husband or wife of a member, retired member, a deferred pensioner, or an early retired member who was living with the firefighter as husband or wife during the time the firefighter was on active duty in the Fire Department of the City of Brooklyn Center, Minnesota, and in the case of a retired member, a deferred pensioner, or an early retired member, who was married to the firefighter three or more years before the firefighter left active duty with the Fire Department. The term "surviving spouse" shall not include a surviving spouse who was not legally residing with the member, retired member, deferred pensioner, or an early retired member at the time of the firefighter's death.
- (7) "Surviving child or children" means a member's, retired member's, early retired member's, or a deferred pensioner's child or children under the age of 18 years, and who were living while the deceased member, retired member, early retired member, or deferred pensioner served on active duty with the City of Brooklyn Center Fire Department or who were born within nine months after the deceased member, retired member, early retired member, or deferred pensioner was withdrawn from active duty on the Fire Department.

All leaves of absence or suspension shall be excluded in computing the period of service.

(8) "Length of service" for the purpose of determining benefits means the total time served from the date of appointment as a probationary member of the Brooklyn Center Fire Department to the date of separation from the Department for those persons separated after January 31, 1974.

For those persons separated prior to February 1, 1974, "length of service" for the purpose of determining benefits means the total time served from the date of appointment as a regular member of the Brooklyn Center Fire Department to the date of separation from the Department.

Section 2. Service Pensions. Upon approval of the application therefor, a service pension of \$300 per month shall be paid to each retired member during the remainder of his or her natural life. In the discretion of the Board of Trustees a sum not exceedling \$15 per month for each year of active service over 20 in the Fire Department of the City of Brooklyn Center, Minnesota, may be added to this amount, but in no event shall the total amount paid per month exceed the sum of \$375.

Effective January 1, 1985, the service pension for a previously retired member shall be increased by ten per cent.

A member who is otherwise qualified for a service pension but who has not reached the age of 50 years may retire from the Department without forfeiting the member's right to such pension. Upon the application of such member, the member shall be placed on a deferred pension roll as a deferred pensioner and shall be entitled to receive said service pension upon reaching the age of 50 years and making application therefor.

Upon the request of a retired member and approval of the Board of Trustees, the said service pension may be paid in a lump sum which shall be an amount which is 35 per cent of the annual base service pension provided by these Bylaws for each year of active service in the Fire Department of the City of Brooklyn Center. Said lump sum payment shall be in lieu of all rights to further service pension, surviving spouse's benefits and children's benefits.

Section 3. Spouse's Benefits. Upon the death of a member, the sum of \$300 per month shall be paid to the surviving spouse, if any, during the remainder of the spouse's natural life or until the spouse remarries in which event this pension shall terminate as of the date of the remarriage.

Upon the death of a retired member, a deferred pensioner, or a previously retired member, the surviving spouse, if any, shall, during the remainder of the spouse's natural life or until the spouse remarries, receive a monthly benefit equal to the benefit earned by the member at the time of the member's death.

Persons being paid a spouse's benefit on December 31, 1984 shall receive a monthly benefit increase of ten per cent.

Section 4. Children Benefits.

(1) Upon the death of a member, who is survived by a spouse and children, the sum of 25 per cent of the monthly base service pension per month shall be paid on behalf of each surviving child until each respective child reaches the age of 18 years, provided that the total payment to the surviving spouse and children under Sections 3 and 4 shall not exceed 200 per cent of the monthly base pension per month.

Upon the death of a retired member, a deferred pensioner, or a previously retired member who is survived by a spouse and children, the sum of 25 per cent of the monthly service pension earned by the member at the time of the member's death shall be paid monthly on behalf of each surviving child until each respective child reaches the age of 18 years, provided that the total payment to the surviving spouse and children under Sections 3 and 4 shall not exceed 200 per cent of the member's earned monthly service pension.

(2) Upon the death of a member, who is not survived by a spouse, or upon the death of a surviving spouse; the sum of 50 per cent of the monthly base service pension per month shall be paid on behalf of each surviving child, if any, until each respective child reaches the age of 18 years. In no event shall the total payment to the aggregate of the surviving children under the age of 18 years exceed 200 per cent of the monthly base pension per month.

Upon the death of a retired member, a deferred pensioner, or a previously retired member who is not survived by a spouse, or upon the death of a surviving spouse; the sum of 50 per cent of the monthly service pension earned by the member at the time of the member's death shall be paid monthly on behalf of each surviving child, if any, until each respective child reaches the age of 18 years. In no event shall the total payment to the aggregate of the surviving children under the age of 18 years exceed 200 per cent of the member's earned monthly service pension. received a fellowing

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South of the second of the second Persons being paid a children's benefit on December 31, 1984, shall receive a monthly benefit increase of ten per cent. 30年中,《**国籍的特**尔尔曼》

Section 5. Funeral Benefits. In addition to the other benefits provided herein, the sum of \$2,500 shall be paid to the surviving spouse or representative of the estate of any deceased member, retired member, previously retired member, or deferred pensioner to help defray funeral expenses. Furthermore, the sum of \$500 shall be paid to the spouse or representatives of the estate of former member Torphin E. Johnson, whose membership was severed by virtue of reaching the maximum age limitation prior to achieving 20 years of service and prior to the enactment of the Brooklyn Center Fire Department Pension Law of 1967.

Section 6. Early Retirement or Severance.

- (1) Upon application therefor, an early retired member who has performed service in the Fire Department of the City of Brooklyn Center for more than 10 years, but less than 20 years, when the firefighter's position is eliminated or the firefighter becomes physically or mentally disabled so as to be incapable of performing service in the Department, or when the firefighter resigns in good standing from the Department, shall be paid a monthly service pension commmencing when the firefighter reaches the age of 50 years, the amount of said service pension to bear the same proportion to the amount of the pension the firefighter would have received if the firefighter had served 20 years as the firefighter's years of service bear to 20 years of service, or alternatively, may be paid a lump sum service benefit after the firefighter has reached the age of 50 years, which service pension shall be an amount which is 35 per cent of the annual base service pension provided by these Bylaws for each year of active service in the Fire Department of the City of Brooklyn Center. The provision of this subdivision (1) shall apply retroactively to any such early retirement effected after June 12, 1967; provided, however, that benefits shall not be paid retroactive from February 15, 1968.
- Upon application therefor, a surviving spouse's benefit, children's benefit and funeral benefit shall be paid pursuant to the provisions of Section 3 and 4 in respect of an early retired member who had performed service in the Fire Department of the City of Brooklyn Center, Minnesota, for more than 10 years but less than 20 years, when the firefighter's position was eliminated or the firefighter became physically or mentally disabled so as to be incapable of performing service in the Department, or when the firefighter resigned in good standing from the Department; the amount of such benefits the firefighter would have received if the firefighter had served 20 years as the firefighter's years of service bear to 20 years service. The provisions of this subdivision (2) shall apply only to such early retirement effected subsequent to June 12, 1967; provided, however, that benefit payments shall not be paid retroactive from February 15, 1968.

Section 7. Payments Exempt. No payments of benefits made or to be made by the Association as provided herein shall be assignable or subject to judgment, garnishment, execution or other legal process.

ARTICLE VII. APPLICATION FOR BENEFITS

1987 July 18 18 18

1. (SAN - 1930) - 1600-1.

Section 1. Form. All applications for benefits shall be made in writing on forms supplied by the Secretary.

annual base service pension provided by these Bylaws for each year of active service rendered in the Fire Department of the City of Brooklyn Center prior to such discontinuance and abolition, except that members with 10 or more years of service shall have vested pension rights.

Section 2. Credit for Time with Volunteer Fire Department. In the event that the City of Brooklyn Center shall convert to a full-time paid Fire Department, and any volunteer firefighter should become a full-time firefighter, the firefighter's volunteer time shall apply towards the firefighter's retirement under the terms of the full-time retirement program of the City; provided, however, that benefits shall be determined on a pro rata so that volunteer benefits are paid for the time worked as a volunteer, and benefits under the full-time retirement program of the City shall be paid for the time spent as a paid firefighter.

ARTICLE IX. INCREASE IN BASIC PENSION

Section 1. Amendment of Bylaws. In the event of the amendment of these Bylaws in a manner so as to increase or improve any pension or benefit described herein, then the retired members, early retired members, surviving spouses or surviving children who are at the time of the amendment receiving a pension or benefit pursuant to these Bylaws shall be entitled to the advantages afforded by such an amendment unless otherwise specifically provided in these Bylaws. The benefits of the Bylaws as approved by the City Council on January 22, 1969, shall be paid retroactively to February 15, 1968, insofar as surviving spouses or surviving children who are receiving benefits as of the effective date of these Bylaws.

ARTICLE X. EFFECTIVE DATE

Section 1. The effective date of these Bylaws shall be established as January 22, 1969. The effective date of the benefit changes contained in the amendments approved by the City Council on May 22, 1978 shall be July 1, 1978. The effective date of the benefit changes contained in the amendments approved by the City Council on January 26, 1981 shall be January 1, 1981. The effective date of the benefit changes contained in the amendments approved by the City Council on December 17, 1984 shall be January 1, 1985.

Bylaws Approved by City Council Resolution No. 69-38, January 22, 1969
Amendment Approved by City Council Resolution No. 70-39, March 30, 1970
Amendment Approved by City Council Resolution No. 74-36, February 25, 1974
Amendments Approved by City Council Resolution No. 78-94, May 22, 1978
Amendments Approved by City Council Resolution No. 81-29, January 26, 1981
Amendments Approved by City Council Resolution No. 84-188, December 17, 1984

ANTONA RICHARDSON

ow many American cities of 85,000 population are protected by fully volunteer fire departments? How many of these, if any, boast Class 3 Fire Insurance ratings? How many have \$26 per capita fire department budgets?

Bloomington, Minnesota fills that unique position thanks to its 141-member fire department where firefighters get \$2 a call and the chief

gets no more.

The Bloomington Fire Department has had only three fire chiefs during its 40 year history. Ulysses S. Seal, 29, became its fourth chief when he was elected by department members in June. The 11-year Bloomington

Fire Department veteran is also a member of the Minneapolis Fire Department where he is a captain.

Seals says, "It's the men who make the department outstanding—their enthusiasm, willingness to put in long hours training and on departmental activities, and to respond to up to 850 runs a year. They receive no pay for training, meetings or other time spent on departmental duties and projects."

It can be argued that the department maintains its reputation for excellence by confining itself to doing what it does best—fighting fires and providing heavy duty rescue. While other volunteer departments are expanding into emergency medical services, fire inspections and code enforcement, in Bloomington these activities remain the responsibility of other city departments—and the fire department wants to keep it that way.

Bloomington is justifiably proud of

family residences, apartments, and vehicle fires. Seal says "We're extremely fortunate that building inspection and code enforcement are pro-fire safety, so that 98% of our high rises are sprinklered and pressurized."

Where the state's Uniform Building Code does not require automatic sprinklers. Bloomington has persuaded many owners to install them anyway. System-type fire alarms are required in all apartments of more than two stories and 15 units.

Enforcement of the Minnesota Uniform Fire Code is the responsibility of the Fire Prevention Division, a part of the Department of Community Development, not the Bloomington Fire Department. The department also administers the Planning, Building and Inspection, Housing and Redevelopment, and Environmental Health Divisions. Bloomington Fire Marshal Richard Braun sees his division's

Bloomington F.D.

-class 3 and proud of it!

its Class 3 rating, shared in Minnesota only with Minneapolis, St. Paul and Rochester, all of which are full-paid fire departments. "The most bona-fide recognition that volunteers can do the job is our Class 3 rating," says Fred Fuecker, 1st deputy chief. A well-worn copy of the March 1986 letter from the Commercial Risk Services (formerly ISO) which announced the new rate is tucked carefully into his wallet.

Bloomington has mushroomed from a semi-rural village of about 10,000 population when the fire department was organized in 1947, to its current status as Minnesota's third largest city. About 10 miles long by four wide, it is located near the hub of the Twin Cities Metro area, an urban core of seven counties and 104 municipalities with a population of two and one-half million. Interstate freeways 35W and 494 intersect near the center of Bloomington, which shares borders with Minneapolis, the Minneapolis-St. Paul International Airport, and a cluster of other large suburbs.

Fire Prevention

As in most communities, a large portion of the fire runs are for single placement as a distinct plus over an arrangement where a fire department fire prevention bureau is organizationally and physically separated from other city offices.

Deputy Chief Fuecker is a full time inspector in the city's Fire Prevention Division, and attends the regular management meetings. From his dual perspective he can give expert advice on potential problems concerning fire department access, fire department connections, and hydrant locations, and suggest changes which will be of benefit to the department.

The fire department has assumed responsibility for public school fire safety programs, and works with second and fourth grade teachers to supplement the Learn Not To Burn curriculum. Each fire station has a volunteer assigned to offer in-station "hands-on" educational programs for groups touring the station.

Organization/Equipment

As do other municipal departments, the fire department receives full city financing of capital, operating and administrative costs, and the city owns the department's buildings, apparatus and equipment. But the department has almost complete au-

tonomy in that it runs its own affairs, hires and fires its own members, and promotes and elects its own chief—who then is appointed by and reports to the city council.

The chief administers the department with a staff of three deputy chiefs: the first is responsible for administration; the second, training and tactics; the third, apparatus and equipment maintenance. Three district chiefs oversee the six stations which house ten engine and six ladder companies, under 16 captains.

The department has 12 pumpers, four 100' aerials, a 75' aerial platform, four brush trucks, a salvage truck, a 4x4, four chiefs' squads, a Haz Mat command vehicle, two boats and SCUBA gear for the 15 trained divers on the department. All ladder trucks carry a Hurst tool. Two mobile digital terminals are being installed in two squads this year, with three more planned for 1988.

To provide a response of 30 to 40 men at daytime structural fires, four stations are called out. A three-station call-out at night brings a response of 50 to 60 men. Average response time from receipt of call to arrival at the incident is 4.3 minutes or less. Engine companies run with a minimum of four, and usually five men; ladder trucks with four to six. All men report to their station, and all who are available are expected and encouraged to respond.

Department regulations require response to an average of 30% of the calls over a six month period. Members may be dropped if they fail the six month requirement without valid excuse.

That more men turn out than may be needed causes no problems for John Pidgeon, long-time Bloomington City Manager. "The money we save by having a volunteer department is important," he says. "but what's more important is the tremendous turnout we get whenever there's a fire. The service is better than we could possibly have with a paid department."

Recruitment

Twenty rookies joined the department in April, replacing 14 retirees. Potential recruits living within a desirable response distance (six blocks) of a station and available during the hours needed were interviewed. "We specifically ask what their wife and/or

family thinks of them making such a time commitment," says Training Chief Craig Gerdes. "Most of the time when we lose recruits it's because they don't realize what a total commitment is required—how much time is involved."

'Pensions keep men in the department, and our rigid training and other requirements keep them on their toes.'

Candidates who were successful in the oral interview then took a physical agility test and medical examination and were placed on six months probation. They will be subject to review and vote of the members at the end of that time. All recruits were provided with pagers and work uniforms, and after one year, will receive dress uniforms.

Training

New members attend two and onehalf hour rookie training classes weekly during their first year, under direction of Gerdes. The training sessions are based on NFPA 1001 Objectives for Firefighter I.

In addition to their rookie class, recruits must attend the regular departmental training sessions, two and one-half hours weekly year round. The first two weeks of the month are devoted to in-station drills. Gerdes provides lesson plans geared to NFPA 1001 which "standardizes the training department-wide and frees the captains to concentrate on instructing," he says. The third week is a business/training meeting for all members. The fourth week is a department-wide drill held at the headquarters station.

In-station drills are scheduled at three different hours on training day to accommodate work shifts. Department-wide drills are scheduled twice. Members must submit written excuses within 24 hours of missing a drill, and three consecutive unexcused absences are grounds for automatic dismissal.

Pensions

Why is Bloomington able to retain its members despite the demands it makes of them? Much of its success is due to its generous retirement plan. At age 50 and after 20 years service, members are eligible for a monthly pension equal to one-third of a police officer's salary. An additional "split the pot" lump-sum pension is financed by departmental fund raisers.

Currently, retirees' monthly annuity is \$900 and the lump-sum payment is \$24,000 for a 20-year member—powerful incentives to stay on the force.

Retired Assistant Chief Gus Welter, president of the Fire Department Relief Association for 30 years, masterminded the negotiations for the pension which required special state legislation, passed in 1965. Since it worked for industry, he thought it worth trying so as to keep men on the force. The results speak for themselves.

Says Welter, "The Pension worked as planned. The fact that the annuity is totally deferred with no vesting until the 20th year means that once a member has a certain amount of time in, he can't allord to quit, and turnover has been negligible." The lump-sum vests immediately at the rate of \$100 per month of service.

"Pensions keep men in the department, and our rigid training and other requirements keep them on their toes," Welter concludes. The system also ensures a continuous influx of younger members since retirement is such an attractive option.

Finances

Of the \$2.2 M the city budgets for the fire department, \$1.4 M is allocated to the pension fund. In addition, Bloomington receives about \$160,000 State Aid annually dedicated to retirement. Members contribute \$144 per year. The lump-sum payments are financed by donations to the department, an annual Firemens' Dance, and a Softball Tournament which the department has sponsored for over 20 years.

"This is a fun thing to put on," says Chief Seal, "a good money-maker and also a lot of work." The three day event attracted 118 teams from throughout the upper midwest in 1986. "The tourney is a way to draw the members and their families together, and showcase the department in an event which the whole area enjoys," adds Seal.

In summary, Bloomington has retained its volunteer status through a period of growth that historically has resulted in a transition to a paid department. It has attained a Class 3 Fire Insurance rating which attests to its proficiency in fire prevention and control, and has done this at an enviably low per-capita cost.

These accomplishments are not due to any startling innovative measures in administrative or operating procedures, but rather to rigorous attention to all details important to maintaining a superior firefighting force.

From Chief Fire Executive

CHAPTER 423A

POLICE AND SALARIED FIREFIGHTERS' RELIEF ASSOCIATION

423A.19 Reduced vesting requirement.

423A.19 REDUCED VESTING REQUIREMENT.

Subdivision 1. Reduced vesting. Notwithstanding any law to the contrary, for a police or salaried firefighters relief association that implements the provision with municipal approval as provided in subdivision 4, a person with at least five years of service credited by the relief association is entitled, upon termination of active service and reaching at least the required normal retirement age, to receive a pro rata monthly service pension. The pro rata monthly service pension must be calculated in the amount and manner specified by the board of trustees, but not to exceed that portion of the service pension payable upon meeting the minimum age and years of service requirements that bears the same relationship that the person's actual years and portions of years of service bear to the minimum service requirement.

Subd. 2. Survivor benefit coverage. A person entitled to or receiving a reduced vesting service pension as provided in subdivision 1 is entitled to surviving spouse benefit coverage, surviving child benefit coverage, or both, if all other qualification requirements are met. The survivor benefit must be calculated in the amount and manner specified by the board of trustees, but not to exceed that portion of survivor benefit payable to a survivor of a deceased retired member who had met the minimum years of service requirement that bears the same relationship that the actual years and portions of years of service of the person bear to the minimum service requirement for a service pension.

Subd. 3. Postretirement adjustments. A reduced vesting service pension as provided in subdivision 1 or a survivor benefit payable on behalf of a deceased person entitled to or receiving a reduced vesting service pension as provided in subdivision 2 is entitled to postretirement adjustments if the comparable pension or benefit payable when the full minimum service requirement has been met is subject to postretirement adjustments. The postretirement adjustment must be the same percentage increase as the postretirement adjustment for the comparable pension or benefit payable when the full minimum service requirement has been met.

Subd. 4. Implementation. The reduced vesting requirement must be implemented by a local relief association through an amendment to the bylaws of the relief association with approval by the governing body of the municipality as required by section 69.77, subdivision 2i. The bylaw amendment may not be effective until a certified copy of it and the municipal approval has been filed by the municipal clerk with the executive director of the legislative commission on pensions and retirement, the state auditor, and the secretary of state.

History: 1987 c 372 art 9 s 36

FIREFIGHTI

424.04 Members.

424.04 MEMBERS.

Subdivision 1. Paid 424.03, shall be eligible to which the person is employ Any firefighter desiring to be when the person is regula written application for meassociation, accompanied bylaws of the association. of the association shall malt he secretary of the association within six months from t department.

Subd. 2. Volunteer fire for membership in the relief associated days from the date on which No application from a per 424A.01, subdivision 1 or risk pursuant to section 42. The application shall be act on which the person comm

History: 1987 c 372 ar

424.27 PAYMENTS EXI

All payments made or provisions of sections 424 execution, or other legal p 518.611. No persons entitl nor shall the association has on account thereof. Any at shall be void.

History: 1987 c 157 s .

NEW HOPE

VOLUNTEER FIREMAN'S

RELIEF ASSOCIATION

1987

Section 4. A majority of the board of trustees then in office, and 30% of the members of the association shall constitute quorums for the transaction of business at their respective meetings. Less than a quorum may adjourn a meeting to a future time, which the Secretary shall make known to the affected members.

Section 5. All reports and resolutions shall be submitted in writing and no report shall be accepted unless it is the report of a majority of a committee, provided, however, that a minority shall be permitted to present its views in writing.

Section 6. All meetings shall be conducted according to Robert's Rules of Order, as revised.

Section 7. The order of business shall be:

- 1. Call to order.
- 2. Roll call.
- Reading of minutes of previous meeting.
- 4. Secretary's report.
- 5. Treasurer's report.
- 6. Committee reports.
- 7. Unfinished business.
- 8. New business.
- 9. Election of officers or trustees.
- 10. Adjournment.

Section 8. Each member who is currently in good standing and who is present at a meeting shall be entitled to one vote on any matter voted upon by the members at such meeting. The act of a majority, provided a quorum is present, shall be the act of the board of trustees or of the membership at their respective meetings, unless the approval of a greater number is required by law or by these bylaws.

ARTICLE V

FUNDS

Section 1. The funds received by this association from dues, fines, application fees, entertainments and other miscellaneous sources shall be kept in the General Fund of the association on the books of the Secretary and the Treasurer. The General Fund shall be segregated into two separate accounts:

- (a) General Fund Lump Sum Pension Account. This account shall consist of all dues, fines, and a sufficient portion of other fund raising sources to maintain this account at 100% of its accrued liability. This account shall be dedicated exclusively to payment of benefits as determined in Article X, (General Fund Lump Sum Pensions) of these bylaws.
- (b) General Fund Operating Account. This account shall consist of that portion of General Fund income, not attributable to dues and fines, which exceeds the financial requirements of the Lump Sum Pension Account. This account may be expended for any purpose reasonably related to the welfare of the association or the New Hope Fire Department, upon the approval of 2/3 of the members present and voting at any regular or

date when the member became an active firefighter in said Fire Department. If a member's period of active service has not been continuous, parts of years shall be added together to compute full years. All leaves of absence of more than 90 days, except as such are granted to a member because of his disability due to sickness or accident, shall be excluded in computing the period of active service time.

ARTICLE VII

SICK AND DISABILITY BENEFITS

Section 1. A member of the association who is on active duty in the New Hope Fire Department, who becomes sick or disabled to the extent that he is unable to perform any of the duties of his regular occupation, and who is under the care of a physician, for 7 consecutive days or more, shall be entitled to a benefit of \$35.00 per week, commencing with the 8th day of such illness or disability, but the total amount of temporary disability payments for any one illness or disability shall not exceed \$1,820.00. Applications for short term disability benefits shall be made by or on behalf of the applicant within 10 days after the disability commences, and no disability benefits shall be paid for a period which covers more than 3 days before the application is made.

Section 2. If a member of this association shall become totally and permanently disabled, to the extent that a surgeon or physician acceptable to the board of trustees shall certify that such disability will permanently prevent said member from serving as an active firefighter in the New Hope Fire Department, the association shall pay each month to such member during the period of such total disability the sum of \$15 for each year that the member served as an active firefighter in the New Hope Fire Department. If such total disability continues to the time when the member reaches the age of 50 years, the disability benefit shall be converted to a service pension, the amount of which shall be calculated according to the number of years that the member served as an active firefighter in said fire department. A totally disabled member shall have the right to select and receive a lump sum disability pension of \$2,350 for each year of active service in lieu of a monthly disability pension. If a member who has received a lump sum disability pension recovers and returns to active duty, any amount paid as a disability pension shall be deducted from a future service or disability pension.

ARTICLE VIII

DEATH BENEFITS

Section 1. Upon the death of any member of the association who at the time of death is an active firefighter in the New Hope Fire Department, the association shall pay to the named beneficiary, or if there is no named beneficiary, to the surviving spouse, or if there is neither a named beneficiary nor a surviving spouse, to the estate of such deceased member, the sum of \$2,350.00 for each year of active service which the deceased member performed in the New Hope Fire Department to a maximum of 30 years, but in no case shall such death benefit be less than \$11,750.00. Upon the death of a retired member who was receiving a monthly pension at the time of death, the association shall pay to the named beneficiary, or the surviving spouse, or the estate of such deceased member, the sum of \$150 for each year of active service which the deceased member performed in the New Hope Fire Department.

ARTICLE X

GENERAL FUND LUMP SUM PENSION ACCOUNT

Section 1. When a member separates from active duty in the New Hope Fire Department by reason of resignation, retirement, discharge or death, the association shall, from its General Fund Lump Sum Pension Account, pay to such member or his survivors a sum calculated according to the following table:

7 8 9 4 4 9 5 5 10 10 5 11 1 1,2 11 1,3 1,4 1 1,5 15 16 17 17 18 19 19 19 19 19 19 19 19 19 19 19 19 19	
7 8 9 10 10 11 11 12 12 13 13 14 14 15 15 16 16 17 17 18 19 20 20 3,15 20 21	50.00
8 9 10 5 10 5 10 11 1,2 11 1,2 12 1,3 13 1,4 14 1,5 15 1,6 15 16 17 17 18 19 19 19 19 19 19 19 19 19 19 19 19 19	00.00
9 10 5 10 11 1,2 11 12 1,3 13 14 1,5 14 15 1,6 15 16 2,5 16 17 2,7 18 19 20 3,15 20 21 3,40	50.00
10	00.00
11 12 12 1,3 13 1,4 14 1,5 15 16 16 17 17 18 18 2,8 19 3,00 20 3,15 20 21	50.00
12 13 1,3 1,4 1,5 1,5 1,6 15 1,6 15 16 2,5 17 18 2,8 19 20 3,15 20 21 3,40	00.00
13 14 1,5 1,5 1,6 15 1,6 15 1,6 16 17 2,7 18 2,8 19 20 3,15 20 21 3,40	00.00
14 15 15 1,6 16 2,5 17 18 18 19 19 3,0 20 3,15 20 21 3,40	00.00
15 16 2,55 16 17 2,70 17 18 2,85 19 20 3,15 20 21 3,40	00.00
16 17 2,55 17 18 2,85 18 19 3,00 20 21 3,40	00.00
17 18 2,70 18 19 3,00 19 20 3,15 20 21 3,40	50.00
18 19 3,00 19 20 3,15 20 21 3,40	00.00
19 20 3,00 20 21 3,40	0.00
20 21 3,10	0.00
3.40	0.00
	0.00
3.55	0.00
3.70	0.00
24 3.85	0.00
25 4.00	0.00
25 26 4.25	0.00
27 4.40	0.00
28	0.00
29	0.00
30 4.85	0.00
JU OF MOTO VORTE	0.00

ARTICLE XI

OPTION IN LIEU OF MONTHLY PENSION AND EARLY VESTING PROVISION

Section 1. If a member shall have served for ten years or more, but less than 20 years, as an active firefighter in the New Hope Fire Department, he may retire from said Fire Department and be placed on the early vested pension roll. When he reaches the age of 50 years, and provided that at that time he has been a member of the association for at least 10 years, he shall, upon application therefor, be paid in the following manner: (These amounts are based on the reduction factors contained in Minn. Statutes 424A.02, subd. 2, for a lump sum pension of \$2,350 per year of active service, OR a monthly pension of \$15 per year of active service, after 20 years of service.)

TO:

Jerry Dulgar, City Manager

FROM:

Bill Monk, City Engineer

DATE:

8/10/88

SUBJECT:

mond

Bids for Reroofing Utility Garage

As a part of the 1988 Budget, \$30,000 was targeted within the City's PIR Fund to finance reroofing and mechanical improvements at the Sewer and Water Maintenance Garage. Consistent with the budget authorization, bids were solicited for the reroofing work and are tabulated in the attachments furnished by the City's consultant on this project, Inspec, Inc.

Consistent with the consultant's report, this office recommends award of the utility garage reroofing project to the low bidder, Palmer West Construction Co. in the amount of \$15,825.00.

M I N N E A P O L I S , M N . 5616 Olson Memorial Highway 55422 612-546-3434 S A L T L A K E C I T Y , U T . 4015 South Howick Street 84107 801-266-9381

August 10, 1988

City of Crystal 4141 Douglas Drive North Crystal, MN 55422-1696

Attn: William Monk

Public Works Director

RE: 1988 Reroofing at

Sewer and Water Maintenance Building

City of Crystal

Dear Mr. Monk:

Bids were received for the reroofing of the above building on August 9, 1988. (see attached bid tabulation). Bids were received from eight commercial roofing contractors and the low bidder was Palmer West Construction Company at \$15,825.00.

Palmer West Construction Company provided the reroofing of the Crystal Municipal Building back in 1983 and there performance was considered very good. Palmer West Construction Company has provided the reroofing on other projects for which INSPEC has provided the engineering services and we found there personnel to be cooperative and their workmanship to be good.

Based on the above information, we would recommend the City of Crystal award the 1988 reroofing at the Sewer and Water Maintenance Building to the Palmer West Construction Company. If you should have any questions, please feel free to call.

Very truly yours,

LENDON WPHINS

Richard W. Phillips

Vice President

RWP/sm

BID TABULATION

OWNER: CITY OF CRYSTAL

PROJECT: 1988 Reroofing at Sewer and Water Maintenance
Building
BID DATE: August 9, 1988 TIME: 2:00 p.m.



5616 Olson Memonal Highway - Minneapolis, Minnesota 55422 - (612) 546-3434

CONTRACTOR	ADDENDA	BID BOND	BASE BID	3				
Palmer West			\$15,825.00					
American Roofing	,		\$16,787.00					
C.V. Nielsen			\$16,800.00			1 - 13		
Ettel and Franz			\$17,423.00					
Zenith Roofing			\$18,500.00					
J.A. Dalsin		61	\$18,890.00					
Technical Applicator		Term.	\$19,090.00					
Faircon Roofing			\$19,266.00					
							-4	
		7 1 3		**		W P	3	

TO: Planning Commission

FROM: Bill Monk, City Engineer

DATE: August 2, 1988

RE: Beelen Addition Final Plat

The Beelen Addition final plat has been submitted for approval. The final document is consistent with the preliminary plat which was approved by the Planning Commission on June 13 and the Council on July 5. The plat allows division of an existing lot along the common wall of a duplex at 3836-38 Douglas Drive.

As a condition of preliminary plat approval the following three requirements had to be met:

- The common wall be upgraded to conform with current building code requirements prior to execution of the final plat.
- 2) Either a separate sewer service for each lot or an agreement for maintenance responsibility of the common service be provided prior to execution of the final plat.
- 3) Prior to final plat approval a standard maintenance agreement be filed regarding mutual upkeep of the building and grounds.

The upgrading of the common wall, as noted in condition #1, has been completed and inspected by the Building Department. Provisions of conditions #2 and #3 will be met with execution of the attached maintenance agreement. Recording of the document will then be required as the plat is filed with the Hennepin County Recorder's Office.

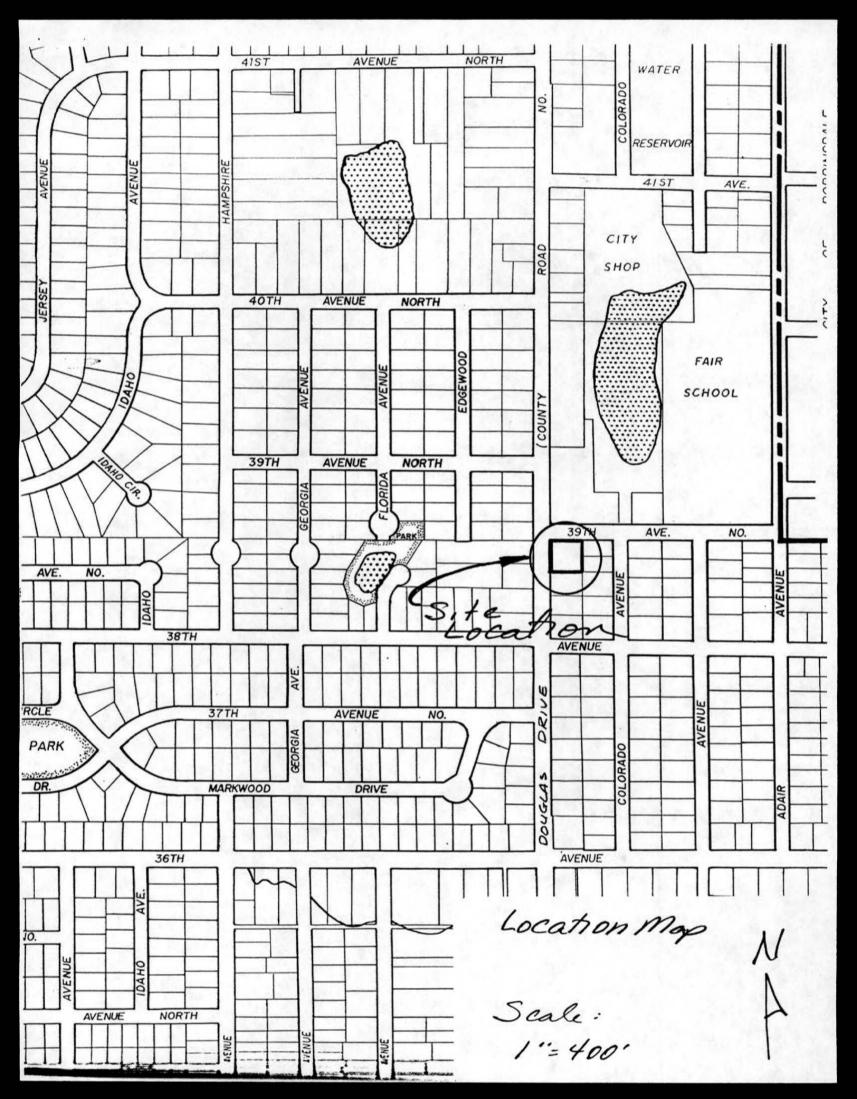
Based on the items noted above, approval of the final plat of Beelen Addition is recommended.

WM:jrs

Encls

8/10/88 UPDATE

On August 8 the Planning Commission recommended approval of the final plat conditioned upon the City Attorney's review of the sewer and maintenance agreement.



NORTH AVENUE 00 S88°54'42"E 133.53-66 Easement T NO. 102 North ORIVE 5- Oronoge & Utility COUNTY ROAD 50 -133.53-N88°54'42"W Proposed Let Division

SANITARY SEWER EASEMENT, MAINTENANCE AGREEMENT, COVENANTS AND RESTRICTIONS

This indenture made this ____ day of July, 1988, by and between Maria A. VanZelst, unmarried, party of the first part, and Frank G. Beelen as Personal Representative of the Estate of Gysbertus Beelen, deceased, Franciscus W. Beelen, unmarried, Jacobus G. Beelen, unmarried, Adriana P. Beelen Kolb and Joseph Kolb, her husband, parties of the second part, witnesseth:

Whereas the parties hereto are the owners in fee simple of Units 1 and 2, Condominium No. 281, Beelen Condominiums, which are situated on Lot 1, Block 1, Beelen Addition, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, and

Whereas the parties hereto are desireous of terminating Condominium No. 281, Beelen Condominiums and holding title to said Lot 1, Block 1, Beelen Addition, free and clear of all covenants, restrictions and provisions of the Declaration therefore dated July 16, 1981, recorded Oct. 6, 1981, in the office of the County Recorder of Hennepin County, Minnesota, as Document No. 4675714, and the provisions of Chapter 515A.2 Minnesota Statutes, known as the Uniform Condominium Act, and

Whereas the sanitary sewer connection for both residential units located upon said lot is constructed from the south unit in a northwesterly direction as portrayed in

in Exhibit "A" attached hereto and by this reference made a part hereof, to join the sanitary sewer line from the northerly residential unit, and from which point a joint sewer line runs westerly to connect with the public sewer main located in the public street, and

Whereas it is the intention of the parties hereto that the present and future owners, their heirs, administrators, executors, and assigns and persons in possession of said premises as agents, tenants or licensees of them shall have a right to continue to use said sanitary sewer connection to the public sewer mains in the public street and shall be jointly responsible to the repair, replacement and maintenance thereof and that the owners of each unit shall contribute equally to all costs and expenses in connection therewith, if the trouble occurs in that portion of the sewer between the sewer main in the public street and the "Y" where the sewer connection from the south unit connects with that portion of the sewer, and

Whereas the parties hereto contemplate replatting said Lot 1, Block 1, Beelen Addition, so that the north portion of said Lot 1 will be divided from the south portion in the replatting,

Now therefore the parties hereto agree as follows:

1. In consideration of the sum of \$1.00 and other good and valuable consideration the parties hereto do hereby grant to the owner or owners of Lot 1, Block 1, Beelen 2nd

Addition, and the heirs, administrators, executors and assigns of said lot the right using said sewer connection to the public sewer main, together with the right to make and at all times repair and maintain all such commections aith the said sewer as may be reasonable and proper including necessary excavating, making good nevertheless, at his own expense, all damages or disturbance which may be caused to the land of party of the first part.

- 2. The several owners, mortgagees, occupants and other persons hereafter acquiring any interest in said properties shall at all times enjoy the benefits of, and shall hold their interest subject to the rights, easements and privileges and restrictions herein set forth. All easements and rights described herein are appurtenant, and shall run with the land, perpetually in full force and effect, and at all times shall inure to the benefit of and be binding upon the parties hereto, their successors and assigns and their heirs, executors and administrators.
- 3. The residential unit located upon each lot as replatted shall be used exclusively for private residential purposes and the owners of each unit shall not do, place, install or erect therein anything that would impair the structural integrity of the building or of either unit thereon nor shall anything be done therein which will or may become an annoyance or nuisance to the other occupants of said lots. Northing shall be done or kept in any unit which is considered extrahazardous or will increase the insurance rates or premiums

without the prior written consent of the owners of the other unit, nor shall any pets, animals or birds be kept, raised or bred in any unit that isyor becomes obnoxious, annoying or offensive to owners or occupants of the other unit.

- 4. No portion of the exterior of the residential units located upon said lots shall be structurally changed, nor by the change of exterior, including the roof, materials, color or design without the witten consent of the owners of the other lot in the replat.
 - 5. The owner or owners of each lot within the replat shall promptly perform all maintenance and repair work within their unit and upon their lot, which if ommitted would endanger the use of, or cause damage to the other unit or lot and the owners of each unit shall be responsible for any damanges and liabilities that their failure to do so may cause to occur. All repairs and maintenance of internal installations or portions of a unit shall likewise be promptly performed which if ommitted would endanger the use of or cause damage to the other unit or lot.

IN TESTIMONY WHEREOF, the undersigned owners have executed this instrument for the purposes therein stated this _____ day of July, 1988.

FRANK G. BEELEN, as personal representative of the Estate of Gysbertus Beelen

AVENUE S88°54'42"E -133.53 ewer Service 66 3. Oranoge & Willy Easement) COUNTY —133.53 — N88°54'42''Y 66 Present Secre in Red

NOTE Building shown a

Donohue

TO: Planning Commission

FROM: Bill Monk, City Engineer

DATE: July 7, 1988

RE: Variance Procedure for Non-Conforming Lots &

Structures in R-1 District

As discussed briefly at the last Commission meeting, an ordinance amendment is being proposed by staff that would eliminate the need for variances on R-1 property involving non-conforming uses in the following situations:

- A platted lot of record with dimensional or area deficiencies, but where a structure could be erected meeting all ordinance setback requirements.
- Expansion or enlargement of an existing non-conforming structure as long as the new construction meets all present ordinance requirements.

The intent of the ordinance change is proposed to take into account the numerous non-conforming situations created as zoning ordinance requirements were revised over the years. Staff will be prepared to review the details of the ordinance amendment on Monday night.

WM:jrs

Encl

8/10/88 UPDATE

On August 8 the Planning Commission acted to recommend approval of the attached ordinance amendment.

ORDINANCE NO.

AN ORDINANCE

RELATING TO ZONING: AMENDING CRYSTAL CITY CODE (APPENDIX I - ZONING) SUBSECTION 515.05, SUBDIVISION 2: SUBSECTION 515.55, BY ADDING A SUBDIVISION; REPEALING SUBSECTION 515.55, SUBDIVISIONS 9 AND 11.

THE CITY OF CRYSTAL DOES ORDAIN:

- Section 1. Crystal City Code (Appendix I Zoning) Subsection 515.05, Subdivision 2, is amended to read:
- Subd. 2. Except as provided in Subsection 515.55, Subdivision 12, any non-conforming structure or use lawfully existing on the-effective-date-of-this-code February 15, 1976 shall may not be enlarged but may be continued at the size and in the manner of operation existing upon-such on that date except as hereinafter otherwise specified in this code or-subsequently-amended.
- Sec. 2. Crystal City Code (Appendix I Zoning), Subsection 515.55 is amended by adding a subdivision to read:
 - Subd. 12. Special Circumstances: No variance. Where:
 - a) a parcel of land in a R-l District was a separate platted lot of record on February 15, 1976; and
 - b) the land or the structure or either or both the land and structure are non-conforming within the meaning and definition of the City code and the zoning code; and
 - c) the existing non-conformity is less than 50% of current ordinance requirements; and
 - d) the City Manager recommends to the Council in writing that the construction or enlargement of the non-conforming structure or expansion of the non-conforming use would not affect the public health or safety;

the use of the non-conforming parcel or the enlargement or expansion of the non-conforming structure does not require a variance under the provisions of this section if the structure after construction, enlargement or expansion otherwise complies with all requirements of the City Code and the Zoning Code.

Sec. 3. Crystal City Code (Appendix I - Zoning) Subsection 515.55, Subdivisions 9 and 11 are repealed.

Sec. 4. The ordinance is effective in accordance with Crystal City Code, Subsection 110.11.

	Mayor
Attest:	
Clerk	

00110D02.F16

LeFevere Leffer Kennedy O'Brien & Drawz

a Professional Association

2000 First Bank Place West Minneapolis Minnesota 55402

August 9, 1988

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

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 Steven B. Schmidt John G. Kressel James M. Strommen Ronald H. Batty William P. Jordan William R. Skallerud Rodney D. Anderson Corrine A. Heine David D. Beaudoin Steven M. Tallen

Mary Frances Skala Leslie M. Altman Timothy J. Pawlenty

Rolf A. Sponheim

Karen A. Chamerlik

Paul D. Baertschi Arden Fritz

Julie A. Bergh Darcy L. Hitesman David C. Roland

Clayton L. LeFevere, Retired Herbert P. Lefler, Retired Mr. James F. Mossey Chief of Police City of Crystal 4141 Douglas Drive North Crystal, MN 55422-1696

Re: Crystal Skateboard Ordinance

Dear Chief Mossey:

Your request for preparation of a skateboarding ordinance has been referred to me. After consultation with Lt. Gautsch and Dave Kennedy, I have prepared the enclosed draft of an ordinance relating to skateboards. This ordinance is designed to meet the various objectives set forth in the informal draft that was submitted with the packet of materials.

After review of this proposed ordinance, please advise me if any changes are required.

Thank you for allowing me to be of assistance to you in this matter. I look forward to hearing from you.

Sincerely,

Lefevere, Lefler, Kennedy,

O'BRIEN & DRAWZ

Paul D. Baertschi

PDB:1mm encl.

cc: Jerry Dulgar, City Manager

David Kennedy

ORD. NO. 88-

AN ORDINANCE RELATING TO SKATEBOARDS: AMENDING CRYSTAL CITY CODE BY ADDING A SECTION.

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. Crystal City Code is amended by adding a new Section 1350 to read as follows:

"Section 1350 - Skateboards

- 1350.01. <u>Definition</u>. A skateboard is a footboard or similar object mounted on wheels and designed or intended to propel a rider by human power or force of gravity but without mechanical assistance. The following are not skateboards: a wheelchair operated by a disabled person, or a scooter with an upright steering handle.
- 1350.03. General purpose. The purpose of this Section is to prevent injuries arising out of the use of skateboards in areas where conditions are such as to present an imminent danger to skateboarders or pedestrians.
- 1350.05. Skateboard regulations. General Rule. Subdivision. 1. It is unlawful to operate a skateboard on a street, alley, sidewalk or parking area within a district zoned B-la, B-1, B-2, B-3 or B-4 unless authorized by a permit granted in accordance with subdivision 7.
- Subd. 2. <u>Streets</u>. It is unlawful to operate a skateboard upon the shoulder or main-travelled portion of a state or county road within the City.
- Subd. 3. <u>Safe operation</u>. It is unlawful to operate a skateboard carelessly or heedlessly in disregard of the rights of others, or in a manner that endangers or is likely to endanger persons, property or the operator of the skateboard.
- Subd. 4. <u>Traffic</u>. It is unlawful to operate a skateboard in a place where the surface or traffic conditions render the place unsafe for skateboarding.
- Subd. 5. <u>Private Property</u>. It is unlawful to operate a skateboard on private property without the prior express permission of the owner of the property.
- Subd. 6. Right of Way. An operator of a skateboard must yield the right of way to any other type of vehicle or a pedestrian while the operator is entering or travelling upon a street, alley, sidewalk or bicycle path.

Subd. 7. Temporary Permit. The owner of property located within a district specified in Subdivision 1 may apply for a temporary permit to allow skateboarding on the owner's property for a special event or during specified hours by applying to the City Manager. If a permit is granted the owner must require appropriate precautions to protect the safety of participants and spectators.

1350.07. Penalties. Person who violates this Section is guilty of a petty misdemeanor and may be fined up to \$50."

Sec. 2. This ordinance is effective in accordance with

Subsection 110.11.	
Adopted this day of	, 1988.
	Mayor
ATTEST:	
Clerk	

(0066SB01M63)



July 27, 1988

Dear City Official:

I wish to extend to you a cordial invitation to attend the League of Minnesota Cities Regional Meeting hosted by the City of New Brighton on Monday, September 12, 1988, at Robert Lee's (Hwy 694 & Silver Lake Road).

The afternoon program, beginning at 2:30 P.M., includes a presentation on personnel issues such as hiring, firing, disciplining, and developing an affirmative action program. From 3:45 - 5:00 P.M., there will be two separate roundtables to discuss the aspects of Minnesota's new property tax system and how your city is progressing with its comparable worth plan.

From 5:00 - 5:30, LMC will provide legislators with a special slide presentation on the "State of the Cities", to include the latest information about the financial status of Minnesota cities such as trends in spending, property taxes, etc. Please personally contact your legislators to urge them to attend so you can discuss these critical issues after the slide presentation.

We will be serving dinner at 6:15 P.M.; the evening agenda will focus on legislative issues of importance to municipalities. City officials will be asked for input for the development of the League's 1989 City Policies and Priorities for Legislative Action. To round out the program, we will be hearing from the Legislators and Legislative Candidates.

To make reservations for your city, please return the enclosed registration form as soon as possible. In case of cancellations, please notify Pat Lindquist (633-1533), by Thursday, September 8. Your city will be billed for those who did not attend and did not cancel by the aforementioned date.

Sincerely,

CITY OF NEW BRIGHTON

Robert J. Benke

Mayor

RJB:pl:jr



LEAGUE OF MINNESOTA CITIES REGIONAL MEETING Monday, September 12, 1988

Registration Form

We will have ci Meeting in New Brighton. We notify you of any changes by	agree t	o pay fo	r the meal	s unless	nal we
Names/Titles of persons atte	ending: _				-
	* - 1 · 1		1		-
		78			
Person making reservation: _					-
City:	I	Phone:			_
Number of attendeesx	\$12.00 =	= \$		(enclose	ed)
Please make checks payable with your registration form	to City	y of New	Brighton,	and re	curn
Pat Lind	danist				

Pat Lindquist CITY OF NEW BRIGHTON 803 - 5th Avenue NW New Brighton, MN 55112

EMPLOYEES PICNIC AUGUST 25, 1988

BASSETT CREEK PARK

Schedule of Events

5:30 p.m. to 6 p.m Arrival and get acquainted

6:00 p.m. to 7 p.m. Dinner

7:00 p.m. to 8 p.m.

Games and activities for adults and children
Police dog demonstration
Freddie the Fire Truck
Volleyball and other adult games
Childrens games

8:00 p.m. to 10 p.m.
Band
(games and activities can continue)

Menu

Hot dogs & brats & polish sausage
Lettuce salad with dressing
Baked beans
Potato chips
Pickles, relish, mustard & ketchup
Brownie
Beverage
(Beer, wine cooler or pop)



(TEAR OFF BOTTOM PORTION)

Sign Up Sheet

Name	
How many adults?	PRICES: Children (through high school) \$1 Adults \$2
How many children?	

(return to Joan Schmidt with remittance BY AUGUST 11TH)

RESOLUTION NO. 88-

RESOLUTION RESCINDING ALL SPRINKLING RESTRICTIONS FOR WATER CUSTOMERS IN THE CITY OF CRYSTAL

WHEREAS, dry weather conditions have abated in terms of the river flow.

WHEREAS, the City of Minneapolis, which supplies water to Crystal, has rescinded all sprinkling restrictions.

NOW, THEREFORE BE IT RESOLVED that the City of Crystal hereby rescinds all sprinkling restrictions effective Wednesday, August 17, at 8 a.m.

Approved this 16th day of August, 1988.

	Mayor	
ATTEST:		
Clerk		

Crystal Park & Recreation Department Monthly Report July 1988

*All numbers are individual registrations unless noted.

ON GOING PROGRAMS: July start.

- Senior Center Activities
 -Membership is: 590. Daily attendance is 50-60.
- Youth Tennis Lessons (Youth/Daytime)
 -Session III: 7 (1987: 15)/Class at North Lions
 -Session IV: 12 (1987: 15)/Class at Becker
- 3. <u>Swim Lessons (Youth/Day & Evening)</u>
 -Session II: 147 (1987: 153)/4 & 5 Yr. olds 30, Beginners 61, Adv. Beginners 27, Int./Swimmers 25, Diving 4.
 -Evening Swim: 16 for 2 & 3 Yr. olds (1987: 11).
- 4. General Swimming (All Age)
 -17,748 (1987: 18,741) Pool closed 3 days for AAU
 Meet in 1988.
- 5. <u>Gymnastics</u> (Youth/Weekdays)-23 registered (1987: 23)/Classes met at Sandburg.
- 6. <u>Adult Tennis Lessons</u> (Adult/Evening)
 -Session III: 8 (1987: n/a)

ON GOING PROGRAMS

1. Senior Center Activities
Welcome - 4
Cribbage - 36
Out-to-Lunch Bunch - did not meet
Hiking - combined with Golden Valley Club
500 (day) - 56
500 (evening) - 40
Scrapbook - 4
Poker for Fun - 21
Bridge (day) - 60
Bridge (evening) - 36
Duplicate Bridge - 36
Special Events:
Canterbury Downs: 45 total

Adult Activities
 Men's Softball League
 Women's Softball League
 Co-Rec Softball League
 Women/Sr. Golf League

Men's Golf League Adult Tennis Leagues Neighborhood Volleyball

3. Youth Activities
Teen Tennis League
Ball/Nite Ball/Ball Skills
Softball
Tiny Tots
Arts & Crafts

Playgrounds: 1987 attendance in (). Forest - 298 (388) Lions Valley PL - 259 (212) Iron Horse (T,TH,F) - 54 (110) Welcome - 253 (168) Yunkers - pots200 (252) Lee (T,TH,F) - 139 (166)N. Bass Lk. (T,Th,F) - 107 (130) Bassett Creek - 274 (212) N. Lions - 201 (280) Broadway - 226 (218) Cavanagh (M, W) - 120 (196) Skyway (T,Th,F) - 113 (125) Cry. Highlands - 100 (110) Twin Oak - 560 (390) Becker (M,W) - 75 (164) Traveling Playg. - 90 (n/a)

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

Playground Events

Track & Field - 80

Como Zoo - 50

Chutes & Ladders - 90 Valley Fair - 35

Twins Game - 88

*TMH-EMH

Softball Permits: 86 (1987: 106)

Picnic Permits: 9 (1987: 16)

Crystal Frolics:

Pool Fun Day - 150 (maximum allowed)

Tennis Tournament - 47 singles/17 doubles teams

Softball Tournament - 52 teams

Kiddie Parade - 100

5K/Fun Run - 55

Senior Cribbage Tourney - 68

Seniors Bridge Tourney - 96

Seniors 500 Tourney - 112

*Tripsters - Coffee Concert

84 total/50 Crystal

*Tripsters - Alaska Trip

18 Tripsters Attended

Puppet Wagon

Becker Concerts:

Becker	Cor	icerts:	
July	4	Nitelites	350
July	7	Westwood Community Bank	140
July	12	Wolverines	250
July	14	Minneapolis Chamber Symphony	350
July	17	Minnesota Sax Quartet	125
July	21	Robbinsdale City Band	200

July 24	Kenwood Chamber Orchestra	110
July 26		125
-	(Crystal Frolics Events below)	
July 28		110
	The Rev-Tunes	500
	Park Avenue	1,200
July 30	Teddy Bear Band	350
	Dorian Brass Quintet	250
	Crystal Talent Search Show	200
	Chiemelewski Funtime Show	1,500
July 31	Terrance Hughes Trio	250
110002	Crystal Queen Pageant	300
	Rockin' Hollywoods (Frolics)	2,500
	Total Attendance	8,810
	Average Daily Attendance	489

CRYSTAL PARK AND RECREATION ADVISORY COMMISSION Minutes

July 13, 1988

The regular meeting of the Crystal Park and Recreation Advisory Commission was called to order at 7:06 p.m. by Chairperson Mark Hoffmann. Members present were:

Ms. Veech, Mr. Carlson, Ms. Reid, Mr. Genis, Ms. Saunders, Ms. Moucha, and Mr. Grimes. Also present were: Mr. Leppa, council liaison, and Mr. Brandeen and Ms. Hackett from the department staff. Also in attendance were residents from Bassett Creek Park.

Mr. Hoffmann gave background information on the outdoor meetings. Introductions were made.

The minutes were approved as sent.

Ms. Hackett reviewed the monthly report highlighting major activities.

Residents from Bassett Creek Park made the following comments:

- Dredge Pond Status Mr. Brandeen reported that this was in the 1988 budget request but not approved. It is in the 1989 request, but has not yet been finalized.
- Creek and Pond Clean-up. This would be a good time with the water level so low.
- Playground Equipment Mr. Brandeen reported that equipment for this park is in the 1989 budget request.
- 4. Check tennis lights to make sure they can't be operated after 10:30 p.m.
- 5. Fee for Picnic Shelter Use Mr. Brandeen reported that there have been a few complaints; however, the charge covers the extra garbage dumping costs incurred.
- 6. Fast moving traffic out of the Welcome parking lot. Residents were informed about petitioning for a stop sign on 32nd and Welcome.

- 7. People in the park past curfew. Residents were asked to call the police as there is an ordinance regarding this matter.
- 8. Stricter enforcement of the animal ordinances needed. Residents were asked to contact the Police Department.
- 9. Lighted Pathways Mr. Brandeen informed residents that this is in the 5-year Plan.
- 10. Purchase of a Cross Country Ski Track Machine Mr. Brandeen told residents that we have a machine and it will be used this winter if the weather is cooperative.
- 11. Favorable comment on the wildlife area.

Mr. Carlson discussed the proposed par 3 - 9 hole golf course. If the Nafstad property could be purchased, the course could be developed into an Executive 9 with a driving range. The existing terrain would be utilized but several of the trees would be lost. Estimated cost: \$278,000. The present Brunswick parking lot would be used. Some residents questioned the value of a golf course over a nature area. Generally, the residents appeared in favor of the project. Resident would like the Nafstad property issue to be settled first. The general feeling was to include that property in the golf course development, then there would be no worries over high density housing. A golf course feasibility study is in the 1989 budget request.

Mr. Brandeen informed the residents about the upcoming Community Center bond referendum for \$2,000,000. More information will be available at a later date.

The Bassett Creek residents were thanked for their attendance.

Mr. Genis reported there was not a Long Range Planning Commission meeting.

Ms. Reid reported on the Crystal Frolics. The Dunk Tank event will be held on Saturday from 3-5 p.m. Several "dunkees" have been lined up for the event. Commission help is needed for the Dunk Tank, Jail, Kiddie Parade, Ice Cream Social and big Parade. Sign-up sheets were distributed. Raffle ticket money is coming in. All other events are set.

Mr. Grimes informed the commission of the MRPA Board and Commission workshop to be held in August. Members wishing to attend are: Mr. Hoffmann, Ms. Reid, Mr. Carlson, Ms. Moucha, Mr. Grimes and Ms. Veech. Members not in attendance will be contacted by Mr. Brandeen.

Mr. Grimes told Mr. Brandeen that NSP will put plastic safety bands on any guy wires if you call them. This should be done at all the parks.

Ms. Saunders reported that the footbridge at North Lions needs repairs.

Ms. Reid asked about the grade on the side of the Becker building. If it was flat, it would be a shady area for spectators.

Mr. Hoffmann asked about a sun canopy. Mr. Brandeen reported that it is being worked on.

Mr. Brandeen reported that 16 Becker benches were sold.

Mr. Leppa suggested that the commission investigate the pull tab operation at Doyle's. The Bowling Proprietors Association is doing the pull tabs now and a certain portion of the money is slated to go back into the community where the bowling establishment is located. Mr. Brandeen will talk to Mr. Dulgar about this.

The next meeting will be Wednesday, August 3 at Lions Soo Line Park. The park dedication will be at 7 p.m. with the commission meeting following. The mayor and council will be invited.

The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Gene Hackett Assistant Director

Ann H. Rest

District 46A Hennepin County Crystal/New Hope

Committees:

Taxes, Vice-Chair Tax Laws Division Judiciary Crime and Family Law Division Future and Technology Metropolitan Affairs Commission on the Economic Status of Women Minnesota Academic Excellence Foundation



Minnesota House of Representatives

Robert E. Vanasek, Speaker

August 8, 1988

Jerry Dulgar, City Manager City of Crystal 4141 Douglas Drive North Crystal, MN 55422-1696

Dear Mr. Dulgar,

Thank you for your recent communication from the City Council (Resolution No. 88-373) regarding the opposition to changes in post-retirement inflator mechanisms for local police and paid firefighters' pension plans. I appreciate the city's concern; this is a complex public policy matter that requires careful deliberation.

I understand that there were a number of proposals introduced last session, but that only the legislation that affects the city of Minneapolis passed and became law. As you know, no post-retirement adjustments will be made without the city's approval. However, before we consider this legislation as precedent setting, I believe we must address all the objections and policy considerations before making statewide changes in local relief associations.

Although I do not serve on the Governmental Operations Committee before which such discussions take place, I am a member of the Tax Committee and am aware of the implications that such pension plan changes might have for property taxes. There are a number of questions that have been raised on both sides of the proposal that must be answered before any legislative decision can be made.

Again, thank you for sharing your concern with me.

Sincerely,

Ann H. Rest

State Representative

2502



Your participation is welcomed.

183 University Ave. East St. Paul, MN 55101-2526 (612) 227-5600 (FAX: 221-0986)

August 8, 1988

To: Delegates Attending the League's 1988 Annual Conference

From: Darlyne Lang, Director, Office/Building Services

Subj: 1989 Conference Planning Committee Membership

As a delegate to the League's 1988 annual conference, your input would provide a valued contribution to planning the 1989 conference. Adding new ideas and insight to the conference planning process, along with letting us know how we can improve the conference is welcomed and appreciated.

The Conference Planning Committee will convene this fall, meeting five or six times prior to the conference. The meetings are initially scheduled monthly, 2-3 hours in length, with the final meeting held at the conference. The 1989 conference is scheduled for June 6-9, at the Hyatt Regency in Minneaplis.

If you are interested, please complete the form below and mail it to my attention.

Darlyne Lang League of Minnesota Cities 183 University Avenue East St. Paul, MN 55101	
I am interested in serving on the	e 1989 Conference Planning Committee
Name: (please print)	Title:
Address:	
City	



BULLETIM

August 5, 1988

TO: MEMBER MAYORS, DELEGATES AND MANAGERS/ADMINISTRATORS

FROM: VERN PETERSON EXECUTIVE DIRECTOR

ROGER PETERSON, DIRECTOR OF LEGISLATIVE AFFAIRS

RE: AMM AND METROPOLITAN ACTIVITIES OF IMPORTANCE

1. TRANSPORTATION ADVISORY BOARD (TAB) NOMINATIONS:

Ten positions on the Transportation Advisory Board are reserved for municipal elected officials. (The TAB By-Laws specify that the AMM has the responsibility for nominating these officials). It is a two year term and the new terms will commence October 1, 1988. The AMM Board will be making these nominations at its September Board meeting.

The TAB is a very important body and provides general transportation advice and counsel to the Metropolitan Council, Regional Transportation Board and the Minnesota Department of Transportation, etc. One of its most important functions is to annually determine the FAU project funding priorities. The TAB normally meets the third Wednesday afternoon of each month in the Metropolitan Council Chambers.

RECOMMENDATIONS WANTED:

The AMM Board is soliciting recommendations for these positions via this Bulletin. Recommendations must be in writing and should be submitted to the AMM Office, to the attention of Vern Peterson, by no later than Wednesday, August 24, 1988.

2. VACANCY ON AMM BOARD:

Due to the resignation of John Walker, former Mayor of Newport, from the Board of Directors, there is a vacancy on the AMM Board. The AMM Board is responsible for the general management of the affairs of the Association and supervises the administration of the AMM office and affairs through the Executive Director. The Board meets the first Thursday night of each month at 7:00 P.M. in the AMM office at 183 University Ave., East., St. Paul.

NOMINATIONS WANTED:

The AMM Board is soliciting nominations via this Bulletin. Nominations should be in writing and should be submitted to the AMM Office by no later than Wednesday, August 24, 1988. The Board is likely to give preference to nominations from the East Side of the metro area to maintain geographical balance.

3. 1989 PROPOSED METROPOLITAN COUNCIL WORK PROGRAM AND BUDGET:

The Metropolitan Council has scheduled a public hearing for 10:00 A.M. on Monday, September 12 to receive input on its' proposed 1989 Budget and Work Program. The AMM's Metropolitan Agencies Committee, Chaired by Kevin Frazell, Mendota Heights Administrator, will review an assess that proposal and prepare a report for the AMM Board's consideration. The AMM Metro Agencies Committee will begin its review at a noon meeting in our offices on Thursday, August 11th. and Dave Renz, the Council's Executive Director and other Department Heads are expected to be present to brief the committee and answer questions. Your input and or attendance at this meeting is welcomed. The AMM is usually the only group or organization that reviews and offers comment to Council's yearly budget proposal and we feel it is an important public service for the residents of this region.

4. LAWSUIT ON DISPARITY AID FILED:

The lawsuit challenging the constitutionability of the disparity aid element of he 1988 Omnibus Tax Act, has at last been filed. The plaintiff is a resident of Roseville and the suit was brought in Ramsey County District Court . It is expected that the suit will be transferred to the Tax Court in the near future. As was noted and explained in the last AMM Bulletin dated July 12th., the AMM Board of Directors is supporting this lawsuit which was initiated by the Municipal Legislative Commission. We will keep you posted as this legal challenge progresses through the Courts.

5. REVISED METROPOLITAN SIGNIFICANCE RULES READY FOR PUBLIC HEARING:

The AMM through its Metropolitan Agencies Committee, as has been noted several times in recent Bulletins and Newsletters, has been engaged in a year long dialogue with the Metropolitan Council over the content of the revised rules. This effort will end in the near future as the Council will be holding a public hearing on the final draft of the 'Significnace Rules' in late September. We are happy to report that out of the 12 concerns/disagreements raised by the AMM Committee, 10 of them have been resolved to the AMM's satisfaction! We will continue to negotiate in hopes of resolving the remaining differences and the AMM Metropolitan Agencies Committee will hold its final meeting on this matter on Thursday noon, August 25th.

Please do not hesitate to contact Vern Peterson (227-4008) should you have questions regarding this matter.

6. AMM OUTREACH BREAKFASTS - VERY SUCCESSFUL!!

The third annual series of local official outreach breakfasts have just been completed. They were, by any measure, very successful. Eighty participants from 41 member and 3 non member cities attended the five regionally located meetings and provided a significant amount of issue oriented input. The meetings were very animated and did not lack for strong opinions on many items ranging from comparable worth to land use to truth in taxation. The input on policy is now being discussed and acted upon by the AMM policy committees which will continue to meet through September. Possibly, as beneficial to the AMM staff, Board, and attending officials as policy, is discussing AMM goals and how we as an organization can better communicate and be strengthened. Good suggestions for the legislative contact program and interaction with members was received and is being acted upon. We will continue to improve local official interaction with more opportunities for participation.

7. LEGISLATIVE CONTACT PROGRAM:

The Board appointed Legislative Coordinating Committee is currently looking at results of last years contact program and discussing input from the Outreach Breakfasts. This promises to be an interesting and exciting year of evolutionary growth. Two primary areas of increased activity will be more in depth education for contact persons and an effort to have local officials and their legislators meet in small groups to concentrate lobbying a few of the extremely important AMM issues. Scheduling for these meetings will be targeted for November after election through December prior to convening of the legislature. A third new activity being investigated is a pre election survey of legislative candidates in key city issues. Based on last years results, it became clear that the coordinator intern must be on board earlier, therefore, a search will begin soon leading to a possible October start date. Finally, local officials are still very much interested in a 'score card' report of how their particular legislator voted on city issues. The committee will continue studying this item to determine an appropriate way to provide that information without incurring legislative backlash as has been feared in the past. The committee is developing a mission or program goal statement and compiling a list of possible activities that will help promote and understand the need for this effort with member local officials.

8. MAJOR DISCUSSION ISSUES FOR 1989-1990

COMPARBLE WORTH. One of the hottest topics for the policy committee in 1989 is standards for the implemention of pay equity. Disagreement as to the satisfactory range of pay and which employees

should receive pay equity increases among legislators, state officials, and local plans are commanding significant attention.

LAND USE RECODIFICATION. The Governors Task Force on State and Local relations proposed some major recodification and unification of land use control statutes in the last session. Within the legislation were controversary surrounding increased Planning Commission authority and changes in what constitutes a variance. The AMM interceded and helped cause a delay in action until 1989.

TRUTH IN TAXATION. A new gimmick found in the 1988 Tax Law patterned after a Florida law is unworkable as passed. The Revenue Committee will review this issue and make recommendations to the membership on whether it should be opposed supported, modified to work ad/or pushed as a trade off for levy limits.

Discussion to date has already centered on the advisability of cities opposing 'truthfulness'. This may be one of those issues where you are doomed if you do and doomed if you don't.

TAX INCREMENT FINANCING. Last year was supposed to be the year of non controversial fixing for some minor problems. It turned into a donnybrook requiring a significant effort to stave off real inroads in TIF useability. Next year promises to be even more difficult since the authors in both houses have promised to look at TIF microscopically and to eliminate its 'many abuses'.

PROPERTY TAX. This is a generic term that encompasses many subissues such as Levy Limits, Homestead Credit, Local Government Aids, Special Levies, etc. AMM committee members are faced with the task of determining if Homestead Credit as we know it or with an increased circuit breaker program must be preserved or can it be replaced by an 'aid' program? Levy Limits have become more restrictive regardless of the state revenue situation. How much longer can cities exist at current levels? Can trade offs be made for more public information an involvement? These and other revenue issues will be discussed at length.

METRO OUTSTATE FUNDING SHIFTS. Recent years have seen an increasing imblance of state revenue collection (64% of total from metro area in 1986) to state aid and credit distribution (46% total to metro area in 1986). These percentages are widening at an ever increasing rate through school aid changes, Local aid program changes, the Greater Minnesota Corporation funding, etc. The AMM will be investigating policy to slow or reverse the increasing imbalance.

AIRPORT. The need for an expanded or new airport and possible location of a new airport is going to be a major topic in the metropolitan areas in the next few years. The AMM has been requested by members to look into the issue. Given its magnitude and controversial nature, it probably, will not be solved this

year but studies and discussion will begin.

DISTRIBUTION NOTE:

This Bulletin has been mailed to Mayors, Delegates and Managers/Administrators only. Please distribute to other officials in your city as you deem appropriate.

TO: Jerry Dulgar, City Manager

FROM: William Monk, City Engineer

DATE: 8/12/88

SUBJECT: Rezoning for Norling Motors

When the City Council tabled consideration of the rezoning request for property at 6058 Lakeland Ave. as proposed by Norling Motors, a follow-up staff report was prepared responding to Council questions related to reuse of the business's existing site. As the item was not removed from the table, this office can only assume that some aspects of the proposal continue to be questioned by the Council. In reviewing my notes of the July 19 meeting, perhaps the following issues should have been pursued further:

- In checking with the owner of the trophy business that had shown interest in the vacant site to the north of the property in question, I was informed by that individual that he has not purchased the property. At this point, this office has been made aware the property was recently sold on a contract but I do not know to whom. It should be remembered that the vacant site to the north is presently zoned B-2 and will not accommodate vehicle sales without a future rezoning.
- A rezoning cannot be issued for a particular use or a specific individual. Once issued, a rezoning runs with the property and any use applicable within that zoning district can be located on the site.
- A conditional use permit is also issued on a site basis and can be continued indefinitely unless recinded for cause (violation of permit) or the conditional use is not exercised for an extended period of time. A conditional use permit, however, is not involved in this instance as the ordinance amendment regarding vehicle sales in B-3 and I-1 districts, also on the July 19 agenda, was tabled with direction to withhold from consideration until the Norling Motors item was settled.
- The only other way in which a conditional use permit would come into play in this situation involves amending the B-4 zoning district to include vehicle sales as a conditional use consistent with provisions proposed for the B-3 and I-1 districts. Such a move would affect all the property zoned B-4 in Crystal so the implications are significant.

- While this office met once with Mr. Norling and discussed potential relocation sites in general, the relocation effort has been left to the owner in terms of specific sites meeting his exposure and other needs.
- Staff will initiate a review of the questionable uses in this immediate area that were mentioned at the earlier Council meeting. The Council will be kept aware of these follow-up efforts.

While the State Statute does not specifically include a timetable for consideration of a rezoning, it is important that applications for rezoning, variances and conditional uses be processed in a timely fashion. With the information provided above, it is proposed that the rezoning item be placed on the next agenda for removal from the table and to establish further discussion and review.

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DUE DATE: NOON, WEDNESDAY, AUGUST 10, 1988

MEMO TO:

Jerry Dulgar, City Manager

MEMO FROM:

John Olson, Assistant City Manager

ACTION NEEDED MEMO: From the August 2, 1988 Council Meeting

The items listed below are the actions requested by the City Council at their regular Council meeting of August 2, 1988. These items should be taken care of by noon, Wednesday, preceding the next regularly scheduled Council meeting and returned to the Assistant City Manager for his review.

DEPARTMENT

ITEM

CONSENT AGENDA

BUILDING INSPECTOR

 Set public hearing to consider a request for a variance to build a three-season porch and a deck at 6816 - 39th Avenue North. ACTION NEEDED: Notify affected property owners of hearing. ACTION TAKEN: Notice sent 8-2-88

ASSISTANT CITY MANAGER

ACTION NEEDED: Place item on August 16 Council Agenda.
ACTION TAKEN: Item placed on August 16 Council Agenda.

PUBLIC HEARINGS

BUILDING INSPECTOR

 Public hearing to consider a request for a variance at 5756 Orchard Avenue North. ACTION NEEDED: Notify applicant of Council approval of variance application #88-34 and denial of variance application #88-36. ACTION TAKEN: Applicant present at meeting.

PUBLIC WORKS DIRECTOR

Public hearing to consider tentative approval of proposed plat Winnetka Woods located at 3411 Winnetka Avenue North. ACTION NEEDED: Provide findings of fact for denial and bring back to the August 16, 1988 City Council meeting. ACTION TAKEN: Worked with Attorney's office on preparation of findings.

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CITY MANAGER

Appearance by a representative of the Northwest Y.M.C.A. to discuss an increase in financial support for 1989.

ACTION NEEDED: Place an increase of \$1,000 for

REGULAR AGENDA

ACTION NEEDED: Place an increase of \$1,000 for a total of \$14,000 in the 1989 City of Crystal budget for the Detached Worker Program.

ACTION TAKEN: Noted for budget discussions.

PUBLIC WORKS DIRECTOR

 Consideration of a request for a mid-block stop sign on Georgia between 34th and 36th Avenues. ACTION NEEDED: Proceed with installation of stop sign on Georgia Avenue North southbound at 34th Avenue.

ACTION TAKEN: Stop sign installation in progress.

CITY MANAGER

 Consideration of a resolution regarding employment.

ACTION NEEDED: Review the wording of the resolution with City Attorney.

ACTION TAKEN: In process.

BUILDING INSPECTOR

4. Consideration of a sign variance request from Johnson Equipment Company at 5141 Lakeland Avenue North.

ACTION NEEDED: Notify applicant of Council

approval.

ACTION TAKEN: Applicant present at meeting.

CITY CLERK

5. Consideration of a request from Dawn and Carl Schultz, 5913 Kentucky Avenue North, to have beer in Becker Park for a family reunion on August 13, 1988.

ACTION NEEDED: Notify applicant of Council approval.

ACTION TAKEN: Letter sent 8-4-88; copy to police and park departments.

PUBLIC WORKS DIRECTOR

6. Consideration of the First Reading of an Ordinance rezoning property at 6048 Lakeland Avenue North. ACTION NEEDED: Council did not remove item from the table; place on Council agenda at the appropriate time. ACTION TAKEN: None.

CITY CLERK

7. Consideration of the Second Reading of an Ordinance amending water use restrictions. ACTION NEEDED: Publish Ordinance. ACTION TAKEN: Sent for publishing 8-3-88.

PUBLIC WORKS DIRECTOR

 Consideration of a resolution regarding water usage restrictions.
 ACTION NEEDED: Proceed with enforcement of the sprinkling ban.
 ACTION TAKEN: Resolution executed and conditions being enforced.

CITY MANAGER

 Consideration of a report from the City Engineer regarding Twin Lake dredging at TH 100.
 ACTION NEEDED: No action needed.

CITY MANAGER

10. Consideration of the 1988 contract for Police Supervisors.

ACTION NEEDED: Obtain necessary signatures on contract.

ACTION TAKEN: In process.

FINANCE DIRECTOR

ACTION NEEDED: Proceed with salary distributions when finalized contract is received.
ACTION TAKEN: Will make retroactive pay as soon as signed contract with new rates is received.

CITY CLERK

11. Consideration of the appointment of election judges and designation of polling places for the September 13, 1988 primary election. ACTION NEEDED: Proceed with election plans. ACTION TAKEN: In process.

CITY MANAGER

12. Consideration of a request from the League of Minnesota Cities for volunteers to serve on the Joint Committee with AMM on a solid waste study. ACTION NEEDED: Notify the League of Cities of the Mayor's appointment of Councilmember Langsdorf to serve on the committee. In the event Councilmember Langsdorf cannot serve, Councilmember Smothers has volunteered to serve on the committee.

ACTION TAKEN: Waiting for reply from Councilmember Langsdorf; will notify LMC when received.

CITY ATTORNEY

13. Consideration of a Resolution Approving and Authorizing Execution of Amendment No. 1 to Loan and Bond Purchase Agreement Relating to \$6,000,000 Commercial Development Revenue Bond of 1984 (Crystal Gallery Project).

ACTION NEEDED: Proceed with the execution of Amendment No 1 to the Loan and Bond Purchase Agreement, Crystal Gallery Project.

ACTION TAKEN: In process.

CITY CLERK

14. Licenses.

ACTION NEEDED: Issue licenses. ACTION TAKEN: Licenses issued.

15-Aug-88

CITY OF CRYSTAL 1988 EXPENDITURE REPORT JULY 1988 C.ROBBE

NORMAL %=

58.33%

DEPARTMENT	#	BUDGET	PRIOR MONTH		CURRENT	TOTAL		UNENCUMBERED
		AMOUNT	YTD EXPENSES	ENCUMBERANCES	EXPENDITURES	EXPENSES	RATIO	BALANCE
Mayor & Council	10	\$97,800.00	\$58,579.47	\$60.99	\$4,162.07	\$62,741.54	64.2%	\$34,997.47
Administration	11		\$162,092.29		\$36,903.50	\$198,995.79	62.8%	\$119,362.14
Assessing	12		\$55,136.08	The state of the s	\$9,024.52	\$64,160.60	58.2%	\$45,040.40
Finance	13		\$51,862.15		\$9,056.35	\$60,918.50	51.7%	\$57,765.89
City Buildings	14	\$157,226.00	\$66,439.13		\$18,642.12	\$85,081.25	54.3%	\$71,856.56
Police	15	\$1,507,042.00	\$726,630.95		\$121,677.73	\$848,308.68	56.9%	\$648,876.86
Fire		\$235,055.00	\$68,350.45		\$23,560.96	\$91,911.41	40.6%	\$139,546.18
Planning & Inspection		\$95,849.00	\$45,304.48		\$7,722.63	\$53,027.11	55.4%	\$42,756.89
Civil Defense	18	\$55,183.00	\$26,609.65		\$4,267.06	\$30,876.71	56.0%	\$24,306.29
Engineering	19	\$207,276.00	\$100,579.74		\$16,058.79	\$116,638.53	56.3%	\$90,518.87
Street	20	\$441,105.00	\$191,880.47		\$40,196.84	\$232,077.31	54.2%	\$201,965.73
Park Maintenance	21	\$376,546.00	\$177,317.57		\$27,096.69	\$204,414.26	56.0%	\$165,817.28
Recycling	22		\$800.68		\$22,956.54	\$23,757.22	118.82	(\$3,757.22)
Recreation	25	\$383,814.00	\$166,666.40		\$58,108.26	\$224,774.66	61.2%	\$148,982.48
Health	26	\$142,634.00	\$56,539.21		\$12,345.84	\$68,885.05	49.0%	\$72,753.11
Civil Service	27	\$18,950.00	\$3,565.00		\$2,199.79	\$5,764.79	30.4%	\$13,185.21
Legal	28	\$95,000.00	\$45,515.30		\$14,083.60	\$59,598.90	62.7%	\$35,401.10
Elections	29	\$19,000.00	\$528.95		\$354.05	\$883.00	5.9%	\$17,883.51
Misc Commissions	30		\$3,894.87		\$100.00	\$3,994.87	64.7%	\$2,180.13
Swimming Pool	31	\$74,122.00	\$17,253.57		\$23,649.15	\$40,902.72	58.8%	\$30,515.40
Non-Departmental		\$1,084,750.00	\$325,729.09		\$49,533.73	\$375,262.82	34.6%	\$709,373.08
Tree Disease	34		\$4,951.37		\$9,449.95	\$14,401.32	30.02	\$33,714.94
TOTALS		\$5,616,087.00	\$2,356,226.87	\$44,667.66	\$511,150.17	\$2,867,377.04	51.9%	\$2,704,042.30
Thorson-Fund #83		\$97,495.00	\$48,499.93	\$500.13	\$3,483.45	\$51,983.38	53.8%	\$45,011.49
Utility Fund-#81								
Water	23	\$755,167.00	\$390,653.67	\$2,861.74	\$15,812.93	\$406,466.60	54.2%	\$345,838.66
Sewer	24		\$529,418.79		\$78,896.92	\$608,315.71	61.9%	\$377,630.21
TOTALS		\$1,746,834.00	\$573,573.22	\$8,582.82	\$94,709.85	\$1,014,782.31	58.62	\$723,468.87

CITY OF CRYSTAL C.ROBBE

SUMMARY OF REVENUES AS OF JULY 31, 1988 NORMAL PERCENT=

58.33%

GENERAL FUND 01		ESTIMATED REVENUE	PRIOR MONTH YEAR TO DATE	RECEIPTS RECEIPTS PERCENTAGE CURRENT NO YEAR TO DATE RECEIVED		PERCENTAGE RECEIVED
ACCT	# TAXES		<u> </u>			
3011	Current Ad Valorem Taxes	\$2,046,343.00	\$27,031.44	\$990,235.97	\$1,017,267.41	49.7%
3012	Deling Ad Valorem Taxes	\$0.00	\$5,012.30	\$2,071.69	\$7,083.99	
3013	Penalties & Interest	\$9,000.00	\$3,370.81	\$2,150.34	\$5,521.15	61.3%
3014	Forfeited Tax Sale	\$0.00	\$123.96	\$0.00	\$123.96	
3015	Prepaid Special Assessments	\$0.00	\$0.00	\$0.00	\$0.00	
	Sub Total	\$2,055,343.00	\$35,538.51	\$994,458.00	\$1,029,996.51	50.17
	LICENSES & PERMITS					
3111	Liquor License On Sale 06/3	0 \$49,500.00	\$28,210.00	\$0.00	\$28,210.00	57.0%
	Liquor Licenses Off Sale 06/3					
3113		and the second s				
3114						
3115						
3116		\$150.00				
3117		\$9,500.00				
	Food Handling Licenses	\$12,500.00				
3119	The state of the s	\$1,700.00	1.5.5			
3121		\$600.00				
3123		\$900.00				
3124		\$1,200.00				
3125		And a second second				
3126						
3127	Sign Licenses 05/1		7.			
3128		\$600.00				
3150		\$6,500.00				42.6%
3151	Building Permits	\$78,000.00	(1)			
3153		\$13,000.00			시	
3154	Control of the Contro	\$800.00				
3155	Water Permits	\$900.00	\$505.00	\$87.50	\$592.50	65.8%
3157	Driveway Permits	\$700.00	\$658.00	\$60.00	\$718.00	102.6%
3158		\$1,000.00			\$662.50	66.37
3159	Misc Permits	\$0.00	\$109.00	\$40.00	\$149.00)
3161	Gas Permits	\$7,000.00	\$2,042.75	\$629.50	\$2,672.2	5 38.27
3162	Burglar Alarm Permits 05/1	5 \$1,200.00	\$1,458.50	\$0.00	\$1,458.5	121.5%
3163	Mechanical Permits	\$11,000.00	\$4,920.24	\$2,309.00	\$7,229.3	
3164		\$2,800.00				
3165		\$0.00				
3166	Restaurant Hoods	\$1,000.00	\$675.00	\$175.00	\$850.0	0 85.0%
	Sub Total	\$228,250.0	\$127,634.30	\$12,107.1	\$139,741.4	4 61.23

		ESTIMATED REVENUE	PRIOR MONTH YEAR TO DATE	RECEIPTS CURRENT MO	RECEIPTS YEAR TO DATE	PERCENTAGE RECEIVED
	STATE SHARED TAXES					
3350	Local Government Aid	\$1,630,961.00	\$0.00	\$815,480.50	\$815,480.50	50.0%
3351	State Aid Streets	\$26,325.00			\$8,285.40	31.5%
3352	Machinery Tax Replacements	\$0.00	\$0.00	\$0.00	\$0.00	
	Sub Total	\$1,657,286.00	\$4,603.00	\$819,162.90	\$823,765.90	49.7%
	OTHER SERVICES					
3500	Misc Receipts	\$3,000.00	\$1,464.62	\$184.07	\$1,648.69	55.0%
3501	NWSCC and CAC	\$2,000.00	\$14,714.93	\$741.64	\$15,456.57	772.8%
3503	Bicycle License		\$541.00	(\$138.00)	\$403.00	
3511	Spec Rezoning App Charge	\$3,500.00	\$2,850.00	\$500.00	\$3,450.00	98.6%
3512	Sale of Maps-Documents etc	\$200.00	\$86.90	\$15.50	\$102.40	51.2%
3513	Engineering & Clerical Fees	\$50,000.00	\$0.00	\$0.00	\$0.00	0.0%
3514	Weed Cutting Charges	\$1,500.00	\$0.00	\$187.50	\$187.50	12.5%
3515	Filing Fees	\$0.00	\$0.00	\$35.00	\$35.00	
3516	License Investigations	\$500.00	\$0.00	\$0.00	\$0.00	0.0%
3517	Jail & Breathalyzer Tests	\$1,200.00	\$660.00	\$100.00	\$760.00	63.3%
3568	Accident Reports	\$1,000.00	\$706.80	\$227.00	\$933.80	93.4%
3569	Special Assessment Searches	\$5,000.00	\$2,409.50	\$150.00	\$2,559.50	51.2%
3570	Sanitarian Costs & Reimburse	\$131,653.00	\$24,187.47	\$25,996.92	\$50,184.39	38.1%
3571	Confiscated Funds	\$0.00	\$0.00	\$0.00	\$0.00	
3580	Recreation Program Receipts	\$105,765.00	\$70,113.47	\$9,303.74	\$79,417.21	75.1%
3581	Crystal Facilities Used	\$200.00	\$55.00	\$0.00	\$55.00	27.5%
3582	Non-Budget Account	\$0.0	(\$67.07	\$866.00	\$798.93	5
3586	Water Tests	\$500.00	(\$162.00	(\$300.00)	(\$462.00))
3587	Swimming Pool Receipts	\$36,490.0	\$32,842.42	\$13,536.88	\$46,379.30	127.1%
3590	Refunds & Reimbursements	\$71,500.0	\$0.00	\$4,565.00	\$4,565.00	6.4%
3591	Insurance Refunds	\$0.0	\$19,984.00	\$0.00	\$19,984.00)
3592	Misc Land & Equip Sales	\$25,000.0	\$182.50	\$0.00	\$182.50	0.7%
3593	Misc Transfers	\$0.0	\$0.00	\$0.00	\$0.00)
3594	Building Sub-Rental	\$400.0	\$270.00	\$0.00	\$270.00	67.5%
3595	Waste Dil Revenues	\$800.0	\$415.21	\$182.40	\$597.61	74.7%
3599	Interest Earned	\$160,000.0	\$0.00	\$0.00	\$0.00	0.0%
3610	Court Fines	\$225,000.0	\$87,753.29	\$16,737.99	\$104,491.28	3 46.4%
3611	Alara Charges	\$0.0	\$200.00	\$150.00	\$350.00)
3612	Alara Penalties	\$0.0	0 \$5.00	\$0.00	\$5.00)
3630	Forfeited Bail	\$0.0			\$1,875.00)
3772	Donations		\$1,357.50	(\$200.00	\$1,157.50)
	Previous Yr Fund Balance	\$850,000.0	0 \$850,000.00		\$850,000.00)
	Sub Total	\$1,675,208.0	0 \$1,112,095.54	\$73,291.64	\$1,185,387.18	70.87
	TOTAL	\$5,616,087.0	0 \$1,929,693.14	\$1,899,019.68	\$3,178,891.03	56.6%

15-Aug-88

	FUND #83 THORSON SCHOOL	ESTIMATED REVENUE	PRIOR MONTH YEAR TO DATE	RECEIPTS CURRENT MO	RECEIPTS YEAR TO DATE	PERCENTAGE RECEIVED
3500	Miscellaneous Receipts	\$0.00	\$0.00		\$0.00	
3580	Recreation Program Receipts	\$23,060.00	\$12,192.50	\$456.00	\$12,648.50	54.9%
3582	Non-Budget Activities	\$0.00	\$0.00	\$0.00	\$0.00	
3590	Refunds & Reimbursements	\$0.00	\$0.00	\$0.00	\$0.00	
3770	Office Rental	\$46,149.30	\$20,249.12	\$709.12	\$20,958.24	
3771	Gym Rental	\$763.50	\$880.00	\$0.00	\$880.00	115.32
3772	Donations		\$0.00	\$0.00	\$0.00	
	TOTAL	\$69,972.80	\$33,321.62	\$1,165.12	\$34,486.74	49.3%
	FUND #81 UTILITY FUND					
3500	Miscellaneous Receipts					
3599	Interest Earned	\$20,000.00				
3739	Misc Income-Water	\$2,500.00				
3740	Water Sales	\$790,000.00	\$349,840.51			
3741	Penalties Earned-Water	\$13,800.00	\$7,776.26	\$834.99		
3742	Sales of Meters-Horns	\$8,000.00	\$1,137.16	\$385.96	\$1,523.12	
3743	Joint Water Comm Reimb	\$10,000.00				
3744	Metro Waste Reimburse	\$5,500.00				
3759	Misc Income-Sewer	\$2,500.00				
3760	Sewer Service Revenue	\$1,010,000.00				
3761	Penalties Earned-Sewer	\$17,000.00	\$10,798.01	\$1,080.22	\$11,878.23	69.9%
	TOTAL	\$1,879,300.00	\$810,102.16	\$173,856.55	\$983,958.71	52.4%
	FUND #82 STREET LIGHTING					
3764	Street Lighting Revenue	\$ \$102,560.00	\$32,732.74	\$7,221.36	\$39,954.10	39.02
3765		\$2,000.00	\$815.54	\$111.46	\$927.00	46.4%
	TOTAL	\$104,560.00	\$33,548.28	\$7,332.82	\$40,881.10	39.1%



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

ADMINISTRATIVE OFFICE

August 12, 1988

Mr. Jonathan Stiegler 6726 36th Ave. North Crystal, MN 55427

Dear Mr. Stiegler:

In response to your letter of August 2, following last May's informational meeting I had planned to follow-up on the issues presented regarding reconstruction of 36th Avenue and prepare a draft report for the City Council by this summer. Due to time constraints caused by other City business, my tentative schedule has been delayed and the research for the project is not complete. As promised, property owners in the area will be advised as this item is considered by the Council, but it will not be as soon as I had originally hoped.

Please note that I have contacted the Robbinsdale City Engineer concerning your comments regarding a recently improved State-Aid street on which trucks were prohibited. I was informed that no such situation exists in that City, nor has it occurred in any other City with which I have made contact to date. Additional staff work needs to be done on this and may other issues prior to City Council consideration.

As you are well aware being a frequent user of 36th Avenue, consideration of some form of repair or reconstruction project cannot be delayed indefinitely. While I cannot give you a firm date, this item will undoubtedly be brought back for Council review within a relatively short timeframe.

Sincerely,

William Monk

City Engineer

WM/mb

cc: Jerry Dulgar, City Manager

City Council