



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

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COUNCIL AGENDA

September 6, 1988

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on September 6, 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:

Councilmembers

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

Staff

P Dulgar
P Olson
P Kennedy 7:02
P Monk
P Peterson
P George

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

1. The City Council considered the minutes of the Regular City Council meeting of August 16, 1988.

Moved by Councilmember Herbes and seconded by Councilmember Lange to (approve) (approve, making the following exceptions:

_____ to) the
minutes of the Regular City Council meeting of August 16, 1988.

Motion Carried.

Acknowledgement of the receipt of a check in the amount of \$308.05 from the Elks Clubs to be used in the Crystal Police Department Drug Education Program.

CONSENT AGENDA

1. Set 7:00 P.M., or as soon thereafter as the matter may be heard, October 4, 1988, as the date and time for a public hearing at which time the City Council will consider assessments for Bass Lake Road street improvement, 1988 Seal Coat Program, sidewalk repair, disease tree, debris removal, weed cutting, and delinquent sewer and water payments.
2. Consideration of resignation of Carolyn Carlson from the Human Relations Commission effective 8-23-88.

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

Motion Carried.

Moved by Councilmember Largo and seconded by Councilmember Largo to 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 Mike Wilder for a variance of 20' in the required 60' lot width to allow the construction of a house at 3541 Lee 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 Herbes and seconded by Councilmember Mar to (approve) (deny) (continue until _____ the discussion of) a request from Mike Wilder for a variance of 20' in the required 60' lot width to allow the construction of a house at 3541 Lee Avenue North.

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 sit as a Board of Adjustments and Appeals to consider a request from Timothy Bownik to allow two curb cut openings at 3557 Orchard 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) Timothy Bownik.

The Mayor closed the Public Hearing.

Moved by Councilmember Herbes and seconded by Councilmember Leppa to (approve) (deny as recommended by and based on the findings of fact of the Planning Commission) (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 515.09, Subd. 4 h) 10) to allow two curb cut openings at 3557 Orchard Avenue North as requested in variance application #88-37.

Roll call: Aye: Sm, Leppa, Herbes, Mar, Langs, Aaker
Nays: Rygg

Motion Carried.

3. It being 7:00 p.m., or as soon thereafter as the matter may be heard, Mayor Aaker declared this was the 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 Richard and Brenda Swanson for a variance to expand a non-conforming building (non-conformity being the existing building encroaches 17' 6" in the required 40' rear yard setback) and to grant a variance of 17' 6" in the required 40' rear yard setback to build an addition at 6625 - 45th 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 Rygg and seconded by Councilmember Sm to ~~(approve as recommended by~~ and based on the findings of fact of the Planning Commission) (deny) (continue until _____ the discussion of) the authorization pursuant to Section 515.55 of the Crystal City Code to vary or modify the strict application of Section 515.05, 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 Avenue North as requested in variance applications #88-38 and #88-39.

Motion Carried.

4. It being 7:00 p.m., or as soon thereafter as the matter may be heard, Mayor Aaker declared this was the date and time as advertised for a public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a request from Walter Johnson for a variance to expand a non-conforming building (said non-conformity being the existing building encroaches 8' in the required 22' front yard setback) to allow the construction of a 822 square foot addition to the first floor at 5540 Lakeland 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.

- A. Moved by Councilmember Mar and seconded by Councilmember Sm to (approve as recommended by and based on the findings of fact of the Planning Commission) (deny) (continue until _____ the discussion of) the authorization pursuant to Section 515.55 of the Crystal City Code to vary or modify the strict application of Section 515.05, Subd. 2, to allow the expansion of a non-conforming building to permit a 14' x 54'2" and 8' x 24'3" additions to be constructed at 5540 Lakeland Avenue North as requested in variance application #88-31.

Motion Carried.

- B. Moved by Councilmember Rygg and seconded by Councilmember Largo to set surety in the amount of \$28,000 as a guarantee of faithful performance of certain requirements of condition of building permit approval for Paddock expansion at 5540 Lakeland Avenue North and further, to authorize the Mayor and City Manager to sign such site improvements agreement.

Motion Carried.

- C. Moved by Councilmember Sm and seconded by Councilmember Rygg to (approve) (deny) (continue until _____ the discussion of) building permit #995 for The Paddock at 5540 Lakeland Avenue North.

Motion Carried.

5. It being 7:00 p.m., or as soon thereafter as the matter may be heard, Mayor Aaker declared this was the date and time as advertised for a public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a request from Kevin Gannon for a variance of 12' in the required 30' side street side yard setback to build a 16' x 24' deck at 5325 Welcome 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 Sm and seconded by Councilmember Leppa to (approve as recommended by and based on the findings of fact of the Planning Commission) (~~deny~~) (~~continue until~~ the discussion of) the authorization pursuant to Section 515.55 of the Crystal City Code to vary or modify the strict application of Section 515.13 Subd. 3 a) 2) iii) to grant a variance of 12' in the required 30' side street side yard setback for the construction of a 16' x 24' deck on the existing house at 5325 Welcome Avenue North as requested in variance application #88-41.

Motion Carried.

6. 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 Walter Johnson for a variance of 45 off-street parking spaces in the required 216 parking spaces at 5222 - 56th 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)~~ *Wally Johnson, Architect for and member of VFW post #494.*

The Mayor closed the Public Hearing.

- A. Moved by Councilmember *Sm* and seconded by Councilmember *Mar* to (approve as recommended by and based on the findings of fact of the Planning Commission) (deny) (continue until _____ the discussion of) the authorization pursuant to Section 515.55 of the Crystal City Code to vary or modify the strict application of Section 515.09, Subd. 8 v), to grant a variance of 45 spaces in the required 216 parking spaces at 5222 - 56th Avenue North as requested in variance application #88-43.
Aye: Herbes, Mar, Rygg, Lange, Leppa, Sm
Abstained: Aaker **Motion Carried.**
- B. Moved by Councilmember *Herbes* and seconded by Councilmember *Lange* to set surety in the amount of \$49,700 as a guarantee of faithful performance of certain requirements as a condition of building permit approval for Charles R. Knaeble #494 VFW at 5222 - 56th Avenue North, and further, to authorize the Mayor and City Manager to sign such site improvements agreement.
Aye: Herbes, Mar, Rygg, Lange, Leppa, Sm.
Abstained: Aaker **Motion Carried.**
- C. Moved by Councilmember *Rygg* and seconded by Councilmember *Leppa* to (approve) (deny) (continue until _____ the discussion of) building permit #992 for interior remodeling and building additions to the Charles R. Knaeble #494 VFW at 5222 - 56th Avenue North.
Aye: Herbes, Mar, Rygg, Lange, Leppa, Sm. **Motion Carried.**
Abstained: Aaker

7. 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 Keng's Chow Mein for a variance of 20 off-street parking spaces in the required 40 parking spaces at 6121 - 42nd 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)~~

* Yee tee Wang ; Owner
Judy Wang, owner's daughter (presented petitions to Council)
James Scott, Owner of Building
Bob Gow, patron of restaurant
* Mike Locketz of Liberty Garment
Rita Proctor, patron of restaurant
Nancy Wong, patron of restaurant

The Mayor closed the Public Hearing.

- Sm/ Rygg to table for staff and owner to work on redesign of the parking area.*
A. Moved by Councilmember _____ and seconded by Councilmember _____ *Motion Carried* to (approve) (deny as recommended by and based on the findings of fact of the Planning Commission) (continue until _____ the discussion of) a variance of 20 off-street parking spaces in the required 40 parking spaces at 6121 - 42nd Avenue North as requested in variance application #88-44.

Motion Carried.

- B. Moved by Councilmember _____ and seconded by Councilmember _____ to set surety in the amount of \$6,200 as a guarantee of faithful performance of certain requirements as a condition of building permit approval for Keng's Chow Mein, 6121 - 42nd Avenue North, and further, to authorize the Mayor and City Manager to sign such site improvements agreement.

Motion Carried.

- C. Moved by Councilmember _____ and seconded by Councilmember _____ to (approve) (deny) (continue until _____ the discussion of) building permit #979 for Keng's Chow Mein, 6121 - 42nd Avenue North.

Motion Carried.

REGULAR AGENDA

1. The City Council considered final approval of the plat Hagel Addition located at 6500 - 44th Avenue North.

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

RESOLUTION NO. 88-38A

RESOLUTION APPROVING PLAT

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

Motion carried, resolution declared adopted.

2. The City Council considered the application of Renee Werner for appointment to the Human Relations Commission for term expiring December 31, 1989.

Moved by Councilmember Mar and seconded by Councilmember Herbes to appoint Renee Werner to the Human Relations Commission for an unexpired term expiring 12-31-89.

Motion Carried.

3. The City Council considered a request from Judy Rice of the Crystal Human Relations Commission for approval of brochure and funding to print and distribute brochure. *Those present and heard were: Judy Rice*

Moved by Councilmember Rygg and seconded by Councilmember Mar to (approve) (deny) (continue until _____ the discussion of) a request from Judy Rice of the Crystal Human Relations Commission for approval of brochure and funding to print and distribute brochure.

Motion Carried.

4. The City Council considered the Second Reading of an Ordinance amending City Code regarding motor vehicle sales as a conditional use in B-3 (Auto Oriented Commercial) and I-1 (Light Industrial) Districts. (5 votes needed for approval)

Sm to table until such time as request for rezoning of 6048 Lakeland (Narling Motors) has been resolved. Motion failed for lack of a second.

Ron Long appeared and was heard.

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

ORDINANCE NO. 88-

AN ORDINANCE RELATING TO ZONING: AMENDING CRYSTAL CITY CODE (APPENDIX 1-ZONING) SUBSECTIONS 515.35 AND 515.39 BY ADDING SUBDIVISIONS: REPEALING CRYSTAL CITY CODE (APPENDIX 1-ZONING) SUBSECTIONS 515.35, SUBDIVISION 2 H) AND 515.39, SUBDIVISION 2 E)

and further, that this be the Second and Final Reading.

Roll call: Aye: Mar, Leppa, Aaker
Nay: Herbes, Rygg, Lange, Sm.

Motion Carried. *failed.*

Lange/Herbes to reconsider the Second Reading of an Ordinance amending City Code regarding motor vehicle sales etc. motion carried

Lange/Herbes to continue to the Sept. 20, 1988 meeting.

Roll call: Aye: Sm, Leppa, Herbes, Rygg, Lange, Aaker
Nay: Marance

Motion Carried.

5. 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. (~~5 votes needed for approval~~) *Those present and heard were:*

*Jan Jurek, 6051 Florida Ave. No.
Gunnar Norling, owner
Pat Deutscher, 6401 Lombardy Lane
Bud Krattenmaker, 6057 Florida Ave. No.*

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

ORDINANCE NO. 88-

AN ORDINANCE RELATING TO ZONING: CHANGING THE
USE CLASSIFICATION OF CERTAIN LAND

and further, that the Second and Final Reading be held on September 20, 1988. Roll call: Aye: Herbes, Rygg, Langa, Sm, Leppa, Haker

Nay: Maraulle

Motion Carried.

Mayor called recess 9:03 - reconvened at 9:20 PM.

6. The City Council considered a sign variance, tower removal, and well abandonment at Johnson Equipment Company, 5141 Lakeland Avenue North.

no action was taken.

*Item
15A
next*

7. The City Council considered the Second Reading of an Ordinance Amendment regarding variance procedures for non-conforming lots and structures in an R-1 (Residential) District. (5 votes needed for approval)

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

* ORDINANCE NO. 88-6

AN ORDINANCE RELATING TO ZONING: AMENDING
CRYSTAL CITY CODE (APPENDIX 1-ZONING) SUBSECTION 515.05,
SUBDIVISION 2: SUBSECTION 515.55, BY ADDING A
SUBDIVISION: REPEAL SUBSECTION 515.55,
SUBDIVISIONS 9 AND 11

and further, that this be the Second and Final Reading.

Motion Carried.

8. The City Council considered Second Reading of an Ordinance regarding skateboards.

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

ORDINANCE NO. 88-7

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

and further, that this be the Second and Final Reading.

Motion Carried.

9. The City Council considered setting 7:00 p.m., or soon thereafter as the matter may be heard, September 14, 1988, as the date and time for a public hearing at which time the City Council will consider the official canvass of the results of the primary election held September 13, 1988.

Moved by Councilmember Hicks and seconded by Councilmember Sim to (approve) (deny) (continue until _____ the discussion of) setting September 14, 1988, 7:00 p.m., as the date and time to canvass votes for the primary election of September 13, 1988.

Motion Carried.

10. The City Council considered setting September 14, 1988, 7:00 p.m., or as soon thereafter as the matter may be heard, as the date and time for the Council work session on the 1989 Budget proposal.

Mayor Aaker called September 27, 1988, 7:00 p.m., or as soon thereafter as the matter may be heard as the date and time for the Council work session on the 1989 Budget proposal.

Moved by Councilmember _____ and seconded by Councilmember _____ to (approve) (deny) (continue until _____ the discussion of) setting September 14, 1988, 7:00 p.m., or as soon thereafter as the matter may be heard, as the date and time for the Council work session on the 1989 Budget proposal.

Motion Carried.

11. The City Council considered an itinerant food establishment license for VFW Post 494, 5222 - 56th Avenue North, for a pig roast on August 21, 1988 and also to waive the fee.

Moved by Councilmember Sm and seconded by Councilmember Herbes to (approve) (deny) (continue until _____ the discussion of) an itinerant food establishment license for VFW Post 494, 5222 - 56th Avenue North, for a pig roast on August 21, 1988 and to waive the fee.

Motion Carried.

12. The City Council considered a resolution calling for a bond issue election on November 8, 1988 ballot.

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

RESOLUTION NO. 88-46

RESOLUTION DETERMINING THE NECESSITY FOR THE
ISSUANCE OF GENERAL OBLIGATION BONDS AND
CALLING A SPECIAL ELECTION THEREON

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

Motion carried, resolution declared adopted.

13. The City Council considered the proposed Charter Commission Amendment as submitted by the Crystal Charter Commission.

*Leppa / Sm to place consideration of the proposed
Charter Commission Amendment as submitted by
the Crystal Charter Commission on the Sept. 20, 1988
Council Agenda.*

Motion Carried

14. The City Council considered a Resolution transferring funds from Emergency Allowance to the Recycling Department.

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

RESOLUTION NO. 88- 47

RESOLUTION TRANSFERRING FUNDS

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

Motion carried, resolution declared adopted.

- 15A. The City Council considered ^{first reading of an Ordinance regarding} sale of 5,911 square feet of excess right-of-way north of Rapid Oil subject to standard site improvement policies ^{and subject to negotiated price not to be less than the purchase price of those present and ahead there.}

Bob Mickelak of Rapid Oil

Moved by Mor/Son to adopt the following ordinance:
Ordinance No. 88-

An Ordinance Relating to the Sale of Certain Municipally Owned Property
and further that the second and final reading be held on September 20, 1988.
Moved by Councilmember *Mor* and seconded by Councilmember *Son* to
(approve) (deny) (continue until _____ the
discussion of) the sale of 5,911 square feet of excess right-of-way
north of Rapid Oil subject to standard site improvement policies,
and subject to negotiated price not to be less than the purchase price.
Motion Carried.

- B. The City Council considered approval of a modification to building permit #1089 for Rapid Oil located at 5602 Lakeland Avenue.

Moved by Councilmember *Herbes* and seconded by Councilmember *Mor* to
(approve) (deny) (continue until _____ the
discussion of) a modification to building permit #1089 for Rapid
Oil located at 5602 Lakeland Avenue.

Motion Carried.

OPEN FORUM

INFORMAL DISCUSSION AND ANNOUNCEMENTS

- City Mgr. advised Council to look over proposed 1989 Budget and if you have any questions prior to Sept. 27, 1988 meeting, give staff a call.
- Councilmember Leppa inquired of the status of the recycling suit by B.F.I.
- City Mgr. reminded election candidates to get their financial reports into City Clerk as appropriate.
- Councilmember Smathers asked when MWDOT would have new signs up for the 169+81 changes. City Engr. unable to give an answer.
- Councilmember Smathers requested that a copy of all letters ^{to residents} regarding Weed Control be given to Councilmembers.
- Councilmember Smathers read a letter from a resident regarding Iron Horse and directed staff to check records regarding Council's action on requiring a parking lot attendant and notify Iron Horse of same.
- Councilmember Morawiec directed staff to send a letter to residents in the area regarding Norling Motors rezoning.

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

Motion Carried.

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

Motion Carried.

Meeting adjourned at 10:20 p.m.

APPLICATIONS FOR LICENSE

September 6, 1988

SIGN HANGER - \$66.00

Suburban Sign Company, 6818 W. Lake Street, St. Louis
Park, MN 55426-4208

Cragg, Inc., 7150 Madison Ave. W., Golden Valley, MN 55427

PLUMBERS LICENSE - \$30.25

J. R. Kelly Plumbing & Heating, 1982 Palace Avenue,
St. Paul, MN 55105

GAS FITTERS LICENSE

Midland Heating, 6442 Penn Ave. S., Richfield, MN 55423

FOOD ESTABLISHMENT - Itinerant (Exempt)

VFW Post 494, 5222 56th Ave. N., Crystal, MN 55429

AUCTIONEER - \$18.25 per day

Clair A. Wilson, Auctioneer, to conduct a ONE day only
Auction on September 12 and September 26

COURTESY BENCHES: \$20.00 ea. bench + cert. of insurance

Roland C. Danielson dba United States Bench Corp.

FOOD ESTABLISHMENT - Itinerant \$27.50 + \$11.00 ea. additional day

Tom Thumb, 4711 36th Avenue North, Crystal, MN 55422
September 8 - September 11, 1988

Included in packet on September 2, 1988:

Memo from Police Chief dated 8-23-88 re: Drug Education Program donation.
Minutes of the August 16, 1988 meeting.
Memo from City Engr. dated 8-31-88 re: 1988 Improvement Project Hearing.
Letter of resignation from the Human Relations Commission dated 8-23-88 from Carolyn Carlson.
Memo from Bldg. Inspector dated 8-11-88 re: Variance #88-45 at 3541 Lee Ave. No.
Memo from Bldg. Inspector dated 8-11-88 re: Variance #88-37 at 3557 Orchard Ave. No.
Memo from Bldg. Inspector dated 8-11-88 re: Variances #88-38 and #88-39 at 6625 - 45th Avenue North.
Memo from Bldg. Inspector dated 8-12-88 re: Variances #88-31 at 5540 Lakeland Ave. (Paddock).
Memo from City Engr. dated 9-1-88 re: Site Improvements for The Paddock.
Memo from Bldg. Inspector dated 8-12-88 re: Variance #88-41 at 5325 Welccme Ave. No.
Memo from Bldg. Inspector dated 8-23-88 re: Additions for V.F.W. at 5222 - 56th Ave. No.
Memo from City Engr. dated 9-1-88 re: VFW Parking VAriance and Site Improvements.
Memo from Bldg. Inspector dated 8-23-88 re: Bldg. Permit for Keng's Chow Mein, 6121 - 42nd Ave. No.
Memo from City Engr. dated 9-1-88 re: Parking VAriance and Site Improvements for Keng's Chow Mein at 6121 - 42nd Avenue North.
Memo from City Engr. dated 8-31-88 re: Hagel Addition Final Plat.
Application of Renee Werner for appointment to the Human Relations Commission.
Information and samples of brochure to be printed for the Human Relations Commission.
Memo from City Engr. dated 9-1-88 re: Ordinance Amendment Related to Sale of Motorized Vehicles
Memo from City Engr. dated 9-1-88 re: Rezoning of Property at 6048 Lakeland Avenue - Norling Motors.
Letter to Johnson Equip. Co. dated 8-22-88 from Supervising Sanitarian.
Memo from City Engr. dated 7-7-88 re: VAriance Procedure for Non-Conforming Lots & Structures in R-1 District.
Letter from City Attorney dated 8-26-88 re: Skate-board Ordinance; copy of amended draft of ordinance.
Memo from City Clerk dated 8-24-88 re: canvass of returns for Primary Election - Sept. 13, 1988.

Memo from Miles Johnson dated 8-31-88 re: Final 1989 Budget Proposal.

Application for license from VFW Post #494 to operate an Itinerant Food Establishment at 5222 - 56th Ave No. and waiver of fee.

Letter from City Attorney dated 8-24-88 re: Bond Election; copy of resolution determining the necessity for the issuance of general obligation bonds and calling a special election thereon.

Resolution transferring funds from emergency allowance to recycling department in amount of \$10,000.

Memo from City Engr. dated 8-24-88 re: Dredging between upper and middle Twin Lakes.

Park & Rec. Advisory Commission Agenda for 9-7-88 mtg.

Action Needed Memo from the August 16, 1988 Council Mtg.

Memo from Employee Committee dated 9-1-88 re: employee picnic.

Letter from State Senator dated 8-15-88 re: resolution passed by the City Council regarding multiple post retirement inflater mechanisms for local police and paid firefighter pension plans.

Memo from LMC dated 8-22-88 re: Penalty provisions of Chapter 211A, Campaign Financing Reports.

Memo from National League of Cities dated 8-19-88 re: Proposed Amendments to National Municipal Policy and Separate Resolutions, Annual Congress of Cities, Boston, Massachusetts, December 3-7, 1988.

Handouts at meeting of September 6, 1988:

Memo from Finance Director dated 9-6-88 re: 1989 Budget; copy of 1989 Proposed Budget.

Memo from Chair of Charter Commission dated 8-30-88; Copy of Proposed Charter Amendment.

Harless

September 2, 1988

TO: City of Crystal Councilmembers
FROM: Jerry Dulgar, City Manager
RE: Preliminary Agenda for the September 6, 1988 Council Meeting

The first item I would like to comment on is under public hearings, public hearing #2, public hearing to consider a request from Timothy Bownik to allow two curb cut openings at 3557 Orchard Avenue North, denied by Planning Commission.

I've discussed this application with the Public Works and Police Departments. Both of them have concerns about allowing two curb cuts at this location and indicate that the old curb cut was a problem in the past. They would like to see only one cut allowed.

Item #4 under public hearings, public hearing to consider a request from Walter Johnson for a variance to expand a non-conforming building (said non-conformity being the existing building encroaches 8' in the required 22' front yard setback) to allow the construction of a 822 square foot addition to the first floor at 5540 Lakeland Avenue North.

I reviewed this with the Public Works and Building Departments relative to any concerns anybody has about it being a problem with site lines, etc., and they indicate that all the addition is being made to the south and there really isn't any problem with site lines on the new curb on the frontage road, etc.

Item #6. Public hearing to consider a request from Walter Johnson for a variance of 45 off-street parking spaces of the required 216 parking spaces at 5222 - 56th Avenue North (approved by Planning Commission).

I reviewed this request with the Police, Building & Planning, and Fire Departments. They indicated no concern because of traffic, fire, site lines, etc.

Item #7 under public hearings, public hearing to consider a request from Keng's Chow Mein for a variance of 20 off-street parking spaces of the required 40 parking spaces at 6121 - 42nd Avenue North (recommended denial by Planning Commission).

While the improvements being considered to Keng's are much needed and would provide a much nicer facility in the City, the Planning Commission, as you can see, had a real concern about granting the kind of variance requested and from staff's standpoint, we have the same concerns. The kitchen in Keng's **has** to be upgraded according to the Health Department and we would like very much to see the rest of the building upgraded. Somehow we feel that Keng's or the building owners

need to make some provisions for additional parking if we are going to do that.

REGULAR AGENDA

Item #2

Consideration of the application of Renee Werner for appointment to the Human Relations Commission for term expiring December 31, 1989.

Based on the resignation we received on the Consent Agenda, I would recommend that we appoint Renee Werner to the Human Relations Commission. She was the applicant who was not appointed at the last meeting.

Item #3

Consideration of a request from Judy Rice of the Human Relations Commission for funding to print a brochure.

Attached you will find some information from the Human Relations Commission relative to the kind of brochure they want to put out. I think that a brochure like that is worthwhile and I feel that we could fund it without any problems. I would like Judy to explain for us a little better what parts of the resolutions that they attached that they are going to use, what kind of cut and paste job. It looks like the price is in line though and I would recommend that we approve it.

Item #5

Consideration of a request to rezone property at 6058 Lakeland Avenue North from B-4 to B-3 as submitted by Gunnar Norling.

Bill is still working on his memo on this. I'll have to comment to the Council at the meeting rather than in my memo.

Item #6

Consideration of a sign variance, tower removal, and well abandonment at Johnson Equipment Company at 5141 Lakeland Avenue North.

If you recall at a prior meeting, the Council approved the sign variance for Johnson Equipment using the standpipe from the existing water tower for the pedestal for the sign. That was based on the tower being removed. Mr. Johnson has approached me with concern because the sign company won't start building the sign until such time as he has the permit for the sign and based on the Council's approval, which I agree with, we won't give him the permit until the tower is down. He feels this is causing undue delay.

However, since he approached me on that we have had another wrinkle occur in the process in that Tom has inspected and written orders on the well. It turns out that the well on the site is a 385 foot deep 10 inch well, and it might be \$10,000 or

more to properly abandon the well. Because of the concern about the tower getting down before the sign goes up and proper abandonment at the well, my recommendation to the Council is that we stay with your original motion and **not** grant permits until such time as the tower is down and the well is properly abandoned. This is primarily an informational item and doesn't require any additional action by the Council if you concur with my recommendation.

Item #8

Consideration of Second Reading of an Ordinance regarding skateboards.

Dave has done a little cleaning up of the ordinance. You might want him to review the changes he has made. One of them I can comment on is the addition of regulations or provisions for writing regulations for the parks. I think this is a good provision. I would recommend that we ask the Park Board for their input on this and prepare some rules and regulations based on the ordinance.

Item #9

Consideration of setting the date and time to canvass votes for the primary election of September 13, 1988.

Please note Darlene's memo requesting that the Council meet on Wednesday, September 14 at 7 p.m., to canvass the election. I concur with her recommendation.

Item #10

Consideration of the 1989 Budget proposal.

We'll have that to hand out to the Council at the meeting and we would recommend that the Council meet at a work session immediately after the canvassing of the votes for the primary election so that we are not calling everybody out just for a five minute meeting.

Item #11

Consideration of the application of VFW Post 494 to operate an itinerant food establishment (Pig Roast) at 5222 - 56th Avenue North on August 21, 1988 and request waiver of fee.

This license we became aware of after it was too late to put it on the last agenda. We did get cooperation with the VFW. They obtained the license and met all the requirements. We'd recommend that it be approved after the fact and I'd leave it up to Council's judgment on the waiver of the fee.

Item #13

Consideration of the proposed Charter Commission Amendment as submitted by the Crystal Charter Commission.

As indicated in their letter, they would like to meet jointly with the Council to discuss this. I would recommend that we try to choose a mutually agreeable date to meet with them in the near future.

Item #14

Consideration of a Resolution transferring funds from Emergency Allowance to Recycling Department.

The Recycling budget is in the red and we need to transfer some money in there to finish out the rest of the year. Next year, hopefully, we'll have revenue coming in here and we should be able to get this budget in a lot better shape.

I have no prior knowledge of anyone wishing to appear on the Open Forum.

Have a nice holiday weekend; see you Tuesday evening if not before!

Jerry Dulgar

JD/js

COUNCIL AGENDA - SUMMARY

Call to order

Roll call

Pledge of Allegiance to the Flag

Acknowledgement of the receipt of a check in the amount of \$308.05 from the Elks Clubs to be used in the Drug Education Program.

Approval of the minutes of the meeting of August 16, 1988.

Consent Agenda

1. Set public hearing to consider assessments for Bass Lake Road street improvement, 1988 Seal Coat Program, sidewalk repair, disease tree, debris removal, weed cutting, and delinquent sewer and water payments. (set for October 4)
2. Consideration of resignation of Carolyn Carlson from the Human Relations Commission effective 8-23-88.

Public Hearings

1. Public hearing to consider a request from Mike Wilder for a variance of 20' in the required 60' lot width to allow the construction of a house at 3541 Lee Avenue North.
2. Public hearing to consider a request from Timothy Bownik to allow two curb cut openings at 3557 Orchard Avenue North (denied by Planning Commission).
3. Public hearing to consider a request from Richard and Brenda Swanson for a variance to expand a non-conforming building (non-conformity being the existing building encroaches 17' 6" in the required 40' rear yard setback) and to grant a variance of 17' 6" in the required 40' rear yard setback to build an addition at 6625 - 45th Avenue North (approved by Planning Commission).
4. Public hearing to consider a request from Walter Johnson for a variance to expand a non-conforming building (said non-conformity being the existing building encroaches 8' in the required 22' front yard setback) to allow the construction of a 822

square foot addition to the first floor at 5540 Lakeland Avenue North.

- B. Second Action:
Consideration of site improvements agreement for Paddock expansion at 5540 Lakeland Avenue North.
- C. Third Action:
Consideration of issuance of building permit #995.
- 5. Public hearing to consider a request from Kevin Gannon for a variance of 12' in the required 30' side street side yard setback to build a 16' x 24' deck at 5325 Welcome Avenue North (approved by Planning Commission).
- 6. Public hearing to consider a request from Walter Johnson for a variance of 45 off-street parking spaces of the required 216 parking spaces at 5222 - 56th Avenue North (approved by Planning Commission).
- B. Second Action:
Consideration of site improvement agreement for V.F.W.
- C. Third Action:
Consideration of issuance of building permit #992.
- 7. Public hearing to consider a request from Keng's Chow Mein for a variance of 20 off-street parking spaces of the required 40 parking spaces at 6121 - 42nd Avenue North (recommended denial by Planning Commission).
- B. Second Action:
Consideration of site improvements agreement for building expansion.
- C. Third Action:
Consideration of authorizing issuance of building permit #979.

Regular Agenda Items

- 1. Consideration of a resolution approving Hagel Addition located at 6500 - 44th Avenue North.
- 2. Consideration of the application of Renee Werner for appointment to the Human Relations Commission for term expiring December 31, 1989.

3. Consideration of a request from Judy Rice of the Human Relations Commission for funding to print a brochure.
4. Consideration of Second Reading of an Ordinance Amendment regarding sale of motorized vehicles as a conditional use in B-3 and I-1 Districts.
5. Consideration of a request to rezone property at 6058 Lakeland Avenue North from B-4 to B-3 as submitted by Gunnar Norling.
6. Consideration of a sign variance, tower removal, and well abandonment at Johnson Equipment Company for 5141 Lakeland Avenue North.
7. Consideration of Second Reading of an Ordinance Amendment regarding variance procedures for non-conforming lots and structures in an R-1 District.
8. Consideration of Second Reading of an Ordinance regarding skateboards.
9. Consideration of setting the date and time to canvass votes for the primary election of September 13, 1988.
10. Consideration of the 1989 Budget proposal.
11. Consideration of the application of VFW Post 494 to operate an itinerant food establishment (Pig Roast) at 5222 - 56th Avenue North on August 21, 1988 and request waiver of fee.
12. Consideration of a resolution calling for a bond issue election on November 8, 1988 ballot.
13. Consideration of the proposed Charter Commission Amendment as submitted by the Crystal Charter Commission.
14. Consideration of a Resolution transferring funds from Emergency Allowance to Recycling Department.

Open Forum

Informal Discussion and Announcements

Licenses

Adjournment

APPLICATIONS FOR LICENSE

September 6, 1988

SIGN HANGER - \$66.00

Suburban Sign Company, 6818 W. Lake Street, St. Louis
Park, MN 55426-4208

Cragg, Inc., 7150 Madison Ave. W., Golden Valley, MN 55427

PLUMBERS LICENSE - \$30.25

J. R. Kelly Plumbing & Heating, 1982 Palace Avenue,
St. Paul, MN 55105

GAS FITTERS LICENSE

Midland Heating, 6442 Penn Ave. S., Richfield, MN 55423

FOOD ESTABLISHMENT - Itinerant (Exempt)

VFW Post 494, 5222 56th Ave. N., Crystal, MN 55429

AUCTIONEER - \$18.25 per day

Clair A. Wilson, Auctioneer, to conduct a ONE day only
Auction on September 12 and September 26

COURTESY BENCHES: \$20.00 ea. bench + cert. of insurance

Roland C. Danielson dba United States Bench Corp.

FOOD ESTABLISHMENT - Itinerant \$27.50 + \$11.00 ea. additional day

Tom Thumb, 4711 36th Avenue North, Crystal, MN 55422
September 8 - September 11, 1988

August 16, 1988

page 290

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: Herbes, Moravec, Rygg, Aaker, Langsdorf, Leppa, Smothers. Also in attendance were the following staff members: Jerry Dular, City Manager; John Olson, Assistant 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 August 2, 1988.

Moved by Councilmember Herbes and seconded by Councilmember Smothers to approve the minutes of the Regular City Council meeting of August 2, 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, 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 non-conforming 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

August 16, 1988

page 291

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.
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 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 Langsdorf and seconded by Councilmember Leppa 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 Edward C. Brandeen for a variance of 14 feet in

August 16, 1988

page 292

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 closed the Public Hearing.

Moved by Councilmember Rygg and seconded by Councilmember Smothers to approve 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.

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

1. 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 Leppa and seconded by Councilmember Langsdorf 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 aye: Herbes, Moravec, Rygg, Langsdorf, Aaker, Leppa, Smothers.

Motion carried, resolution declared adopted.

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

Moved by Councilmember Smothers and seconded by Councilmember Moravec to approve building permit #989 for Rapid Oil, 5602 Lakeland Avenue North.

Motion Carried.

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

Moved by Councilmember Rygg and seconded by Councilmember Smothers to appoint both applicants, flip a coin to see which would be appointed to the Environmental Quality Commission for an unexpired term expiring 12-31-90, and have the remaining applicant attend meetings until such time as another opening occurs on the Commission.

August 16, 1988

page 293

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

Motion Failed.

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

Motion Carried.

4. 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 appear.

Moved by Councilmember Leppa and seconded by Councilmember Smothers to appoint Lois Ehret to the Human Relations Commission for an unexpired term expiring 12-31-88.

Motion Carried.

Moved by Councilmember Rygg and seconded by Councilmember Herbes to appoint Arlene West to the Human Relations Commission for an unexpired term expiring 12-31-88.

Motion Carried.

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

Moved by Councilmember Leppa and seconded by Councilmember Moravec to thank Patty Wilder and Crystal Representative on the Human Services Council, Paul Schulte, for appearing before the Council and to direct staff to consider the 4.5 cent per capita increase in funding when preparing the 1989 budget.

Motion Carried.

6. The City Council considered the proposed By-laws for the Firefighters Relief Association.

- A. Moved by Councilmember Moravec and seconded by Councilmember Leppa to remove Item #6 from the table.

Motion Carried.

- B. Moved by Councilmember Smothers and seconded by Councilmember Herbes to approve the proposed By-laws for the Firefighters Relief Association a copy of which is on file in the office of City Clerk and is made a part of this motion as set forth in full herein.

Moved by Councilmember Langsdorf and seconded by Councilmember Moravec to amend the motion to approve the entire document with the exception of Article XI - GENERAL FUND LUMP SUM PENSION in the proposed bylaws (Article X in existing bylaws),

August 16, 1988

page 294

bylaws), and direct the Firefighters Relief Association to review Article XI and return to the Council with a revised proposal for that Article.

Motion Carried.

On main motion as amended:

Motion Carried.

7. The City Council considered awarding bids for reroofing of Sewer & Water Maintenance garage.

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

RESOLUTION NO. 88-43

RESOLUTION AWARDING A BID TO PALMER WEST

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

Motion carried, resolution declared adopted.

8. The City Council considered final plat approval of Beelen ^{2nd} Addition at 3836-38 Douglas Drive.

Moved by Councilmember Rygg and seconded by Councilmember Leppa 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: Herbes, Moravec, Rygg, Langsdorf, Aaker, Leppa, Smothers.

Motion carried, resolution declared adopted.

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 Herbes 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.

August 16, 1988

page 295

Motion Carried.

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

Moved by Councilmember Moravec and seconded by Councilmember Smothers 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.

Councilmember Langsdorf 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 Manager asked that any Councilmembers planning to attend, please get their responses to staff.

13. The City Council considered a resolution rescinding all sprinkling restrictions for water customers in the City of Crystal.

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

RESOLUTION NO. 88-45

A RESOLUTION RESCINDING ALL SPRINKLING
RESTRICTIONS 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.

14. Moved by Councilmember Moravec and seconded by Councilmember Leppa to remove from the table for consideration at the September 6, 1988 meeting the Second Reading for an Ordinance Amending Crystal City Code Regarding Motor Vehicle Sales as a Conditional Use in B-3 (Auto-oriented Commercial) and I-1 (Light Industrial) Districts.

August 16, 1988

page 296

Motion Carried.

15. Moved by Councilmember Moravec and seconded by Councilmember Leppa to remove from the table for consideration at the September 6, 1988 meeting, 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.

Motion Carried.

The City Manager advised Council that staff was working on obtaining a public relations firm and a Citizens Committee for the Community Center bond Issue. If Council has names for Citizens Committee, submit to staff.

16. Moved by Councilmember Herbes and seconded by Councilmember Smothers to approve the list of license applications as submitted by the City Clerk to the City Council, 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 Rygg and seconded by Councilmember Herbes to adjourn the meeting.

Motion Carried.

The meeting was adjourned at 8:57 p.m.

Mayor

ATTEST:

City Clerk

MEMORANDUM

TO: Jerry Dulgar
City Manager

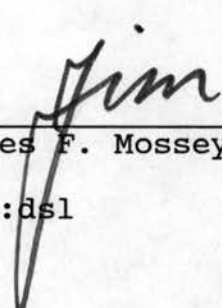
FROM: James F. Mossey
Chief of Police

RE: Drug Education Program

DATE: August 23, 1988

Please be informed that on August 22, 1988, we received a check in the amount of \$308.05 from the Elks Clubs to be used in the Drug Education Program.

I thought maybe the Council would like to thank the Elks Club at a future Council Meeting.


James F. Mossey, Chief of Police

JFM:ds1

TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
DATE: August 31, 1988
RE: 1988 Improvement Project Hearing

Pursuant to provisions of State statute, the Council must hold a public hearing to assess benefit related to completed improvement projects. It is recommended a public assessment hearing be scheduled for October 4 with this office directed to coordinate the required public advertisement and individual mailings.

Projects included in this hearing are as follows:

Project 66A - Bass Lake Road Street Improvements
(as per City agreement with Lincoln Properties
for the Crystal Gallery development)

Project 88-1 - 1988 Seal Coat Program

Project 88-2 - 1988 Sidewalk Repair Program

1988 Diseased Tree Removal Program

1988 Debris Removal Program

1988 Weed Cutting Program

1988 Delinquent Sewer, Water and Street Lighting
Payments.


WM:jrs

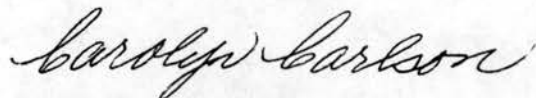
6730 50th Avenue North
Crystal MN 55428
August 23, 1988

Jerry Dulgar, City Manager
Crystal City Council
Crystal City Hall
4141 Douglas Drive North
Crystal MN 55422

Dear Mr. Dulgar and City Council

Last evening at the meeting of the meeting of the Crystal Human Relations Commission I announced my resignation. It has become increasingly difficult to keep up with my commitments and have to cut back somewhere and this seemed to be the only place I could.

Thank you for the opportunity to serve the City of Crystal. Over the years I have become even more committed to human rights and commend the city for its interest. The commissioners are getting a good program under way and I look forward to seeing progress in this area of city life.



Carolyn Carlson

DATE: August 11, 1988

TO: Jerry Dulgar, City Manager

FROM: Don Peterson, Chief Building Inspector

RE: Variance #88-45 at 3541 Lee Ave. N.

This is the property that the City of Crystal just recently sold to Mike Wilder.

The lot is only 40' wide (60' wide required) thus the application for the variance.

Mr. Wilder has made application for a building permit and has submitted a site plan that indicates that no other variances will be required to construct the planned new single family dwelling.

I will have a transparency of the site and Mr. Wilder will be present to answer any questions.

kk

LOT SURVEYS COMPANY, INC.

LAND SURVEYORS

REGISTERED UNDER LAWS OF STATE OF MINNESOTA

7601 - 73rd Avenue North

560-3093

Minneapolis, Minnesota 55428

Surveyors Certificate

INVOICE NO. 22671
F. B. NO. 408-04
SCALE 1" = 20'
0 - DENOTES IRON



MIKE WILDER

□ Denotes Wood Hub Set
For Excavation Only

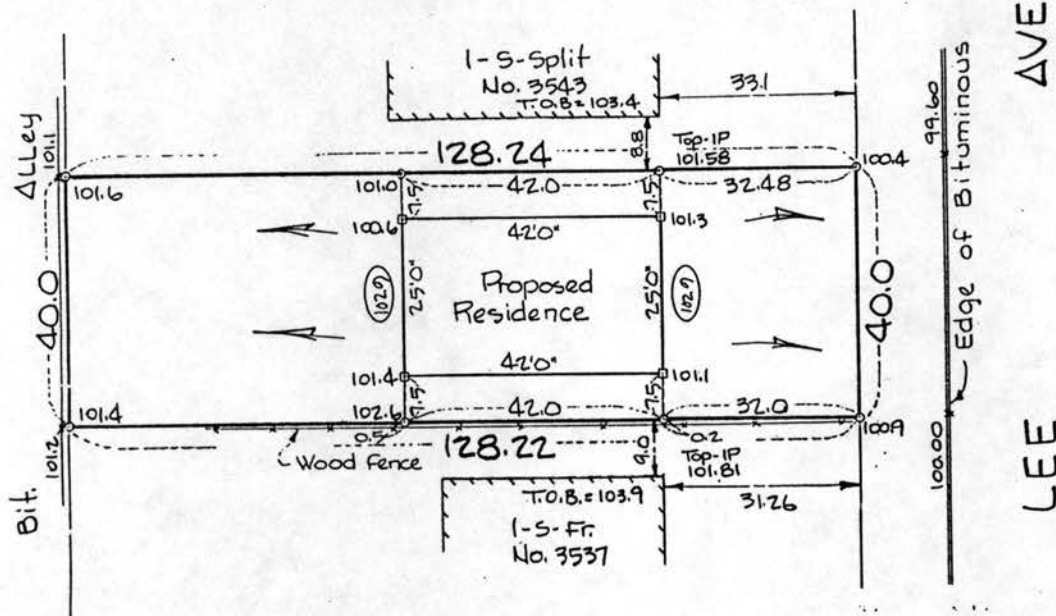
— Denotes Surface Drainage

○ Denotes Proposed Elevation

x 000.0

Denotes Existing Elevation

Elevation datum assumed.



Top of Block

Lowest Most Floor

Lowest Most Floor

103.6

100.1

Lot 5, Block 3, WOODLAND HOMES

The only easements shown are from plats of record or information provided by client.

We hereby certify that this is a true and correct representation of a survey of the boundaries of the above described land and the location of all buildings and visible encroachments, if any, from or on said land.

Surveyed by us this 28th day of July 19 88

Signed

Raymond A. Preach

Raymond A. Preach, Minn. Reg. No. 6743

DATE: August 11, 1988

TO: Jerry Dulgar, City Manager

FROM: Don Peterson, Chief Building Inspector

RE: Variance #88-37 at 3557 Orchard Ave. N.

Sec. 519.09 Subd 4h (10) limits a property to only one curb cut.

On April 1, 1988 fire destroyed the applicant's garage which accessed on 36th Ave. N.

On July 18, 1988 he made application for a building permit, plans were approved on July 19, 1988. On July 22, 1988 the application for variance #88-37 was made. (Receipt No. 41149).

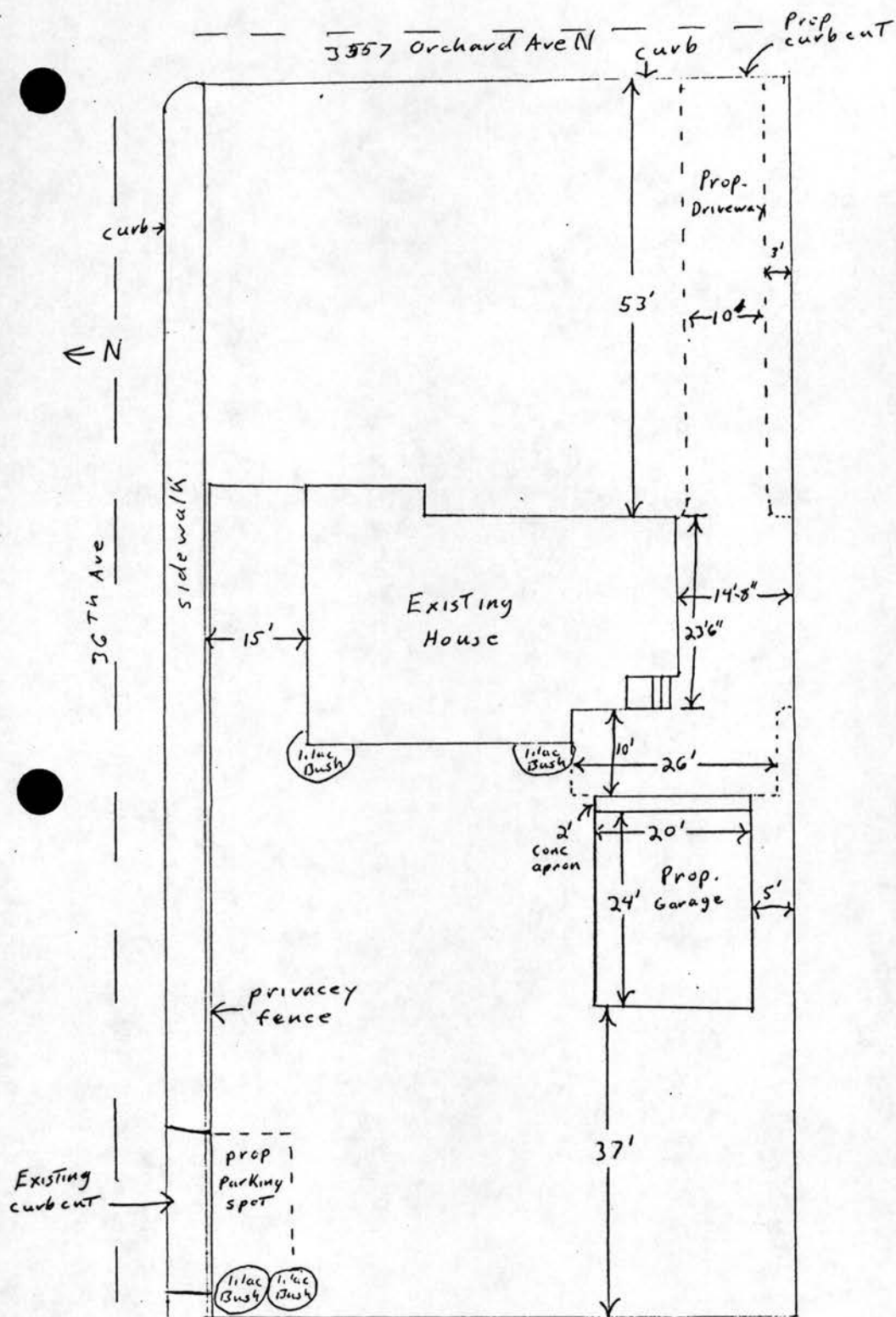
On July 25, 1988 the building permit #000926 was issued (Receipt No. 41175) and a footing inspection was made by Bill Barber.

I can understand the applicant wanting to make use of the existing slab and not wishing to spend additional money to close the curb cut; however, I do believe that the movements involved in backing a boat in from 36th Ave. would create the possibility of serious traffic hazards.

I will have transparencies and the applicant will be present to answer questions.

kk

Front



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

No. 88-37

Date: 7-22-88

APPEAL FOR A VARIANCE TO THE ZONING ORDINANCE

Street Location of Property: 3557 Orchard Ave N. Crystal, MN
Legal Description of Property: lot 16, Block 1, Crystal Heights View,
according To The plat Thereof on file or of record in the office of Registrar of Title
Property Identification Number: _____
Applicant: Timothy James Bownik
(Print Name)
3557 Orchard Ave N Crystal, MN 55422 522-5286
(Address) (Phone No.)
Owner: same
(Print Name)
(Address) (Phone No.)

REQUEST: Applicant requests a variance on the above-described property from Section 515.09
Subd 4 h (10) of the Zoning Ordinance, as amended, which requires a limit of
one curb cut per lot.

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

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

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

I need a space To park a boat and Trailer. There is not
room To comfortably get between The garage and house.
and There will not be room in The Driveway for it.

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

The boat I plan To store has been out in the open and has lost
Three meters in the last Two years. without The curb cut
I would need To drive across The width of my lawn

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

The cut in question is already in place. To tear it out would block Traffic
and close a sidewalk on 36th ave. The boat will be hidden by a 6ft
gate on the side and lilac bushes in back

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

THIS PROPERTY IS:

TORRENS ABSTRACT

(Circle one)

[Signature]
(Applicant's Signature)

[Signature]
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00

DATE RECEIVED: 7-22-88

RECEIPT #

41149

(Approved) (Denied) - Planning Commission

(Date)

(Approved) (Denied) - City Council

(Date)

DATE: August 11, 1988

TO: Jerry Dulgar, City Manager

FROM: Don Peterson, Chief Building Inspector

RE: Variances #88-38 and #88-39 at 6625 45th Ave. N.

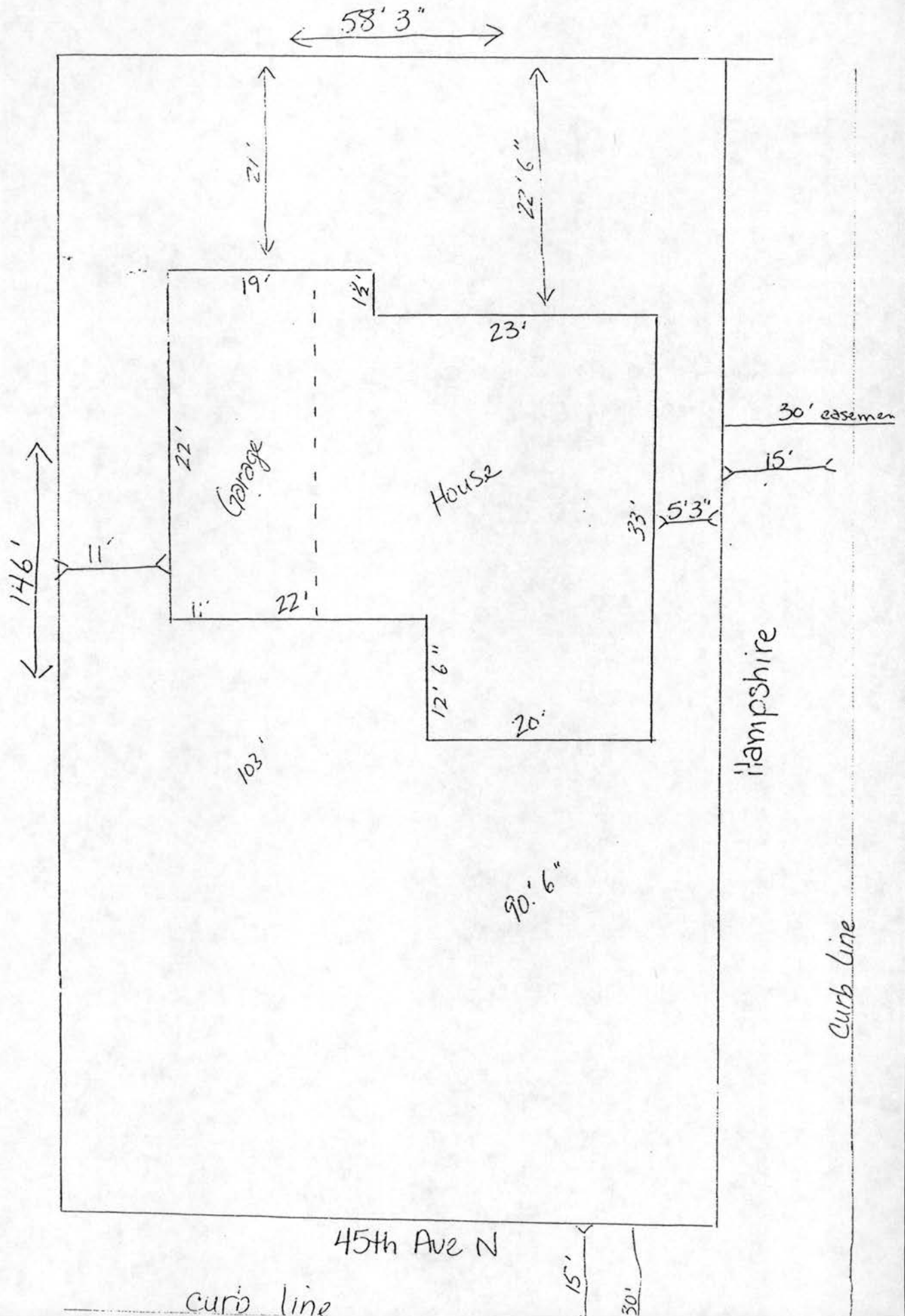
We have a non-conforming older home on a corner lot that requires two (2) variances to the zoning ordinance. Sec. 515.05 Subd 2 to expand the non-conforming structure and Sec. 515.13 Subd 4 (a) to allow a 17' 6" variance to the required 40' rear yard.

The applicant wishes to remove the garage/breezeway portion of the existing, add a living room with an attached single car garage, and change the existing living room to a bedroom.

We had a similar request in 1983 at 5011 Vera Cruz with Variances #83-12 and #83-13. In that case it turned out to be a very nice improvement to the property. I believe that the planned remodeling could and would improve the property in this situation and recommend that you view the property at 5011 Vera Cruz before making your decision.

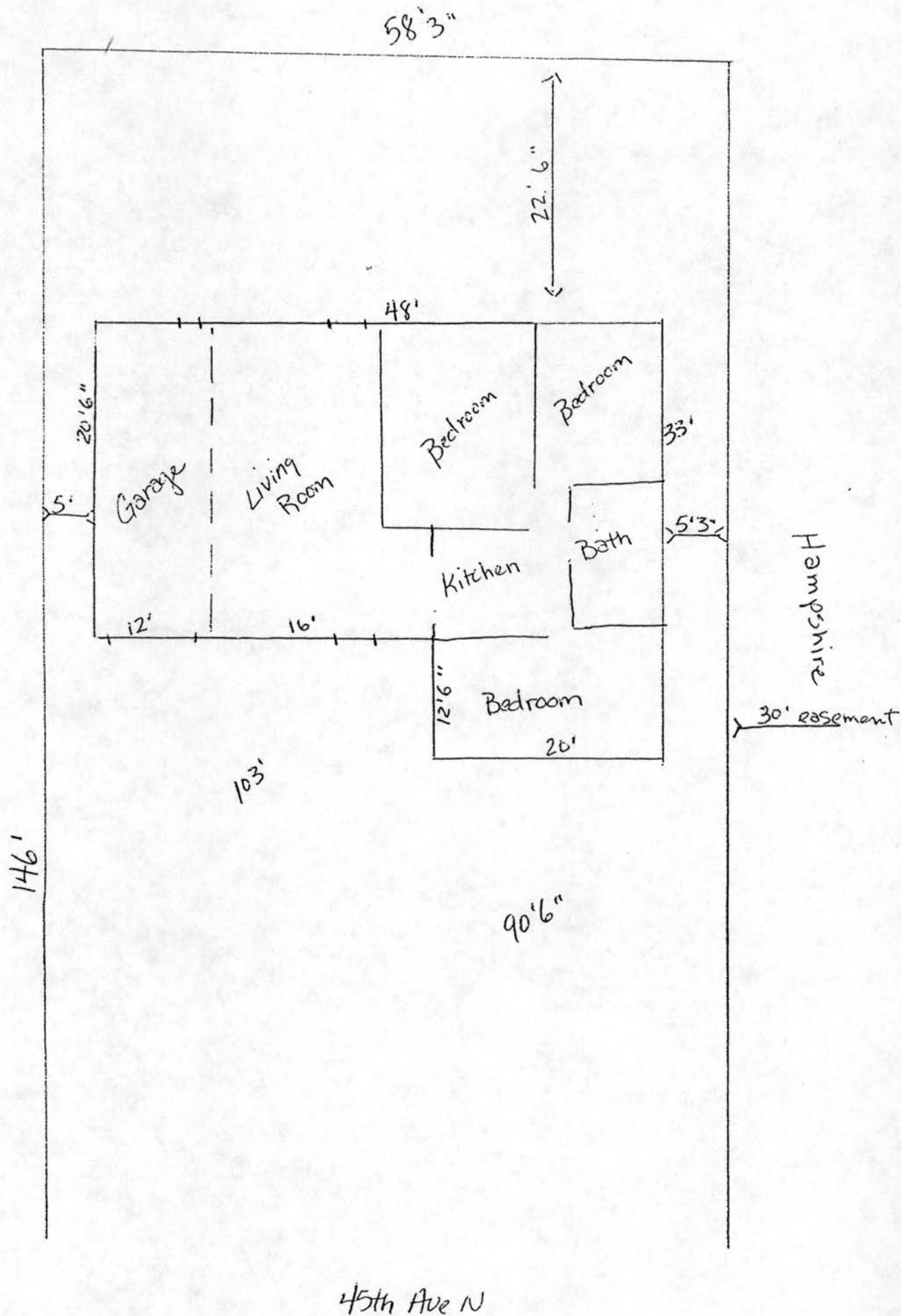
I will have transperancies and the applicant will be present to answer questions.

6625 45th Ave N (Existing Structure)
Crystal



6625 45th Ave N
Crystal

Proposed Changes



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

No. 88-38

Date: _____

APPEAL FOR A VARIANCE TO THE ZONING ORDINANCE

Street Location of Property: 6625 45th Ave N

Legal Description of Property: _____

Property Identification Number: 17-118-21-11-0053

Applicant: Brenda S. Swanson
(Print Name)

6625 45th Ave N, Crystal MN 535-7283
(Address) (Phone No.)

Owner: Richard G and Brenda S Swanson
(Print Name)

6625 45th Ave N, Crystal MN 535-7283
(Address) (Phone No.)

REQUEST: Applicant requests a variance on the above-described property from Section 515.05
Subd 2 of the Zoning Ordinance, as amended, which requires

To EXPAND A NOW-COWT STRUCTURE
(SSSYsb) + (R4SB)

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

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

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

House presently exists as a non-conforming structure,
changing the structure would not be practical. The proposed
changes would be consistent with the existing structure.

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

Intended changes will enhance the appearance of the
neighborhood as well as the structure itself.

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

The changes proposed will upgrade the ^{property} home and improve
the overall appearance, thus enhancing our neighborhood,
and livability of our home.

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

THIS PROPERTY IS:

TORRENS / ABSTRACT

(Circle one)

Brenda S Swanson
(Applicant's Signature)

Brenda S Swanson
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: 7-8-88 RECEIPT # 40978

☒ (Approved) ☐ (Denied) - Planning Commission _____
(Date)

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

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

No. 88-39

Date: _____

APPEAL FOR A VARIANCE TO THE ZONING ORDINANCE

Street Location of Property: 6625 45th Ave N.

Legal Description of Property: _____

Property Identification Number: 17-118-21-11-0053

Applicant: RICHARD G SWANSON & Brenda S. Swanson

(Print Name)

6625 45th Ave N.

(Address)

535-7283

(Phone No.)

Owner: RICHARD G SWANSON & Brenda S. Swanson

(Print Name)

6625 45th Ave N.

(Address)

535 728 3

(Phone No.)

REQUEST: Applicant requests a variance on the above-described property from Section 515.13
Subd 4 (A) of the Zoning Ordinance, as amended, which requires 40'

17'6" Up to Rear Yd to Add 6'

Existing Rear Court Structure & Remodel INTERIOR

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

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

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

House presently exists as a non-conforming structure, changing the structure would not be practical and the proposed changes would be consistent with the existing structure.

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

Intended changes will enhance the appearance of the neighborhood as well as the structure itself.

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

The proposed changes will upgrade the property and improve the overall appearance thus enhancing our neighborhood and liveability of our home.

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

THIS PROPERTY IS:

TORRENS / ABSTRACT

(Circle one)

Brenda S. Swanson
(Applicant's Signature)

Brenda S. Swanson
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: 7-8-88 RECEIPT # 40978

☐ (Approved) ☐ (Denied) - Planning Commission

(Date)

☐ (Approved) ☐ (Denied) - City Council

(Date)

DATE: August 12, 1988

TO: Jerry Dulgar, City Manager

FROM: Don Peterson, Chief Building Inspector

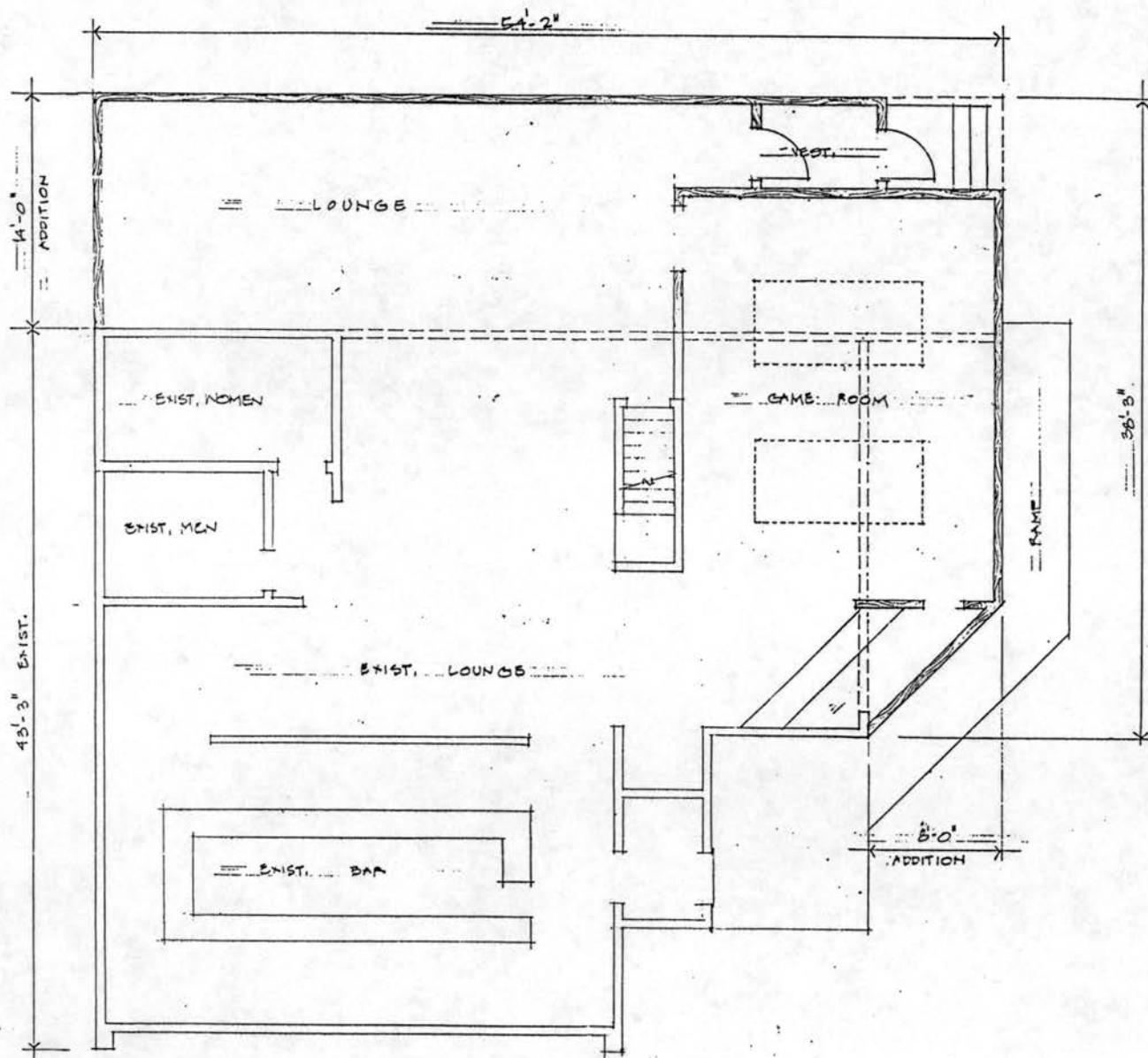
RE: Variance #88-31 at 5540 Lakeland Avenue (Paddock)

The variance is to Sec. 515.05 Subd 2 for the expansion of a non-conforming structure. The existing structure encroches approximately 8' in the required 22' front yard set back.

The applicant wishes to add to the rear (14') and the south side (8') of the existing building and will also be asking you to recommend the authorization of issuing building permit #000995.

I will have transparencies and the applicant will be present to answer any questions you may have.

kk



FIRST FLOOR PLAN

1/4" = 1'-0"

ADDITION & REMODELING TO
TADDOCK BAR & LOUNGE
3340 LAKELAND AVE. NORTH
CRYSTAL, MINNESOTA.

DATE: JUL 20, 1966
COMM. NO.
DRN. BY:
C.R. BY:
BY

WALTER JOHNSON ARCHITECTS
3345 CHAMBERLAIN AVE. N.W.
ROSBURG, MINNESOTA

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

No. 88-31
Date: JUNE 1, 1988

APPEAL FOR A VARIANCE TO THE ZONING ORDINANCE

Street Location of Property: 5540 LAKELAND AVE. NORTH
Legal Description of Property: PARTS OF LOTS 2, 3 & 4,
ST. DENIS ACRES, HENNEPIN COUNTY, MINNESOTA
Property Identification Number: 04-118-21-33-0013
Applicant: B WALTER JOHNSON - ARCHITECT
(Print Name)
3345 CHOWEN AV. NO. 588-2143
(Address) (Phone No.)
Owner: L.J.D. INC.
(Print Name)
5540 LAKELAND AVE. NO. 533-7935
(Address) (Phone No.)

REQUEST: Applicant requests a variance on the above-described property from Section 515.05
Subd. 2 of the Zoning Ordinance, as amended, which requires

VARIANCE FOR EXPANSION OF NON-CONFORMANCE
STRUCTURE

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

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

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

STRUCTURE WAS CONSTRUCTED BEFORE THE
PRESENT ZONING ORD. WAS ADOPTED, THE
ADDITION DOES NOT NEED A VARIANCE.

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

BECAUSE EXIST. STRUCTURE ENCLOSED INTO
FRONT YARD SET-BACK.

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

GRANTING OF THE VARIANCE WILL ALLOW
THE OWNER TO IMPROVE THE BUILDING AND
GREATLY IMPROVE THE PARKING & LANDSCAPING.

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

THIS PROPERTY IS:

TORRENS / ABSTRACT

(Circle one)

Walter D. Johnson
(Applicant's Signature)

(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: 6/3/88 RECEIPT # 40321

(Approved) (Denied) - Planning Commission

(Date)

(Approved) (Denied) - City Council

(Date)

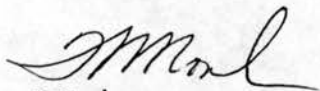
TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
DATE: September 1, 1988
RE: Site Improvements for The Paddock

The non-conforming structure variance and the building permit aspects of the proposed Paddock expansion are being handled by Don Peterson. This report will cover the site improvement issues associated with the proposal.

As noted on the attached sketch, a significant portion of The Paddock site was acquired for relocation of the frontage road included in the TH 169/CR 10 Intersection Project. As a part of the acquisition agreement, the owner was permitted to commence with extensive site improvements to replace the parking lost to the project. The attached agreement formalizes completion of the site improvements already in progress.

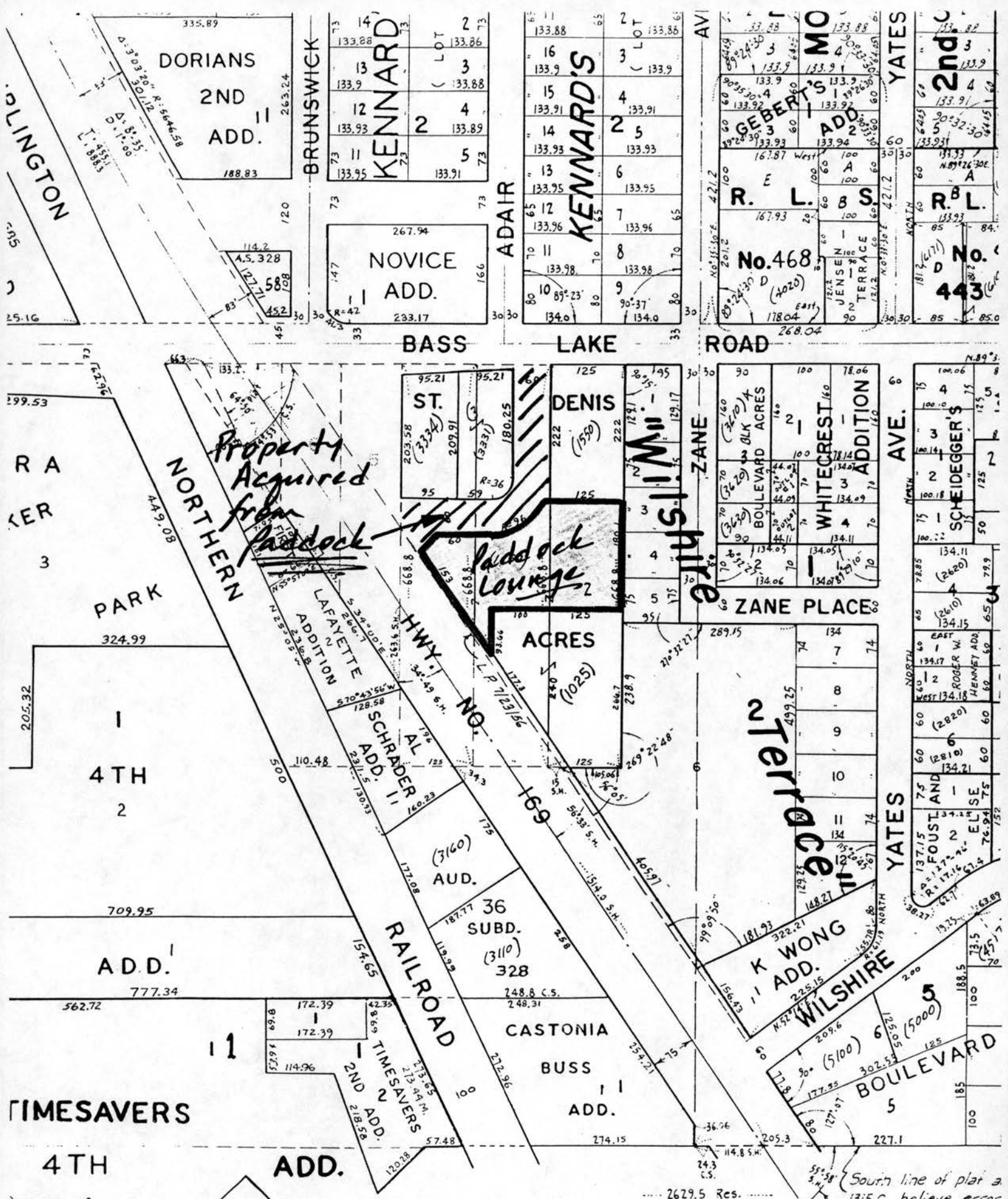
It should be noted that one of the agreement conditions includes the platting of the property which is presently spread over portions of several parcels. Additionally, as the site improvements are already in progress, some of the items listed in the agreement may be dropped as the document is executed depending on the status of the work at the time the building permit for expansion is actually issued.

On August 8 the Planning Commission recommended approval of the variance and building permit while noting the status of the site improvements.



WM:jrs

Encls



South line of plat a
1315.0, believe error
Lis Pendens proceeding
this angle as 58°58' wh
believed to be an er

EXHIBIT "A"

A G R E E M E N T

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

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

WHEREAS, as a prerequisite to the approval of said permit, the City Council requires the construction of certain improvements for the orderly development of property known as The Paddock, 5540 Lakeland Avenue North.

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

- Prepare and record plat of property.
- Construct V6 (minimum section) cast-in-place concrete barrier curb.
- Construct parking area, access aisles and drives with a minimum of 6" Class 5 base and 2" bituminous surface.
- Stripe parking stalls with white paint.
- Erect 2 handicap parking stall signs.
- Construct storm sewer and appurtenances to collect and dispose of all surface water on the site.
- Provide screening from adjacent property in accordance with Section 515.07, Subd. 9, of the Crystal City Code.
- Erect stop signs at exits from parking area.
- Prepare and submit "as built" utility plans.
- Designate and sign fire lanes.
- Note how area lighting if proposed will conform to Section 515.07, Subd. 10, of the Crystal City Code.
- Landscape all open and disturbed areas.
- Provide all lot irons in place and to grade at the time of final acceptance.

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

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

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

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

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

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

That surety be deposited with the City in the amount of
\$28,000 to insure the faithful performance of the above
construction work and requirements, said surety to be in the form
and manner as prescribed by law.

IN WITNESS WHEREOF we have hereunto set our hands this ____
day of _____.

SEAL

CITY OF CRYSTAL

ATTEST:

MAYOR

CITY CLERK

CITY MANAGER

IN THE PRESENCE OF:

SECOND PARTY

SECOND PARTY

DATE: August 12, 1988

TO: Jerry Dulgar, City Manager

FROM: Don Peterson, Chief Building Inspector

RE: Variance #88-41 at 5325 Welcome Ave. N.

This is a corner lot on 54th and Welcome. The applicant has started (without permit) to build a 16' X 24' deck that encroches 12' in the required 30' side street side yard set back.

With the 15' boulevard easement plus the 18' set back as shown, I don't see the location of the deck creating a problem with the sight distance of vehicles approaching the intersection.

I will have the usual transparencies and the owner will be present to answer questions.

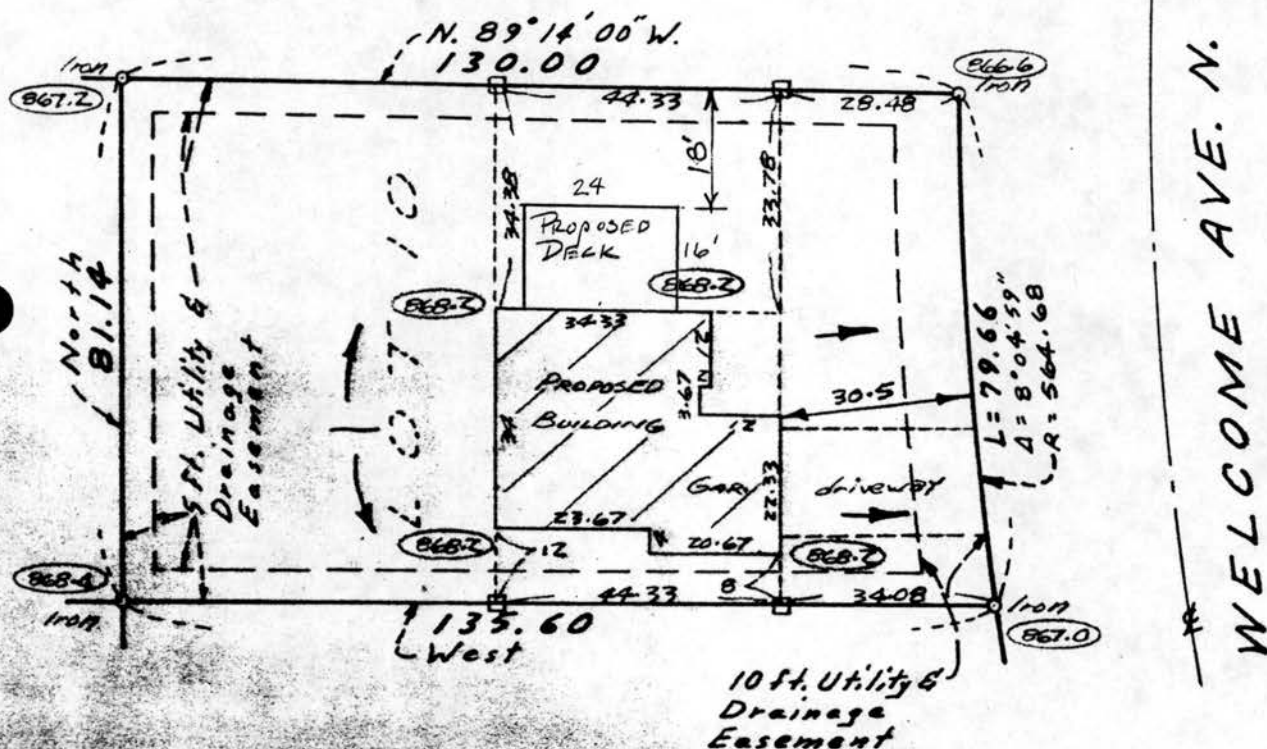
kk



CERTIFICATE OF SURVEY

For VERN REYNOLDS CONSTRUCTION

54th. AVE. N.



NOTE: Bearings shown are assumed.

DESCRIPTION:

LOT 10, BLOCK 1, CRYSTAL GREEN

○ Indicates proposed elevation.

Proposed garage floor 868.53

We hereby certify that this is a true and correct representation of a survey of the boundaries of the land above described and of the location of all buildings, if any, thereon, and all visible encroachments, if any, from or on said land.

Dated this 16th day of May, 1985.

EGAN, FIELD & NOWAK, INC.
Surveyors

by Vernon A. Nickols

File No. 1968 Book No.

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

No. 88-41

Date: 7/29/88

APPEAL FOR A VARIANCE TO THE ZONING ORDINANCE

Set Location of Property: WELCOME AVE 5325 WELCOME AVE NO.
Legal Description of Property: LOT 10 BLOCK 1 CRYSTAL GREEN

Property Identification Number: 09-21-20

Applicant: KEVIN J GANNON

(Print Name)

3325 WELCOME AVE NO

(Address)

535-0217

(Phone No.)

Owner: KEVIN J GANNON

(Print Name)

5325 WELCOME AVE INC.

(Address)

535-0217

(Phone No.)

REQUEST: Applicant requests a variance on the above-described property from Section 515.13
3(a) 2(iii) of the Zoning Ordinance, as amended, which requires 29.66 SSSY SETBACK
16x24' DECK
REQUESTING 12' VARIANCE TO THE REQUIRED 29.66 SIDE
STREET SIDE YARD SETBACK 30'

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

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

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

THE DECK WILL ADD TO THE HOUSE, AND MY SLIDING
WINDOW ARE ON THAT SIDE OF HOUSE

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

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

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

THIS PROPERTY IS:

TORRENS / ABSTRACT

(Circle one)

Kevin Gannon
(Applicant's Signature)

Kevin Gannon
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00

DATE RECEIVED: 7-27-88

RECEIPT # 41251

(Approved) (Denied) - Planning Commission

8/8/88
(Date)

(Approved) (Denied) - City Council

(Date)

DATE: August 23, 1988

TO: Jerry Dulgar, City Manager

FROM: Don Peterson, Chief Building Inspector

RE: Additions for V.F.W. at 5222 56th Ave. N.

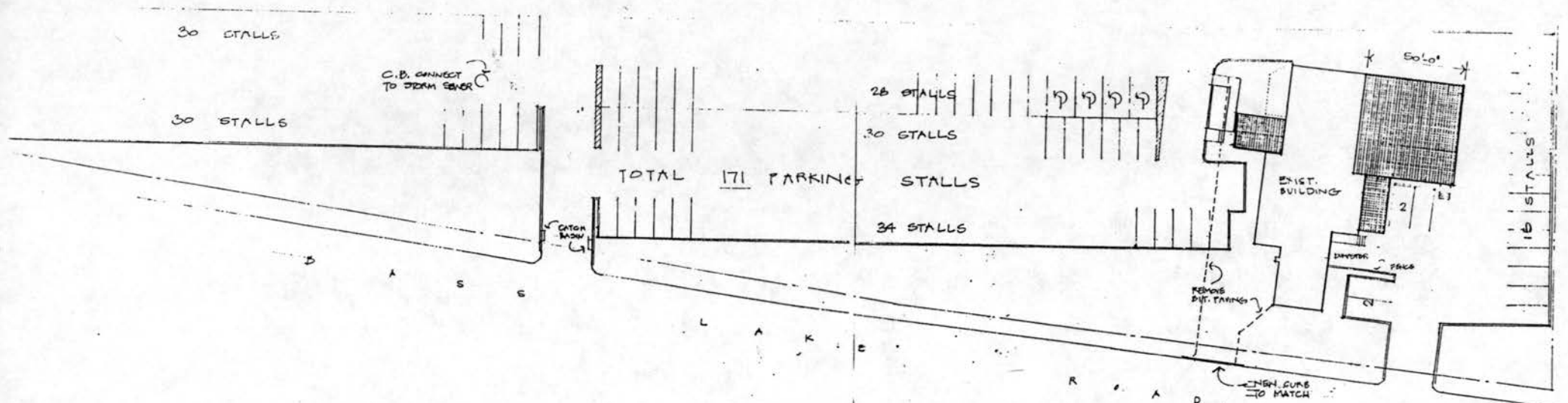
The V.F.W. is planning to add two (2) additions to the East side of their existing building.

A 13'-0" X 28'-4" kitchen addition and a 50' X 50' addition to be used for Bingo and Rental.

They also will add a 17'-8" X 24'-6" elevator lobby which will house an elevator and stairs to the lower level on the West side of the existing building.

I will have a transparency of the proposed additions and the architect, Walter Johnson, will be present to answer questions.

kk



S I T E P L A N

north
1" = 30'-0"

TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
DATE: September 1, 1988
RE: VFW Parking Variance and Site Improvements

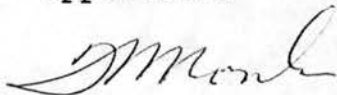
While Don Peterson of the Building Department will cover the building permit aspects of the VFW's proposal to expand their structure, this report will address the related parking variance and site improvement issues.

The VFW Hall exists as a conditional use in an R-4, Multiple Residential District. As noted on the attached plan, the proposed expansion will provide for 171 parking stalls. Since provisions of City Code require 216 parking spaces, a variance of 45 spaces is needed to process the expansion request.

In terms of the VFW use, this office is not particularly concerned with the size of the variance given the amount of space employed for office, storage, rest rooms and lobby. Reuse by another R-4 tenant is also not a concern as it is questionable whether this building could be converted to a denser use.

It should be noted that the proposed plan allows for a 61 parking stall increase as well as the closure of one 56th Avenue access and improved internal lot circulation as a part of the site improvements. As noted in the attached agreement extensive site improvements are proposed as a part of the building expansion.

On August 8 the Planning Commission recommended approval of the parking variance and building permit as proposed by the applicant.

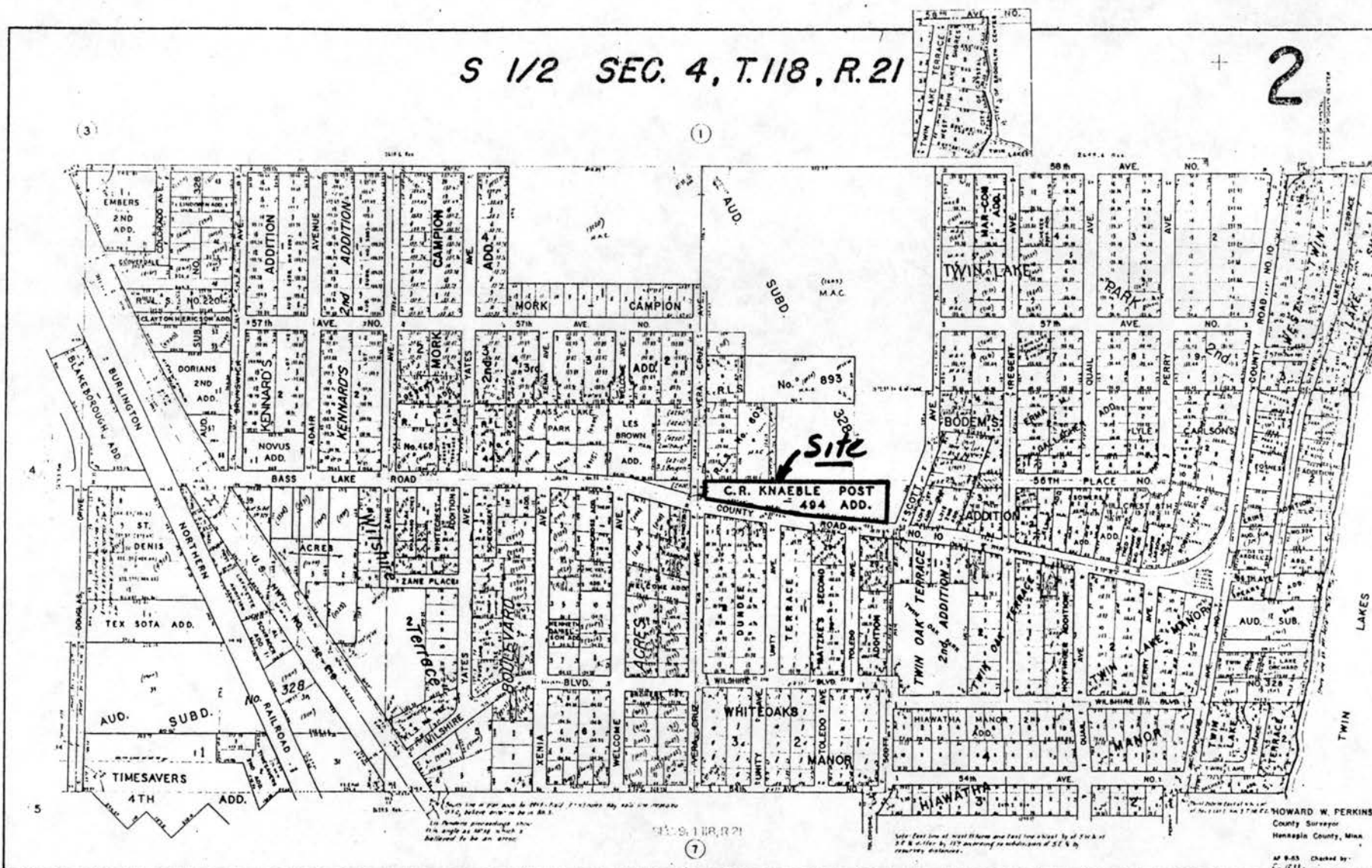


WM:jrs

Encls

ORIGINAL NO. 7

2



Location Map

FR

CRYSTAL FIELD

R-4 Site

A_N

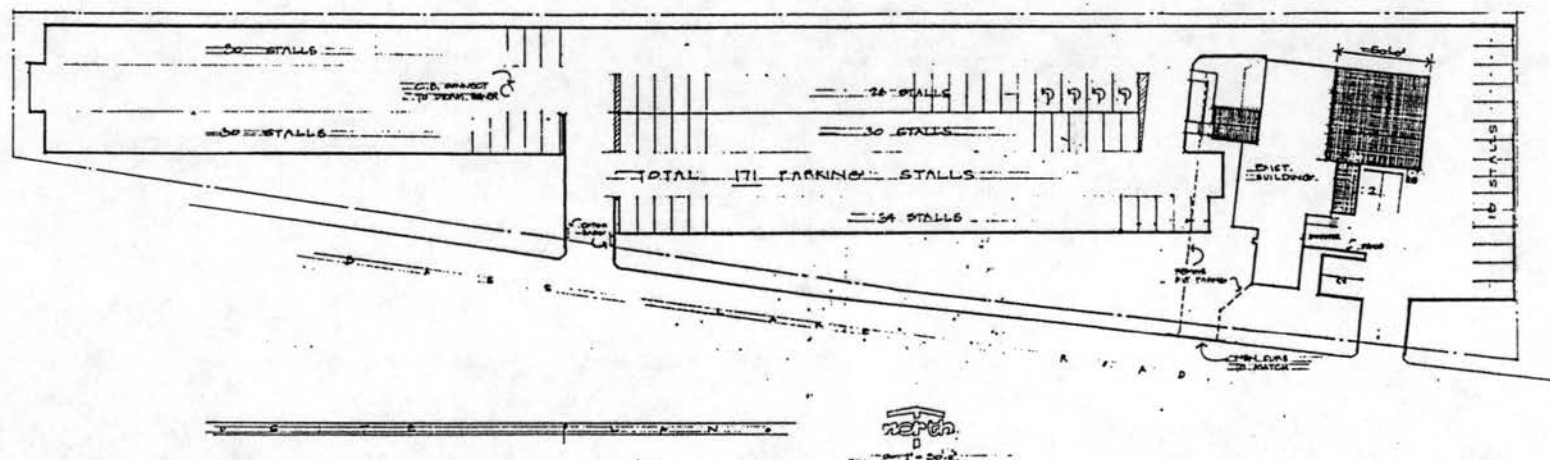
Zoning Map

LAYS

7/14/14

TWIN

LAKES



CHARLES R. KNEELE VETERANS T. FORGON NMS POST 484 8000 E 10th Ave. North Crystal, Minnesota	WALTER JENSEN, ARCHITECTS 3345 CROOKEN AVE. NORTH ROBINSON, MINNESOTA	DATE:	1
		CHG. NO.	
		DRW. NO.	

EXHIBIT "A"

A G R E E M E N T

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

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

WHEREAS, as a prerequisite to the approval of said permit, the City Council requires the construction of certain improvements for the orderly development of property known as Charles R. Knaeble V.F.W. Post 494, 5222 - 56th Ave. N.

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

- Close driveway opening in curb and repair street adjacent.
- Construct V6 (minimum section) cast-in-place concrete barrier curb.
- Construct new parking area, access aisles and drives with a minimum of 6" Class 5 base and 2" bituminous surface. Patch and overlay existing parking and drive areas.
- Stripe parking stalls with white paint.
- Erect 4 handicap parking stall signs.
- Construct storm sewer and appurtenances to collect and dispose of all surface water on the site.
- Provide screening from adjacent property in accordance with Section 515.07, Subd. 9, of the Crystal City Code.
- Erect stop signs at exits from parking area.
- Disconnect 2 abandoned water services at the main and restore disturbed area.
- Prepare and submit "as built" utility plans.
- Designate and sign fire lanes.
- Note how area lighting if proposed will conform to Section 515.07, Subd. 10, of the Crystal City Code.
- Landscape all open and disturbed areas.
- Provide all lot irons in place and to grade at the time of final acceptance.

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

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

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

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

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

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

That surety be deposited with the City in the amount of
\$49,700 to insure the faithful performance of the above
construction work and requirements, said surety to be in the form
and manner as prescribed by law.

IN WITNESS WHEREOF we have hereunto set our hands this ____
day of _____.

SEAL

ATTEST:

CITY OF CRYSTAL

MAYOR

CITY CLERK

CITY MANAGER

IN THE PRESENCE OF:

SECOND PARTY

SECOND PARTY

DATE: August 23, 1988

TO: Jerry Dulgar, City Manager

FROM: Don Peterson, Chief Building Inspector

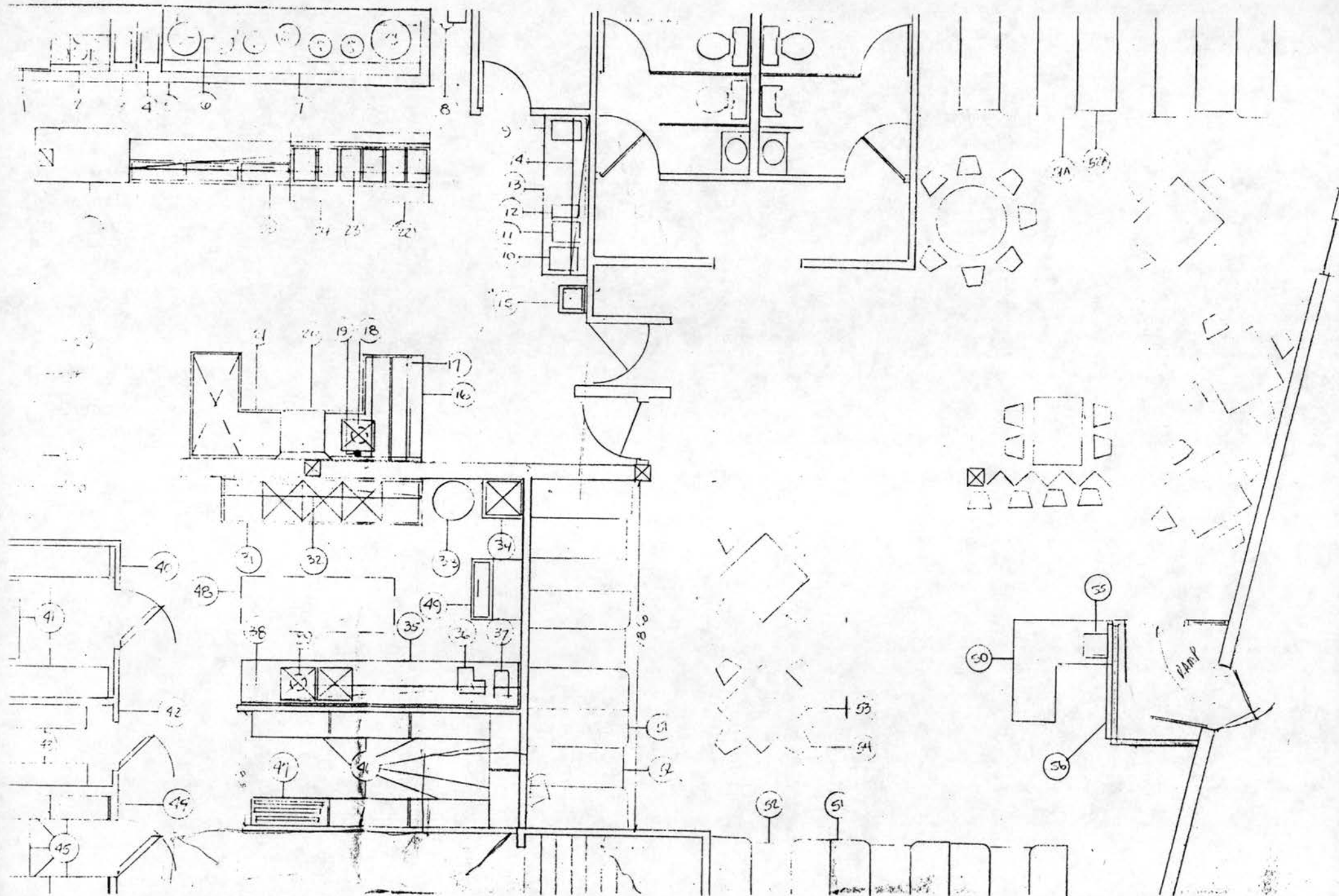
RE: Building Permit for Keng's Chow Mein
6121 42nd Ave. N.

Keng's Chow Mein has plans to expand into the space now occupied by the dry cleaners.

The Planning Commission voted (5-2) to deny the parking variance and building permit authorization.

I will have a transparency and I believe Jim Scott will be present to answer questions.

kk

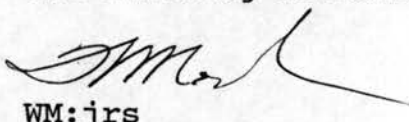


TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
DATE: September 1, 1988
RE: Parking Variance and Site Improvements for Keng's
Chow Mein at 6121 - 42nd Avenue North

The expansion request submitted by Keng's Chow Mein significantly increases the kitchen and seating capacity of the existing restaurant. Provisions of City Code dictate a requirement for 40 on-site parking spaces. As noted on the attached site plan, 20 parking spaces can be provided on a lower level to the rear of the property in addition to off-site parking along Colorado and 42nd Avenues. A 20-stall variance is required to process the restaurant expansion as submitted.

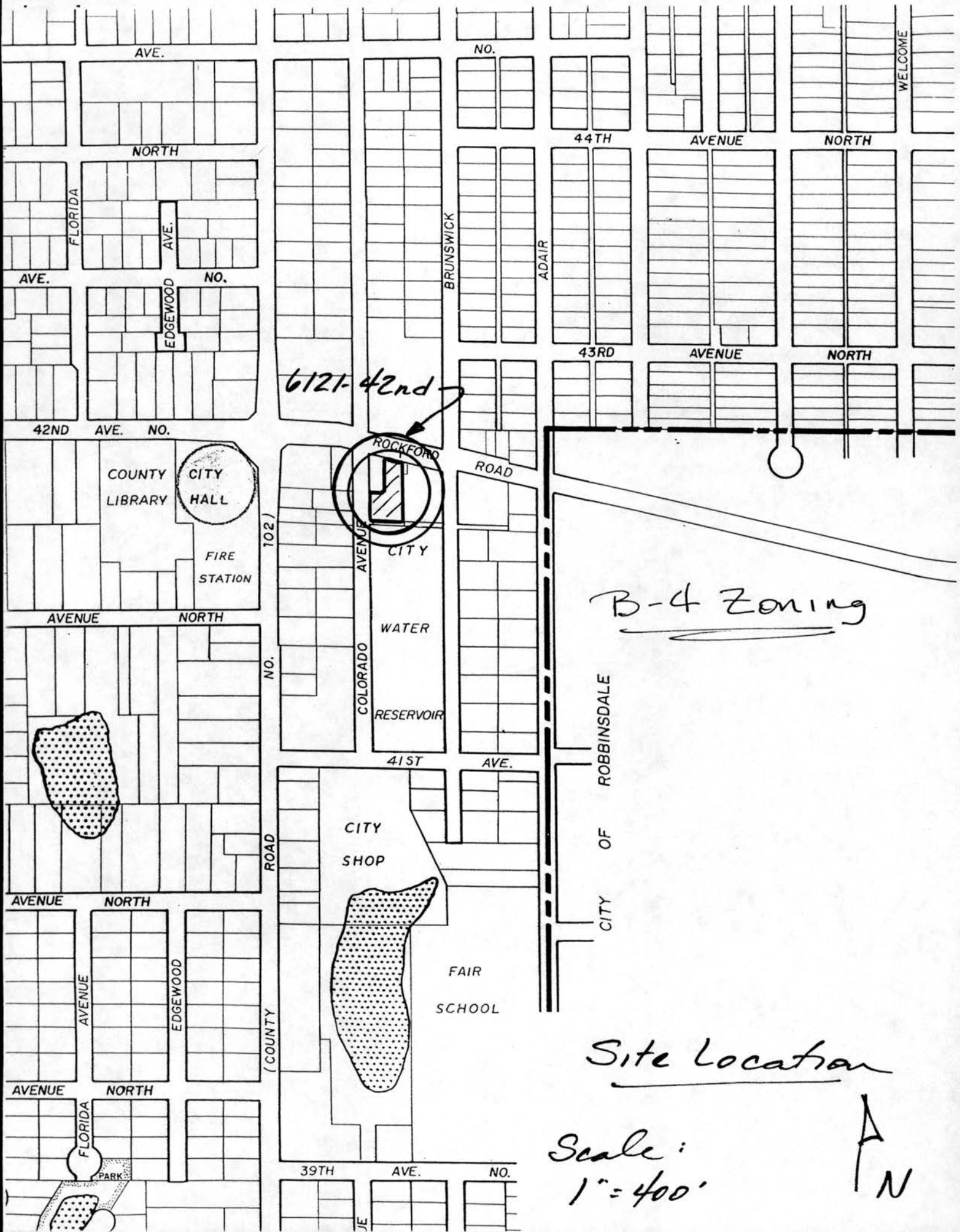
In terms of the site improvements, the work is relatively minor given the retaining walls and existing layout of the back lot. A copy of the site agreement is attached.

On August 8 the Planning Commission recommended denial of the parking variance based on its magnitude and precedent setting implications. There was also concern for the available parking being on a lower level and the probability for wintertime use problems. It should be noted that the Commission's action was based solely on the limitations of the site and had nothing to do with the nature or operation of the existing business.



WM:jrs

Encls



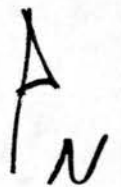
6121-42nd



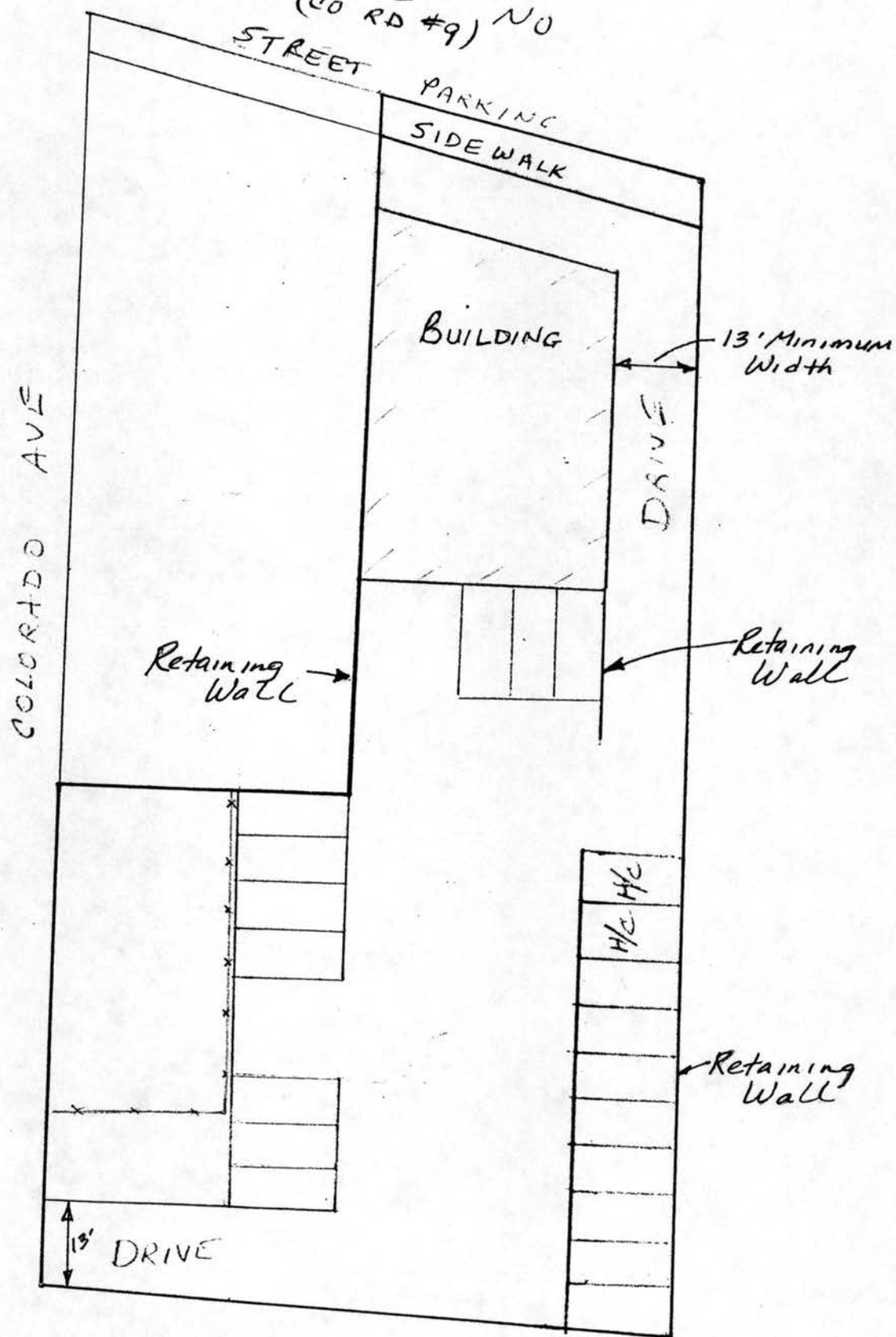
B-4 Zoning

Site Location

Scale:
1" = 400'



42nd AVE
(CO RD #9) NO
STREET



Scale:
1" = 30'

EXHIBIT "A"

A G R E E M E N T

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

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

WHEREAS, as a prerequisite to the approval of said permit, the City Council requires the construction of certain improvements for the orderly development of property known as Keng's Chow Mein, 6121 - 42nd Avenue North.

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

- Construct concrete driveway apron across boulevard.
- Construct V6 (minimum section) cast-in-place concrete barrier curb.
- Stripe parking stalls with white paint.
- Erect 1 handicap parking stall sign.
- Construct concrete spillway to City storm sewer to dispose of all surface water on the site.
- Note how area lighting if proposed will conform to Section 515.07, Subd. 10, of the Crystal City Code.
- Landscape all open and disturbed areas.
- Provide all lot irons in place and to grade at the time of final acceptance.

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

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

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

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

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

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

That surety be deposited with the City in the amount of \$6,200 to insure the faithful performance of the above construction work and requirements, said surety to be in the form and manner as prescribed by law.

IN WITNESS WHEREOF we have hereunto set our hands this ____ day of _____.

SEAL

ATTEST:

CITY CLERK

CITY OF CRYSTAL

MAYOR

CITY MANAGER

IN THE PRESENCE OF:

SECOND PARTY

SECOND PARTY

*Submitted to Council by applicant at the
9-6-88 meeting. D.G.*



LIBERTY GARMENT MANUFACTURING CO.

Since 1919

6105 42nd Avenue North • Minneapolis, MN 55422 • (612) 533-1833



SEPTEMBER 1, 1988

YEETEE WANG
KENG'S CHOW MEIN
6121 42ND AVE. NORTH
CRYSTAL MN 55427

DEAR YEETEE,

AS WE DISCUSSED, THE CUSTOMERS OF YOUR RESTAURANT HAVE OUR PERMISSION
TO PARK IN OUR PARKING LOT AT ANY TIME.

SINCERELY,

MICHAEL LOCKETZ PRESIDENT

I've been a customer
for several years and
believe an change
to update her
area would be a
good service -

Many Thanks Lesi

I support Ms Wang
in her expansion

It would do her
a great service to
serve her customers
better

Jane Donoho

We support Yee Tee Wang in her effort to expand her restaurant. We have gone to King's for over 20 years. It is helpful to have a neighborhood restaurant that continually serves good food. It would definitely be to the customer's advantage if she had larger facilities.

Don & Karen Peterson
Hidden Valley

Don & Olga Sewan
Crystal

I support Yeates Wang in her plans to expand the kitchen and seating capacity at Ken's Chow Mein shop on 42nd Avenue North in Crystal.

Mr + Mrs L. C. Anderson

It would be nice to see
Keng's Chow Mein take out
service up dated.

Marcia B. Simon

I've been working next to
Mrs Yeetee Wang for over 23 years
and believe that such a
hard working good citizen
such as she is deserves
to have her place of business
up dated. It will help to serve
all of us.

Ray Benson

Kengo Chao Muen

I will appear in front of the
Crystal City Council requesting to expand
my facility - I would appreciate your
support of my intentions. Please
include your name on my petition.

Name

Address

Frank Lawistush
Howard Hanson

3717 Flaj Ave N 55427

4409 Jane No.

W. Johnson

6624 - 45th Ave. No.

J. Oryu

8924 66th Ave N

K. Ford

5425 - 45 Ave N
3500 Downing Ave. N

Kathy Munn
Cindy Henkle

4346 Vera Cuy RD

~~Ed~~

14025 40th Ave. No. Ply. Min
55441

Marlene Peters
M. Melchert

7000-35th Pl. No Crystal 55427

M. Novak

3809 Georgia No

Jamie Schiller

3809 Oregon

Dee Pierson

7330 - 75th Circle W Brooklyn Pk

RANDY Wachter

4801 Nevada Ave N New Hope

BARB Anglin

3107 Independence New Hope

Linda Quarberg

3001 Ewing Ave No.

Wanda Heath

5624 Zane N., Crystal 55429

Angela Fiala

5600 Lyndale No, Brook. Center
55430

Karl H. Richards

4471 Independence Ave. Apt 104 New Hope
55428

Edna A. Sulka

1850 Ithaca Lane Plymouth

Zina S. Ambrecht
Gloria Hiltner
Ted Holmen
Rudolf & Bess
Ken Arneson
Shoenys

3810 Noble Ave Robb. Md
5685 Rebecca Pl. Isl. Treto, Mo.
3452 Lee Ave No
3512 46th Ave Robb
4131 COLORADO AVE ROBB
1294 Castle Court GV

11 David Frank

Kengo Chaw Meen

I will appear in front of the
Crystal City Council requesting to expand
my facility - I would appreciate your
support of my intentions. Please
include your name on my petition.

Name

Address

Rita Proctor

3508 Yates Crystal

Mary Johnson

4511 Winulka New Hope

Orie Mann

5600 Kentley Ave. B.C.

Charles Foster

3257 Kenia Ave N. Crp.

Jeff Johnson

4715 TOMASS AVE NW Minn

John Dale

4213 Thompson Ave NW Minn

Chandra Carter

3139 17th So ^W4 Mpls. Minn.

Verlie Dahme

3611 Lancaster Ln. Chmn, Minn.

Malinda Darling

5631-Rhode Island Rd. Crystal

Edna Sunder

Geothy Beske

3728 Regent N.

Bruce Brinkman

2600 Vincent Ave. N. Mpls., Minn

Judith Parry

3410 Xerxes N Enpls.

Heidi + Dale Heacock

5621 Quebec Ave N. New Hope, Minn

Jim Clark

~~54428~~ ^{AV}

55428

4200 Lakeside Ave #224 Bldg center

Kengo Chow Wilson

I will appear in front of the
Crystal City Council requesting to expand
my facility - I would appreciate your
support of my intentions. Please
include your name on my petition.

Name

Address


Keta Proctor	3508 Yates	Crystal
Pat Maschenuth	4152 Welles	Robbinsdale
Bob Gow	3829 Georgia	Crystal
Lorraine Gow	3829 Georgia	Crystal
Steve Ferkingstad	6400 - 40 th Ave No	Crystal
Judy Turnberg	3833 Kentucky N.	Crystal
Kurt H. Muenchow	1547 Hillside	NE mpls
Mark Boe	1547 Hillside	NE Mpls
Amy Sundseth	4506 Yates No.	Crystal
Diane M. James	5915 47 th Ave No.	
Scott Zoller	3417 - 26 1/2 Ave No.	Robbinsdale
Mike Zeger	4325 Adair Ave	Crystal
Myron Cougle	4120 Nevada Ave	New Hope
Rick Kerman	5625 E. Justice Rd	Scottsdale AZ
Brenda Hawkins	3415 Halifax Ave	Robb
Arthur Morales	4975 BASSETT CREEK DRIVE	GOLDEN VALLEY
Anne Stockhaus	3437 Adam Ave N	Crystal
Gladys Rutula	8181 Ruth Circle - Gridley, Mo.	(yes very much so. a good place)

Range Chaw Man

I will appear in front of the
Crystal City Council requesting to expand
my facility - I would appreciate your
support of my intentions. Please
include your name on my petition.

Name

Address

 Eleanor Nilson	4072 Jensen Ave North, Crystal
Randall Juday	Rt 1. Buffalo Minn.
Michael Wedelatt	4220 ZANE AVE N. Robbinsdale,
Randy Boser	3000 Florida Ave N. Crystal
Jerry Cannon	3631 Thomas Ave N. Mpls.
David Connor	2660 Bates Pk, Cleveland, TN 37311
Rita Proctor	3508 Yates Av. N. Crystal - 55422
Jim Turkmin	2913 ORCHARD BOULEVARD
Bene Maynard	4233 ZANE AVE N. Crystal
Martha Ginder	3901 Major Ave N. Rock Minn.
Patscia McKelvin	3012 Kentucky Ave No. Crystal
Tim Schum	5101 Eleanor Lane, Brooklyn Center
Sacquelina L. VanZelst	2622 York Ave No. Robbinsdale, MN
Patterson	4500 Thrush Tr - Crystal
Franklin Riffe	4205 Franc Ave Robbinsdale
Virginia Johnson	3801 Zenith Ave N. Robbinsdale
Marge Enns	4049 Kentucky " " Crystal
San Carr	6056 HAMPSHIRE Crystal

Ries Family	5450 No. Douglas Dr.	Crystal
Carol Lawonichak	3751 Louisiana Ave.	New Hope
C. H. Pyne	3712 Adair Ave No	Crystal
Marie Lauenbaugh	8800 Hapwood Ln	New Hope
Robert C. Johnson	3406 46th Ave No	Robbinsdale
Dawnn Keep	4334 Oliver Ave N.W.	mpls
Hally Sandu Hardy	6822 45th Ave No	Crystal
JEREMY N GOTTSTEIN	3237 GETTYSBURG CT	New Hope
GREGORY TOMALIK	4541 York Ave North	Robbinsdale
Jim Anderson	1745 Brunswick Ave No.	Golden Valley
DOUG WAGNER	4141 Douglas	Crystal
Levy Nelson	6416 - 31st Ave No.	Crystal
Robert Laukenen	6720 45 Ave No	Crystal
Lisa Tanner	7840 48th Ave. N.	New Hope
Larry Pyne	3780 26 1/2 N	Robbinsdale
Phil Johnson	2127 Riverside NW. S.	mpls.
Earl Evans	3828 GEORGIA N	CRYSTAL
GARY WESTMAN	4213 WOODSTOCK	G. VALLEY
GARY DUNKAN	1465 SCENIC VIEW DR.	CHASKA
M Jones	6409 47th Ave N	Crystal.
Mrs. B. Jaffe	1314 - 44th Ave No	Mpls.
Pam Chandler	4555 Knox N.	mpls.
Karen Anderson	2730 Rosalyn Ct	New Hope
Vivian Hansen	2400 - Rhode Island	Golden Valley.
Raymond Hutchinson	2400 - Rhode Island	Golden Valley.
Samantha Stillbauer	3975 Oregon No.	New Hope

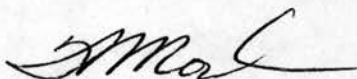
TO: Jerry Dulgar, City Manager

FROM: Bill Monk, City Engineer

DATE: August 31, 1988

RE: Hagel Addition Final Plat

As the City Council approved the Hagel Addition final plat, the item was not presented in resolution form as is required. To correct this staff oversight, approval of the attached resolution is recommended.



WM:jrs

Encl

RESOLUTION NO. 88-38A

RESOLUTION APPROVING PLAT

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

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

WHEREAS, the City Council had considered the application for a subdivision plat for Hagel Addition, as submitted by Harvey F. Hagel, on July 19, 1988,

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

By roll call and voting aye:

Adopted this 6th day of September, 1988.

Mayor

ATTEST:

City Clerk

Resubmitted 9-6-88

Application considered 8-16-88
Linda Ekert and Arlene Wiest
were appointed

CITY OF CRYSTAL

APPLICATION FOR APPOINTMENT TO THE

Name Renee Werner Address 6924 35TH Ave N. 55427 COMMISSION
Zip #

Phone (home) 535-4747 (Office) N/A

Resident of Crystal Since (year) 1985

Occupation At Home Parent for 2 young boys Employer N/A

Education: (please indicate highest grade completed or highest degree and major course of study) 12TH w/approx 1 1/2 yr College Cr general/accounting

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)

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

I would like to submit my name for appointment to the Human Relations Commission.

As a woman and a parent of 2 young children I am interested and concerned with issues pertaining to Human Relations. I feel I am well suited for and would like to direct my time, energy and enthusiasm towards this volunteer position.

I can offer qualities such as good organizational and listening skill. I am also goal oriented, competent and enjoy detail work. Most importantly I am willing to assume responsibility to work hard, research issues and speak out for increased awareness of Human Rights.

My professional background is in accounting in business. I was employed as an Administrative Assistant to a CEO of a retail concern in Michigan prior to moving to Mn. in 1985. I am currently parenting my 2 children fulltime.

Renee M. Werner

Date Submitted: July 28, 1988.

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

THE CRYSTAL HUMAN RELATIONS COMMISSION:

- Nine Members chartered by the City of Crystal.
- Helps protect Crystal citizens from unfair and illegal discrimination.
- Helps protect Crystal citizens and institutions from unfair accusation of discrimination.
- Mediates human rights issues at the local level.
- Advises the City of Crystal on human rights matters.
- Educates the citizens of Crystal about their rights under the law.

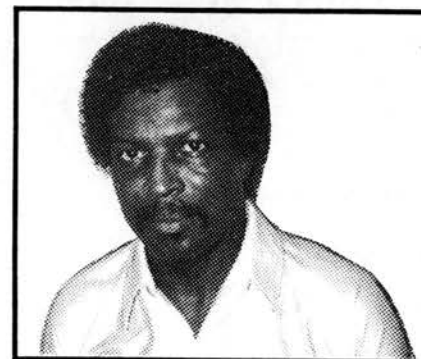
IF YOU HAVE A QUESTION OR A PROBLEM:

The Crystal Human Relations Commission can discuss your problem with you confidentially, and act as a mediator in cases of possible discrimination.

There is no cost to you.

You can contact your
Crystal Human Relations
Commission by:

- Calling the Crystal City Offices at 537-8421 to be referred to a Human Relations Commissioner for personalized help.
- Attending one of the Commission's regular meetings on the fourth Monday of every month, 7:00 PM in the City Hall Council Chambers.



**EQUAL OPPORTUNITY IS MORE
THAN A DREAM...IT'S THE LAW!**

MINNESOTA LAW PROTECTS YOU!

The law states certain activities in which it is *illegal* to treat people differently just because they belong to certain classes of people.

Those classes of people are Protected Classes and are listed on the right.

It is *illegal* to aid someone who is illegally discriminating.

It is *illegal* to retaliate against someone who has filed a discrimination complaint.

MINNESOTA LAW PROTECTS YOU FROM BEING TREATED DIFFERENTLY IN:

EMPLOYMENT

- Hiring
- Firing
- Working Conditions

HOUSING

- Renting
- Buying/Selling

PUBLIC ACCOMODATIONS

- Hotels/Motels
- Restaurants

PUBLIC SERVICES

- Services offered by City/County/State

EDUCATION

- Admittance

CREDIT

MINNESOTA LAW PROTECTS YOU IF YOU ARE A MEMBER OF A PROTECTED CLASS:

Race

Color

Age

Creed

Religion

National Origin

Sex

Marital Status

Disability

Public Assistance

Sept. 2, 1988

Jeff Kemna
Graphic Artist
149 Benton Ave. No.
Wayzata, MN 55391
H. 473-7017
W. 569-4328

Judy Rice, City of Crystal;

Payment received in full for City of Crystal Brochure.

Includes camera ready, color separated pasteups.....\$ 100.00

Thank You

BROCHURE FOR CRYSTAL HUMAN RELATIONS COMMISSION

Assessing Quantity Needed:

7441 houses
144 double bungalows/duplexes
110 condominiums
1767 apartments

9462 residential units
6500 employees in Crystal
500 extra copies (minimum)

17,000 copies needed

Bids Received:

	<u>60# Offset</u>	<u>70# Linen</u>	<u>80# Enamel</u>
PIP (Myra 560-6102)	1080	1395	1709
Penny Print (Karen 561-4470)	1216	1787	1585
Post Publ (Kathy Rock Craig Dahlberg 537-8484)	636	1116	997
Print Shoppe (Glen 529-0103)	696	1070	1010
Printing Arts (Susan Stewart Tim Becker 588-0863)	639	1045	1283
Nordic Press (Lynn 535-6440)	774	NA	774
IPC Printing (Floyd 560-6392)	1218	--	--
Northland Printing (Larry 535-2398)	1058	--	--
Sir Speedy (Don 566-1024)	850	1254	1378
American Speedy (Sue 566-5613)	1003	1183	1266
Printmakers (Bob Kinney 537-7020)	915	1075	1075

Other Charges:

Set Up/Typesetting \$100
Folding Charges 75-150
Tints 50/side

Total Needed (Estimate) \$1100

CRYSTAL
~~THE COTTAGE GROVE~~
~~HUMAN SERVICES/RIGHTS~~ COMMISSION

COMMISSION is a 9 member group
chartered by the City to:

- Protect ~~Cottage Grove~~ Citizens
from unfair and illegal
discrimination

- Protect ~~Cottage Grove~~ citizens
and institutions from unfair
accusations of discrimination

- Mediate local human rights
problems at the local level

- Advise the City of ~~Cottage~~
~~Grove~~ on human services/rights
matters

- Educate the citizens of ~~Cottage~~
~~Grove~~ about their rights under
the law

Have a Question Or Problem

The ~~Cottage Grove~~ Human Services
~~Rights~~ Commission can discuss your
problems with you confidentially, and
act as a mediator in alleged cases of
discrimination.

There will be no cost to you

You can contact the ~~Cottage Grove~~
Human Services/~~Rights~~ Commission by:

1. Calling the ~~Cottage Grove~~ Personnel
Director at 537-8421 or 2821 to be referred
to a Human Services Commission
member for personalized help.
2. Attending one of its regular
meetings on the fourth ~~Wednesday~~ ^{Monday}
of the month at 7:00 p.m. in the
City Hall Council Chambers.



Do You Know Your Rights

Cottage Grove
Human Services/
Human Rights Commission

MINNESOTA LAW PROTECTS YOUR RIGHTS

The law specifies certain activities in which it is illegal to treat people differently **because** they belong to one of the PROTECTED CLASSES on the right.

The law says you may not be treated differently in

Employment

- Hiring
- Firing
- Working Conditions

Housing

- Renting
- Buying or Selling

Public Accommodations

- Hotels, motels, restaurants, car repair, etc.

Public Services

- Any service offered to the public by city, county, or state

Education

- Getting into school, or into certain courses

Credit



Everyone belongs to one or more of these CLASSES OF PEOPLE

The law specifically protects people who can be classed by...

Race

Color

Age

Creed

Religion

National Origin

Sex

Marital Status

Disability

Public Assistance

It is also illegal to AID someone who is illegally discriminating

and to DO ANYTHING TO GET EVEN with someone who has filed a discrimination complaint.

The NEW ULM HUMAN RIGHTS COMMISSION is a 15 member group chartered by the city to do the following:

- help protect New Ulm citizens from unfair and illegal discrimination
- help protect New Ulm citizens and institutions from unfair accusations of discrimination
- solve local human rights problems on a local level
- advise the city of New Ulm on human rights matters
- help educate the citizens of New Ulm about their rights under the law

HAVE A QUESTION OR PROBLEM?

The New Ulm Human Rights Commission can discuss your problem with you confidentially, and help you pursue your legitimate complaint (if you should decide to do so) to the highest levels or until it is resolved.

There will be no cost to you.

You can contact the New Ulm Human Rights Commission by

- attending one of its regular meetings (ordinarily, the first Thursday of the month, 7:30 p.m., in the Public Library downstairs)
- calling the New Ulm Human Rights Commission at 354-8515 (the New Ulm Referral and Information Service), which will put you in touch with a member of the Commission

Need Help



Obtaining Your RIGHTS ?

NEW ULM HUMAN RIGHTS COMMISSION

Minnesota Law.....PROTECTS YOUR RIGHTS

EVERYONE belongs to one or more of these CLASSES OF PEOPLE.

The law specifically protects people who can be classed by...

RACE

COLOR

CREED

RELIGION

NATIONAL ORIGIN

SEX

MARITAL STATUS

DISABILITY

ON PUBLIC ASSISTANCE

AGE

The law specifies certain activities in which it is illegal to treat people differently because they belong to one of the PROTECTED CLASSES on the left.

The law says you may not be treated differently in...

EMPLOYMENT -hiring
 -firing
 -working conditions

HOUSING -renting
 -buying or selling

PUBLIC ACCOMMODATIONS -hotels, motels, restaurants,
 car repair, etc.

PUBLIC SERVICES -any service offered to the public
 by city, county, or state

EDUCATION -getting into school, or into certain courses

CREDIT

It is also illegal to AID someone who is illegally discriminating

and to DO ANYTHING TO GET EVEN with someone who has filed a discrimination complaint.

Human Rights Commission

This brochure was prepared by the Falcon Heights Human Rights Commission. Its purpose is to inform citizens in the community about the laws protecting their human rights and their avenues of redress when they believe these rights have been denied or violated.

The Falcon Heights Human Rights Commission has nine members who are appointed by the Mayor with the advice and consent of the City Council. The Commission's purpose is to:

- Enlist the cooperation of agencies, organizations and individuals in the community in programs directed to create equal opportunity and eliminate discrimination and inequalities.
- Formulate a human relations program for the City.
- Advise the Mayor, City Council and other agencies of the government on issues of civil and human rights.

The Commission meets on the third Thursday of the month at 7:30 p.m. at the Falcon Heights City Hall.

City of Falcon Heights
2077 West Larpentaur Avenue
Falcon Heights, Minnesota 55113
Phone: (612) 644-5050

CITY OF
FALCON HEIGHTS



**Human Rights
Commission**

State Human Rights Act

The Minnesota Human Rights Act prohibits discrimination on the basis of:

Race	Color
Religion	Creed
Sex	Age
Disability	
Marital Status	Familial Status
Status regarding Public Assistance	

The law prohibits discrimination in the areas of:

Housing - renting, buying or selling
Employment - hiring, promotion, retention, termination and working conditions
Public Accommodations - restaurants, stores, hotels, etc.
Public Services - city, county and state services offered to the public
Education - admission and access to courses and programs
Credit - application for credit accounts, mortgages, etc.

The law prohibits aiding and abetting someone who is illegally discriminating. It also prohibits taking reprisal action against individuals who pursue their rights under the law.

City Ordinance

The City of Falcon Heights has adopted its own human rights ordinance in support of the state human rights act. The ordinance states:

It is the public policy of the City of Falcon Heights to fulfill its responsibility in securing for all citizens equal opportunity in housing, employment, public accommodations, public services and education, and to work consistently to improve the human relations climate of the city.

To ensure that the city's obligations under the ordinance are being met, the City Council has authorized the Human Rights Commission to participate in the No Fault Grievance Procedure sponsored by the Minnesota Department of Human Rights.

No Fault Grievance Procedure

The purpose of the no fault grievance procedure is to encourage early and informal resolution of disputes stemming from actual or perceived unfair discriminatory practices. Members of the Human Rights Commission act informally and impartially on behalf of grievants to seek a voluntary resolution to the dispute.

Both parties to the dispute are informed of their rights, responsibilities and options under state human rights law and the no fault grievance procedure.

The advantage of the process is that it can avoid the delays involved in filing a complaint at the state level. However, if attempts to resolve the matter under the no fault process fail, the grievant still has the right to file a charge of discrimination with the Minnesota Department of Human Rights.

To pursue a grievance under the no fault procedure, the grievance must be filed with the Human Rights Commission within four months of the alleged discriminatory act. Also, the act must have occurred within the City of Falcon Heights.

For more information about the no fault grievance procedure, contact:

Falcon Heights City Hall
644-5050

The City office will refer you to a member of the Human Rights Commission.

Need Help? Call:

Commissioners

Persons who wish to discuss, report or question matters relating to human rights are encouraged to contact any of the Roseville Human Rights Commissioners.

Edythe Nackerud, Chairperson
631-3182

David Bailey
645-4219

Stanley Borden
489-4252

Zoe Jenkins
484-4452

Robert King
636-0179

Karen Matts
482-0726

Thelma McKenzie
483-3121

Betchen Oberdorfer
631-0770

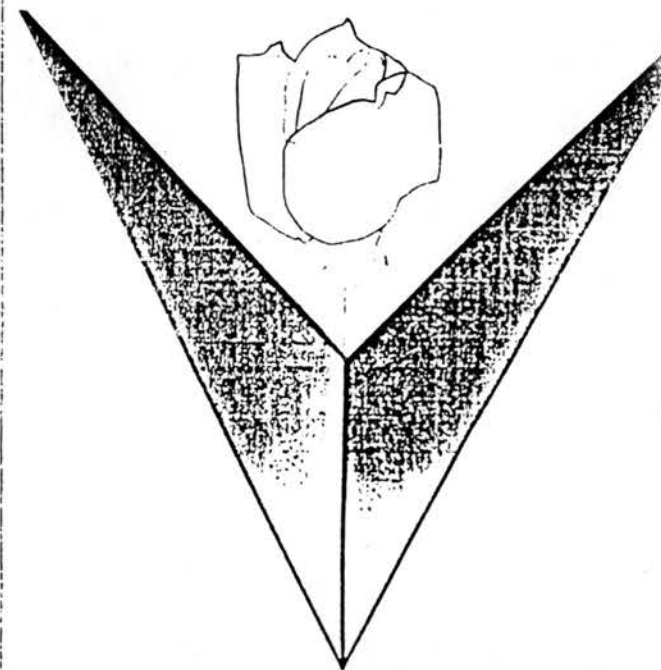
Brenda Thomas
636-5914

Vickie Wright
488-0031

Roseville Police	484-1700
Medical Emergency	484-1700
Fire Department	484-1200
Youth Service Bureau	
Counseling Service	484-7033
Youth Employment	484-4891
North Suburban Senior Center	483-4546
Foster Care	298-5655
Battered Women, Women's Advocates	227-8284
Child Abuse	298-5655
Rape - Police	484-1700
Red Cross Emergency Aid	291-6789

Roseville Human Rights Commission
Roseville City Hall
2660 Civic Center Drive
Roseville, Minnesota 55113
Telephone: 484-3371

Roseville



Human Rights Commission

The State Law

"It is the policy of this State to secure persons in this State freedom from discrimination".

The Minnesota Human Rights Act prohibits discrimination in the areas of:

- Housing
- Employment
- Public Accommodations
- Public Service
- Education
- Credit

The Roseville Law

In support of the Minnesota Human Rights Act, the City of Roseville adopted ordinance 241.010 which states:

"It is the public policy of the City of Roseville to fulfill its responsibility as a partner of the State Department of Human Rights in securing for all citizens equal opportunity in housing, employment, public accommodations, public service, education and credit, and to work consistently to improve the human relations climate of the City of Roseville.

The Roseville Human Rights Commission

The Commission participates in City government, advising the Mayor and the City Council on issues of human relations and civil rights. The Commission also recommends the adoption of specific policies needed to provide equal opportunity in the community.

The Roseville Human Rights Commission consists of ten members who serve without compensation. The Commissioners are appointed to a term of three years by the City Council. The Commission assists in the implementation of the Minnesota Human Rights Act by vital, active participation in community affairs.

The Commission, in cooperation with community organizations and individuals, actively works to create equal opportunity and eliminate discrimination. In addition, the Commission has both formal and informal education programs which inform the community of potential human rights problems. In the event problems develop, the Commission provides a forum for its resolution, the No Fault Grievance Process.

No Fault Grievance Process

The purpose of the No Fault Grievance Process is to encourage the early and informal resolution of disputes stemming from actual or perceived unfair discriminatory practices. Both parties in the dispute (grievant and respondent) are informed of their rights, responsibilities and options as they relate to the Minnesota Human Rights Act. The Commissioners will also impartially gather information. Through this impartial review of misunderstandings or complaints, informal agreements can often be reached.

The No Fault Grievance process facilitates the resolution of human rights disputes without formal litigation at the state level. Disputes are processed quickly and at much less expense to the grievant and respondent.

To take advantage of the No Fault Grievance Process, grievants must file with the Roseville Human Rights Commission within four months of the alleged discrimination. Grievants have six months to file with the State Department of Human Rights.

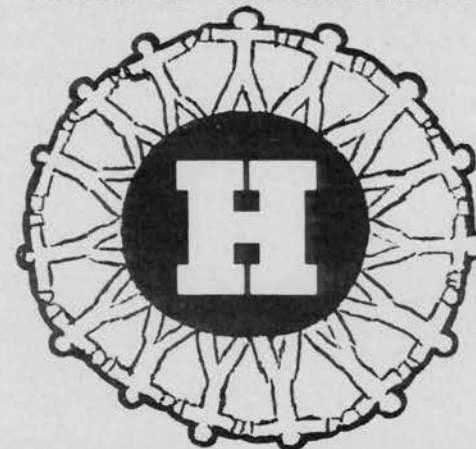
**THE HUMAN RIGHTS COMMISSION IS
CHARTERED BY THE CITY OF HIB-
BING, MINNESOTA, TO DO THE
FOLLOWING:**

- Help protect the citizens of Hibbing from unfair and illegal discrimination;
- Help protect the citizens of Hibbing and its institutions from unfair accusations of discrimination;
- Assist in solving local human rights problems on a local level;
- Advise the City of Hibbing on human right matters;
- Help educate the citizens of Hibbing about their rights under the Minnesota Human Rights act.

**CITY OF HIBBING
HUMAN RIGHTS COMMISSION**

If you feel that you need the services of the Hibbing Human Rights Commission, or would like more information, please call the City Clerk's office at 262-3486, or one of the numbers in the space below, and one of the commission members will contact you.

**HIBBING HUMAN
RIGHTS COMMISSION**



**NEED HELP
OBTAINING
YOUR RIGHTS?**

**CITY OF HIBBING
HUMAN RIGHTS COMMISSION**

CITY OF HIBBING
HUMAN RIGHTS COMMISSION

PURPOSE:

To act as an intermediary to eliminate unfair discriminatory practices that are contrary to the public policies of the state and city. The State of Minnesota Human Rights Act, section 363.13, subdivision 1 provides that:

"It is the policy of this state to secure persons in this state from discrimination."

The City of Hibbing Human Rights Commission can integrate this policy into our local delivery system.

The Hibbing Ordinance states the purpose of the Commission is to "secure for all citizens equal opportunity in employment, housing, accommodations, public services and education."

DISCRIMINATION:
IT CAN HAPPEN TO YOU!

AREAS OF DISCRIMINATION:

- Employment
- Housing
- Public Accommodations
- Public Services
- Education
- Credit
- Aiding and Abetting
- Reprisal

**SOME OF THE PROTECTED CLASSES
THAT MAY FALL INTO THE ABOVE
AREAS ARE:**

- Race
- Color
- Creed
- Religion
- National Origin
- Sex
- Marital Status
- Disability
- Public Assistance
- Age
- Family Status

NO-FAULT GRIEVANCE PROCESS

PURPOSE:

To encourage early resolution of disputes stemming from actual or perceived unfair discriminatory practices. The Hibbing Human Rights Commission would act on behalf of all interested parties in the voluntary resolution of alleged discriminatory practices.

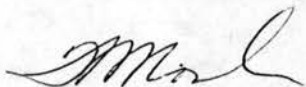
TIME LIMIT:

Grievances must be filed within four months of the discriminatory act with the Hibbing Human Rights Commission, or it must go directly to the State Department of Human Rights. There is a six-month statute of limitations in order to file a complaint with the State of Minnesota.

TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
DATE: September 1, 1988
RE: Ordinance Amendment Related to Sale of
Motorized Vehicles

On June 13 the Planning Commission recommended approval of an ordinance amendment whereby sale of motorized vehicles would be handled as a conditional use in B-3 and I-1 Zoning Districts. In changing vehicle sales from a permitted to a conditional use, the Commission intended to establish minimum criteria by which individual site plans could be reviewed by the City. It is important to note that motorized vehicle sales are currently permitted in both the B-3 and I-1 Districts and as proposed the ordinance amendment does not expand such a use within any other zoning designation.

On July 5 the City Council approved first reading of the attached ordinance amendment. Approval of the final reading is now in order; however, it should be remembered that the effective date of an ordinance amendment commences 30 days following publication which in this case would be October 15 at the earliest.



WM:jrs

Encls

ORDINANCE NO. 88-_____

AN ORDINANCE
RELATING TO ZONING: AMENDING CRYSTAL
CITY CODE (APPENDIX I - ZONING) SUBSECTIONS 515.35
AND 515.39 BY ADDING SUBDIVISIONS: REPEALING
CRYSTAL CITY CODE (APPENDIX I - ZONING) SUBSECTIONS
515.35, SUBDIVISION 2 h) AND 515.39,
SUBDIVISION 2 e).

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. Crystal City Code (Appendix I - Zoning),
Subsection 515.35 is amended by adding a subdivision to
read:

Subd. 4 g). Motor vehicle and motorized recreational
equipment sales and storage garages accessory thereto
provided that:

1) The architectural appearance and functional
plan of the building and site may not be so dissimilar
to the existing buildings or area as to cause impair-
ment in property values or constitute a blighting
influence within a reasonable distance of the lot.

2) Approval of a conditional use permit will be
based on a specific site plan noting the existing
facilities and improvements required to meet the
provisions of this subdivision.

3) Parking, driving and vehicle display areas
shall be hard-surfaced to control dust. Further, these
areas must be lined with concrete curb and provide for
an on-site drainage system subject to the approval of
the City Engineer.

4) A minimum lot area of 22,500 square feet
is required.

5) The lighting must be accomplished in such a
way as to have no direct source of light visible from
adjacent land in residential use or from the public
right-of-way and must be in compliance with Subsection
515.07, subdivision 10 of this Code.

6) The area is fenced and screened from view of
neighboring residential uses or if abutting an R
District in compliance with Subsection 515.07, sub-
division 9 of this Code.

7) Vehicular access points may create a minimum of conflict with through traffic movement and shall comply with Subsection 515.09 of this Code.

8) All signing and informational or visual communication devices must be minimized and shall be in compliance with Section 406 of the City Code.

9) Repair or work of any kind on motor vehicles and motorized recreational equipment may not be permitted. The repair or sale of products other than those specifically mentioned in this subdivision require issuance of individual conditional use permits in compliance with this Code.

10) On-site parking requirements consistent with Section 515.09, Subd. 8) d) must be met.

11) Maximum vehicle or equipment length must be restricted to less than 32 feet unless larger units are specifically approved as a condition of the conditional use permit and provided for on the parking layout.

12) The provisions of Subsection 515.53, Subd. 1 e) of this Code are considered satisfactorily met.

Sec. 2. Crystal City Code (Appendix I - Zoning), Subsection 515.39 is amended by adding a subdivision to read:

Subd. 4 d). Motor vehicle and motorized recreational equipment sales and storage garages accessory thereto provided that the conditions specified in Subsection 515.35, subdivision 4 g) are met.

Sec. 3. Crystal City Code (Appendix I - Zoning), Subsections 515.35, Subdivision 2 b) and 515.39, Subdivision 2 e) are repealed.

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

Mayor

Attest:

Clerk

00110D03.F16

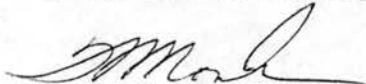
TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
DATE: September 1, 1988
RE: Rezoning of Property at 6048 Lakeland Avenue -
Norling Motors

To assist the Council's review of this item, previous memorandums and reports have been included in the attached packet. The initial rezoning request for the property at 6048 Lakeland Avenue as outlined in the report dated July 7 remains essentially unchanged. The information provided in the memos dated July 27 and August 12 is also still current.

At this time Norling Motors is requesting the rezoning of the property at 6048 Lakeland to accommodate relocation of the used car sales lot. In the alternative, Mr. Norling has stated his desire to maintain a down scaled operation on the remnant portion of the present site by working a lease or buy-back arrangement contrary to staff's recommendation. The rezoning request is the item requiring formal Council action based on the application on file.

As a final note, it is recommended the proposed ordinance amendment related to vehicle sales as a conditional use not be involved in this rezoning issue. The site plan for this proposal would not be altered by the provisions of the amendment nor would the City gain any additional control unless the ordinance amendment is modified to allow vehicle sales as a conditional use in all B-4 Zoning Districts.

I will be prepared to review all aspects of this item at Tuesday's meeting. Property owners in the area of the proposed rezoning were notified of the upcoming meeting.



WM:jrs

Encls

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.

A handwritten signature in cursive script, appearing to read "J. Mark", is written in dark ink.

TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
DATE: July 27, 1988
RE: Rezoning for Norling Motors

As the City Council considered the proposed rezoning of property at 6048 Lakeland Avenue for automotive purposes, questions arose regarding reuse of the existing Norling Motors site. Those questions prompted the Council to table review of the rezoning request while directing staff to prepare a report addressing the acquisition and reuse issues related to the site at 5548 Lakeland Avenue.

As noted on the attached map, approximately 30% of the existing Norling Motors site was needed to accommodate the widening and turn lane associated with the CR 10/TH 169 Intersection Project. Initially, the City contemplated acquisition of only the R/W needed for construction, however, an agreement could not be reached in terms of a mutually acceptable valuation. It was at this time that a decision was made to acquire the entire site although the present owner did continue to inquire about lease of the remnant parcel.

On December 31, 1986, Crystal actually acquired the Norling Motors site although a final agreement was not finalized until January 1, 1988. The half acre site was purchased for \$241,000 with Mr. Norling being granted the right of first refusal regarding resale or lease of the property.

There is no question that the reuse issue was actively discussed during acquisition negotiations. However, Mr. Irving and Mr. Drawz (attorney representing City) have both assured me no agreement or assurances were pursued. Further, this office did not become aware of Mr. Norling's interest in retaining his present site until he responded to a letter I sent on January 5, 1988, concerning the need for the premises to be vacated by April 15 so construction could commence (see attached correspondence).

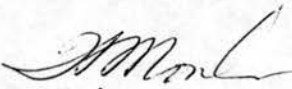
As noted in one of the attached letters, a determination to require relocation of Norling Motors was not made arbitrarily. Instead, numerous issues were considered as follows:

- The size and configuration of the remnant parcel make the site difficult to work with and would require a tighter massing of the present operation which seemed contrary to the original intent to "open up" the intersection.

Re: Rezoning for Norling Motors
July 27, 1988
Page 2

- The "back door" access required from the tail end of the frontage road was originally questioned by Mr. Norling in terms of continuing a viable operation. For this reason discussions of leasing were based on low, if any, lease rates for the first year or two.
- Based on the purchase price, the City would want to recoup its investment within a reasonable time frame. This situation dictates a significant lease amount and would be complicated by issues related to required site improvements associated with any reuse of the property.
- Demolition, well abandonment and site restoration costs bid as a part of the County's project were very favorable and represented Crystal's only financial responsibility in the construction portion of the project. Municipal State Aid funds would not be usable at a later date to cover these costs upon termination of any reuse.
- Relocation costs which might be incurred at a future date, even with a renter, would not be eligible for State Aid reimbursement if not included as part of an approved project.
- Lastly, issues remain unresolved with the State Aid Office concerning the right of the City to keep revenue earned from sale or lease of property purchased for R/W with State Aid funds.

This office continues to believe it would be a mistake to back up and allow reuse of the existing downscaled site. Reasonable public use, such as a small park and ride facility, can easily be established on this parcel. The proposed rezoning of the site to the north should continue to be considered on its own merit but under no circumstances should both sites be combined for auto-related sales.


WM:jrs

Encls

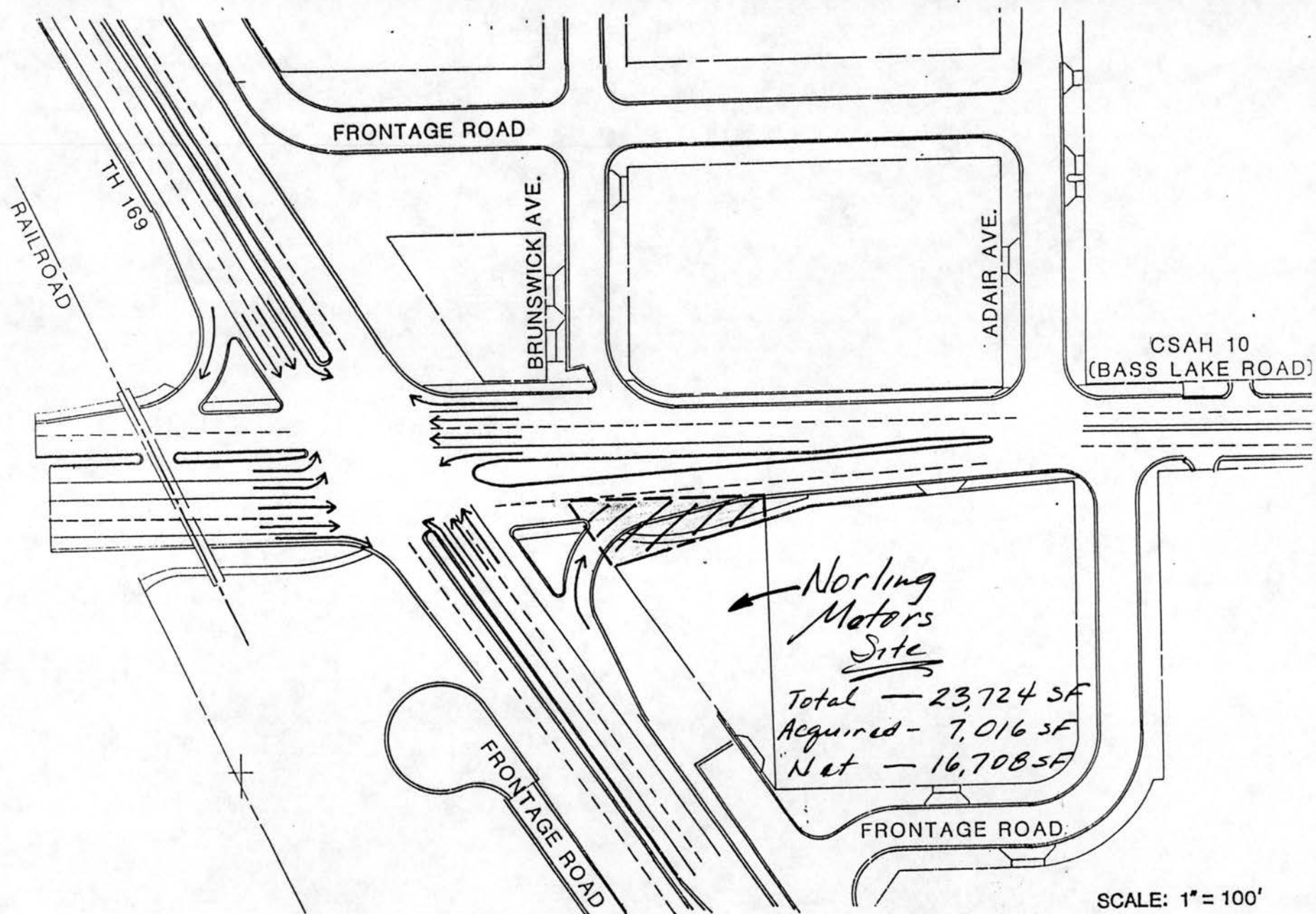


FIGURE 3
Project Study Area
Proposed Improvements

Proposed TH 169/CR 10
Intersection Improvement





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

ADMINISTRATIVE OFFICE

February 19, 1988

Mr. Gunnar Norling
Norling Sales & Leasing, Inc.
5548 Lakeland Avenue North
Minneapolis, MN 55429

Dear Mr. Norling:

Your request to lease the portion of your current site not actually needed for highway right-of-way purposes has received significant consideration by City staff. Numerous lease possibilities have been reviewed based on the variety of factors that impact the site.

At this point, the City maintains the position that the site should be cleared to open up the intersection as originally intended and to take advantage of the County's contract costs for building demolition, well abandonment, parking lot removal and general site restoration. An additional factor involves the availability of State-Aid funds presently on hand to cover relocation costs to which you are entitled.

While I would like to be more accommodating, delay of site preparation and relocation issues is not in the best interests of the City given current circumstances. As a final note, you may wish to contact Mr. Tom Kenney at C. S. McCrossan concerning their construction schedule and the potential of a grace period on vacating the site.

Sincerely,

William Monk
City Engineer

WM:jrs

cc: Dick Gunn
Jerry Dulgar
John Drawz



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

ADMINISTRATIVE OFFICE

January 5, 1988

Mr. S. Gunnar Norling
Norling Motors
5548 Lakeland Avenue North
Crystal, MN 55429

Dear Mr. Norling:

In recent conversations with C. S. McCrossan, the construction contractor for the CR 10/TH 169 Intersection Improvement Project, this office was notified that all properties involving demolition work must be available by May 1 at the very latest. Based on this information, the City must require that the site on which your business is operating be vacated by April 15 to minimize the potential for scheduling conflicts with the contractor.

Should you have any questions or problems concerning this item, please let me know.

Sincerely,

William Monk
City Engineer

WM:jrs

cc: John Drawz, Attorney for City
Tom Kenney, C. S. McCrossan
Richard J. Gunn, Attorney

TO: Planning Commission
FROM: Bill Monk, City Engineer
DATE: July 7, 1988
RE: Rezoning at 6048 Lakeland Avenue - Gunnar Norling

An application has been received to locate a used car sales lot on property presently zoned B-4, Community Commercial, at 6048 Lakeland Avenue. To accommodate the proposed use, the property must be rezoned to B-3, Auto-Oriented Commercial, which allows vehicle sales as a permitted use.

As noted on the attached site plan, it is proposed to provide 18 outside parking stalls for sales purposes in addition to the required five customer spaces. While the site layout does a fair job of separating the proposed commercial use from surrounding residential property, the major issues remain the proximity of said residential and the long term use of the site.


WM:jrs

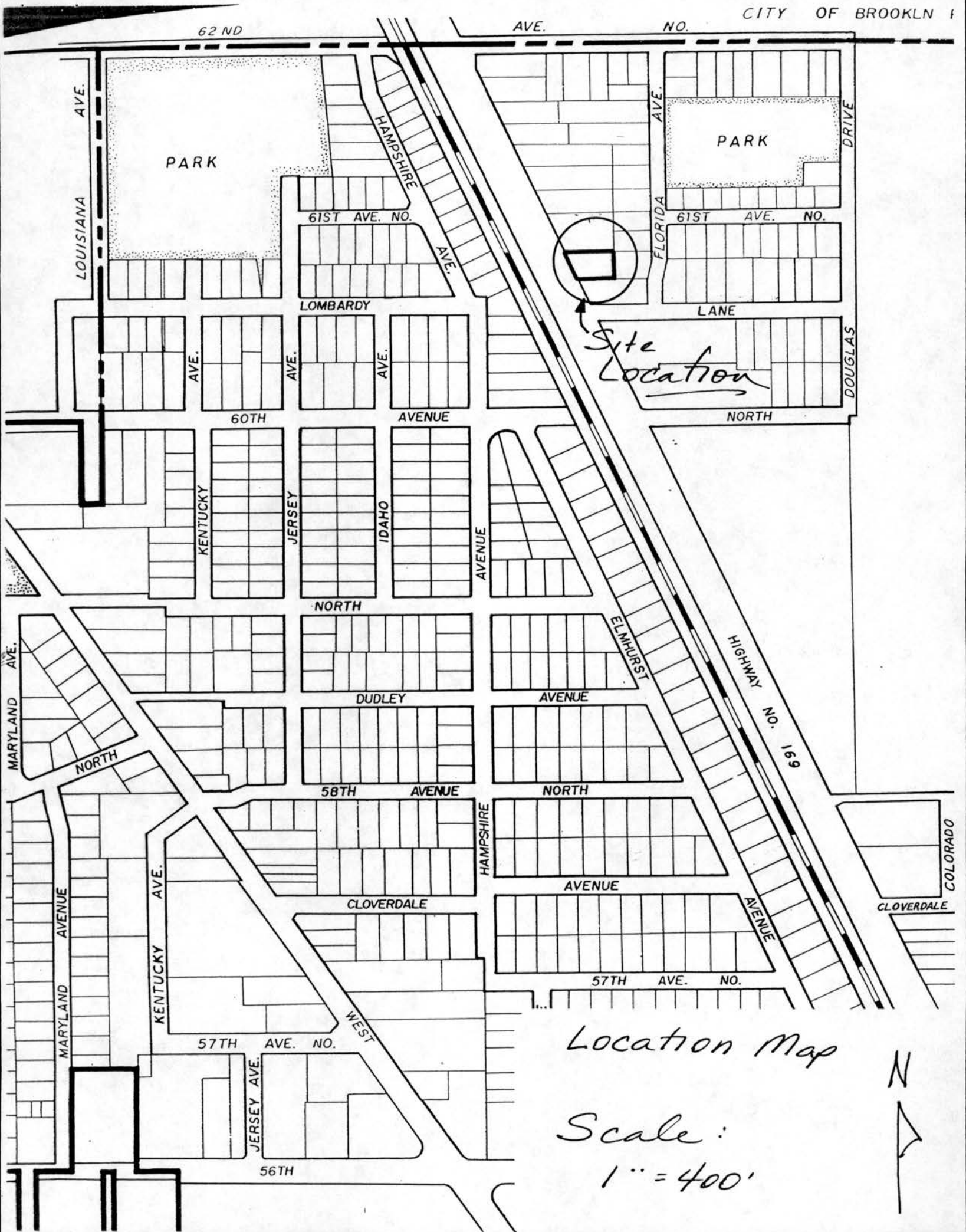
Encls

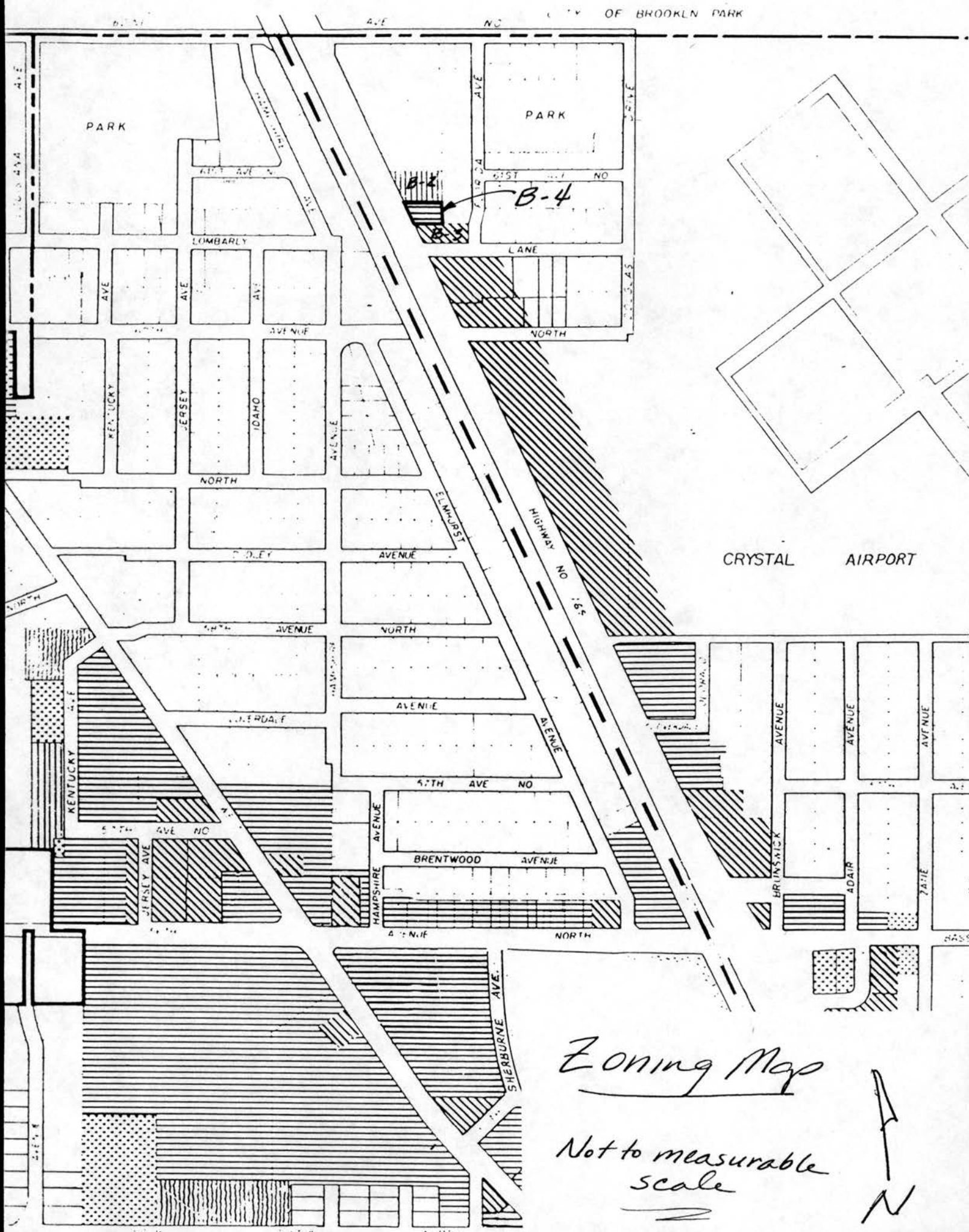
7/12/88 UPDATE

On July 11 the Planning Commission recommended denial of the above-described rezoning request based on the following findings:

- 1) Lot size at 15,000 square feet is too restrictive and not sufficient for the proposed long term use or other automotive uses.
- 2) Proposed use would increase traffic congestion in an area with poor access.
- 3) Poor track record in Crystal in terms of vehicle sales lots on sites of limited size.
- 4) Close proximity of existing residential property.
- 5) Potential adverse impact on the property values of said residential property.

A petition from area property owners was presented to the Planning Commission and is attached.





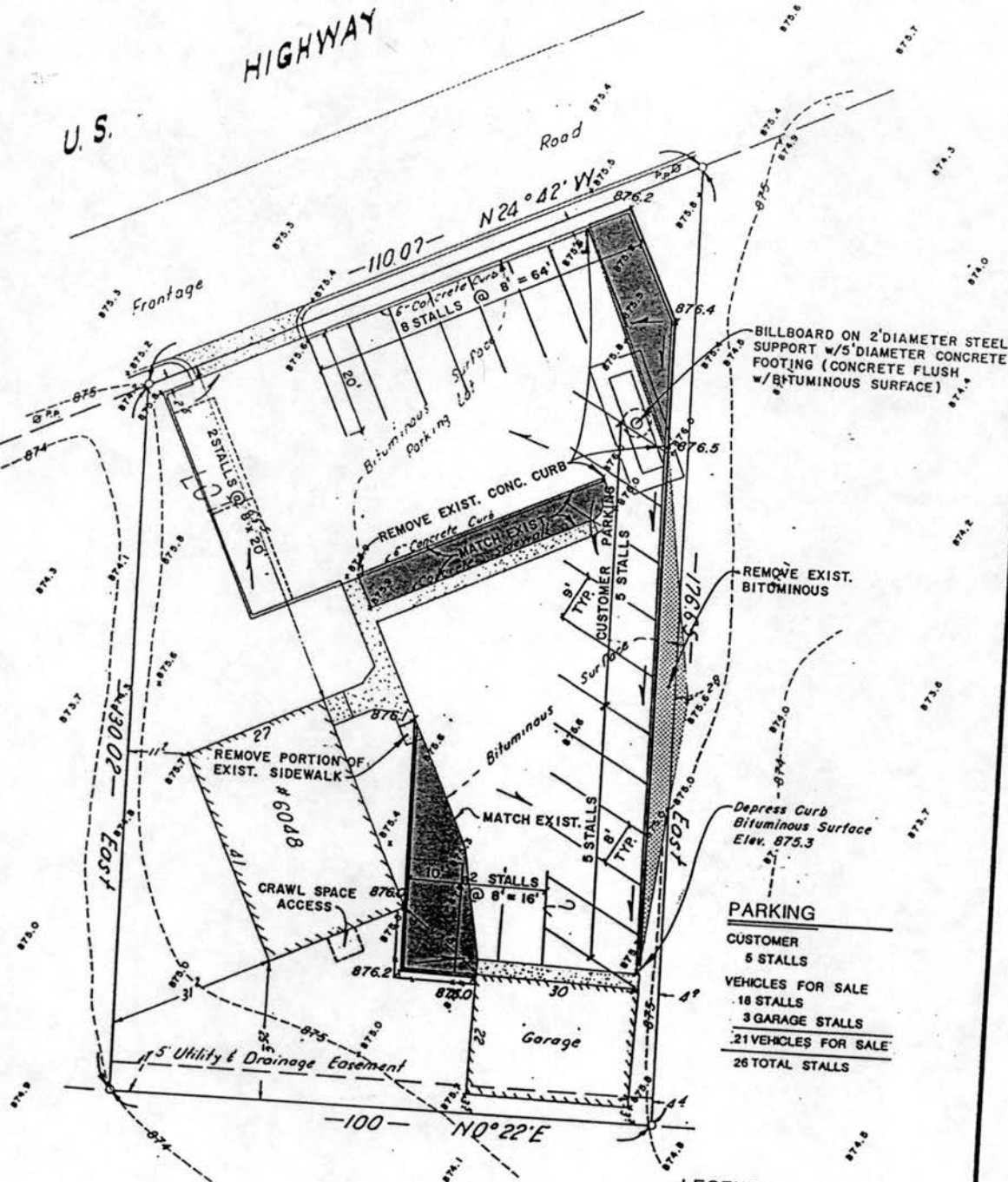
SITE PLAN

for:
NORLING SALES AND LEASING, INC.
6048 LAKELAND AVE. N.
CRYSTAL, MINNESOTA

SCALE: 1" = 20'

U.S. HIGHWAY

52



BILLBOARD ON 2" DIAMETER STEEL SUPPORT w/ 5" DIAMETER CONCRETE FOOTING (CONCRETE FLUSH w/ BITUMINOUS SURFACE)

REMOVE EXIST. BITUMINOUS

PARKING

CUSTOMER
5 STALLS
VEHICLES FOR SALE
18 STALLS
3 GARAGE STALLS
21 VEHICLES FOR SALE
26 TOTAL STALLS

LEGEND

- 888.8 x PROPOSED TOP OF CURB
- PROPOSED DIRECTION OF DRAINAGE
- NEW 8-6 CONCRETE CURB
- NEW 2" MNDOT 2341 BIT. SURFACE w/ 6" MNDOT CL 5, 100% CRUSHED BASE

NOTES:

- 1.) PATCH BITUMINOUS AROUND NEW CURB IN EXIST. BITUMINOUS SURFACE.
- 2.) TOPSOIL AND SOD ALL TURF AREAS DISTURBED BY CONSTRUCTION.

DESCRIPTION OF PROPERTY

LOT 2, BLOCK 1, ENGSTROM ADDITION,
HENNEPIN COUNTY, MINNESOTA

MERILA & ASSOCIATES, INC.
ENGINEERS, SURVEYORS, SITE PLANNERS

8401 73RD Ave. N. • Brooklyn Park, Minnesota 55428
Telephone: (612) 533-7595

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly registered Professional Engineer under the laws of the State of Minnesota.

David L. Putnam
Reg. No. 13452 Date 6-1-88

DATE

DESIGNED:
DRAWN:
CHECKED:

FILE NO.

EXHIBIT

88-091

EXHIBIT "A"

A G R E E M E N T

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

WHEREAS, second party has requested that the City Council rezone Lot 2, Block 1, Engstrom Addition.

WHEREAS, as a prerequisite to the approval of said permit, the City Council requires the construction of certain improvements for the orderly development of the property at 6048 Lakeland Avenue.

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

- Construct V6 (minimum section) cast-in-place concrete barrier curb.
- Construct parking area, access aisles and drives with a minimum of 6" Class 5 base and 2" bituminous surface.
- Stripe parking stalls with white paint.
- Erect 1 handicap parking stall sign.
- Provide screening from adjacent property in accordance with Section 515.07, Subd. 9, of the Crystal City Code.
- Note how area lighting if proposed will conform to Section 515.07, Subd. 10, of the Crystal City Code.
- Landscape all open and disturbed areas.
- Provide all lot irons in place and to grade at the time of final acceptance.

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

That construction work be completed not later than one year from issuance of rezoning.

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

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

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

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

That surety be deposited with the City in the amount of \$4,800 to insure the faithful performance of the above construction work and requirements, said surety to be in the form and manner as prescribed by law.

IN WITNESS WHEREOF we have hereunto set our hands this _____ day of _____.

SEAL

CITY OF CRYSTAL

ATTEST:

MAYOR

CITY CLERK

CITY MANAGER

IN THE PRESENCE OF:

SECOND PARTY

SECOND PARTY

PETITION

AS CONCERNED CRYSTAL RESIDENTS IN THE AREA, WE WOULD LIKE EVERYONE TO READ AND PLAN TO ATTEND THE MEETING ON MONDAY, JULY 11TH. REGARDING THE REZONING REQUEST. ALSO, OFFER ANY INPUT INTO THE HALTING OF THE REZONING. WE FEEL WE ALREADY HAVE ONE USED CAR DEALER IN THE AREA PLUS ROSTAMOS, ROYAL CROWN MOTEL AND THE AIRPORT ENTRANCE. WE HAVE ENOUGH TRAFFIC IN THE AREA AND GOING OUT ONTO HWY 169. THE INTERSECTION OF 60TH AND HWY. 169 HAS HAD SEVERAL TRAFFIC ACCIDENTS AND THERE IS NOT ENOUGH ROAD SPACE TO ALLOW CARS TO MERGE ONTO THE HIGHWAY. THIS WOULD INCREASE THE TRAFFIC FLOW CONSIDERABLY. ALSO, WHAT WOULD THIS DO TO THE VALUE OF OUR PROPERTY AND WOULD VANDALISM INCREASE?

James B Jurk
Jan Jurk

6051 Florida Ave No.
6051 Florida Ave No.

Gary E Isaac

6418-61 Ave N.

Mary K. Krattenmaker

6057 Florida Ave No

Bud Krattenmaker

6057 Florida Ave No

Victoria Blanchette

6106- Lakeland Ave No.

Ronald E Long

6131 Florida Ave No Crystal

Carolyn Long

6131 Florida Ave No

Carmie Noffman

6151 Florida Ave N Crystal

Daniel A. Hoffman

6151 Florida Ave N Crystal

Edwin White

6111 Florida Ave No.

L. Bartosch

6101- Florida Ave No.

James Bartosch

6101 Florida Ave No.

Bob Carr

6412-61st Ave No

Marilyn Dabett

6412-61st Ave W.

Warren Dabett

6412-61st Ave No

(over)

Sally Engel

6407- N- 61st Ave -

Rebecca Weidenbach

6305 62nd Ave N. Crystal

Mark Weidenbach

6305 62nd Ave N Crystal

Carl + Marcia Goff

6305 7th Ave N. Crystal

Betty Heger

6316 Lombardy Lane Crystal

Paul Taylor

6308 Lombardy Ln. Crystal

John Raum

6322 Lombardy Lane Crystal

Richard C Raum

6333 Lombardy Ln Crystal

Edmund Landry

6324 Lombardy Lane

Richard + Pat Deutscher

6401 Lombardy Lane Crystal

Kim + Mike Laberge

6400 Lombardy Lane Crystal

Ed Lentz

6416 Lombardy Lane Crystal

Beverly Selenicka

6419 61st Ave No. Crystal

Paul Lehmann

6413 61st Ave No Crystal

Wendy Muehler 6319 61st Ave N Crystal

Theresa Ackmeier 6313 61st Ave N Crystal

Mr. Fred Doss

6313 61st Ave N Crystal

Michael McComas

6301 61st Ave No Crystal

Jean McComas

6301 61st Ave No Crystal

Keith Kutzler

6115 Douglas St. No. Crystal, Minn.

Ken Kutzler

6115 Douglas St. N. Crystal Minn.

Jeff Skold

6312 61st Ave. N. Crystal Minn.

Maxine Skold

6312 61st Ave. N. Crystal Minn.

PETITION

AS CONCERNED CRYSTAL RESIDENTS IN THE AREA, WE WOULD LIKE EVERYONE TO READ AND PLAN TO ATTEND THE MEETING ON MONDAY, JULY 11TH. REGARDING THE REZONING REQUEST. ALSO, OFFER ANY INPUT INTO THE HALTING OF THE REZONING. WE FEEL WE ALREADY HAVE ONE USED CAR DEALER IN THE AREA PLUS ROSTAMOS, ROYAL CROWN MOTEL AND THE AIRPORT ENTRANCE. WE HAVE ENOUGH TRAFFIC IN THE AREA AND GOING OUT ONTO HWY 169. THE INTERSECTION OF 60TH AND HWY. 169 HAS HAD SEVERAL TRAFFIC ACCIDENTS AND THERE IS NOT ENOUGH ROAD SPACE TO ALLOW CARS TO MERGE ONTO THE HIGHWAY. THIS WOULD INCREASE THE TRAFFIC FLOW CONSIDERABLY. ALSO, WHAT WOULD THIS DO TO THE VALUE OF OUR PROPERTY AND WOULD VANDALISM INCREASE?

Bill Besseth 6325 61st Ave N.

Mr & Mrs Richard N. McComas - 6324 - 61st Ave NW

Bonnie McComas 6324 61st Ave NW

M Sandy Steman 6400 - 61st Ave NW

Philip Steman 6400 - 61st Ave NW

Bill Hirsch - 6406 - 61st Ave NW -

CITY OF CRYSTAL

4141 Douglas Drive North
Crystal, Minnesota 55422
Phone: 537-8421

Date: May 31, 1988

TYPE OF REQUEST: ☒ Rezoning ☐ Conditional Use Permit
 ☐ Variance ☐ Plat Approval
 ☐ Sign Variance ☒ Other - Site Plan Approval

Street Location of Property: 6048 Lakeland Avenue North

Legal Description of Property: Lot 2, Block 1, ENGSTROM ADDITION

Owner: Norling Sales and Leasing, Inc.
(Print Name)

5548 Lakeland Avenue North, Crystal, MN 55429
(Address)

(612) 533-8617
(Phone No.)

Applicant: Same as above

(Print Name)

(Address)

(Phone No.)

DESCRIPTION OF REQUEST: Rezoning from B-4 to B-3 and site plan approval to allow
the operation of an automobile and truck sales and leasing business.

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

The properties immediately to the south and extending to 58th Avenue are currently zoned

B-3. The existing Norling Sales & Leasing, Inc., site at Bass Lake Road and Highway 169
is proposed to be removed for roadway improvements. Norling Sales & Leasing, Inc.,

desires to remain in the City of Crystal and locate along the Highway 169 corridor. This
site at 6048 Lakeland Avenue has an existing office which will function very adequately for
NOTE: Attach plan or survey of proposal. our use.

S. Gunnar Norling
(Applicant's Signature)

(Owner's Signature)

FEE: \$ 75.00

DATE RECEIVED: _____

RECEIPT NO.: _____

August 22, 1988

Johnson Equipment Company
Attention: Marie
5141 Lakeland Avenue North
Minneapolis, MN 55429

Dear Marie:

We have researched the question of the size of the well on your property. Records of the McCarthy Well Company indicate that there is a 10 inch, 336 foot well into the sandstone aquifer. You are hereby ordered to abandon the well in accordance with Minnesota Department of Health rules 4725.2500 through 2725.2800.

Sincerely,

Thomas L. Heenan
Supervising Sanitarian
Crystal, Brooklyn Center
Brooklyn Park Health Department

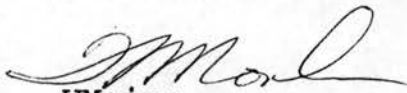
TLH:jt

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:

- 1) A platted lot of record with dimensional or area deficiencies, but where a structure could be erected meeting all ordinance setback requirements.
- 2) 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.

8/31/88 UPDATE

On August 16 the Council approved the first reading of the ordinance amendment. The one word addition to Subd. 12 d) as recommended by the City Attorney is included in the attached document, so final reading of the ordinance amendment is in order.

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, SUBDIVISION 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-1 District was a separate lot of record on February 15, 1976; and

b) there exists on that land a structure which was on the land on February 15, 1976; and

c) the land or the structure or either or both the land and structure are non-conforming within the meaning of Subsection 515.55; and

d) the City Manager recommends to the Council in writing that the enlargement or expansion of the non-conforming use would not adversely affect the public health or safety;

the enlargement or expansion of the non-conforming structure does not require a variance under the provisions of this section if the structure after 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, Subdivision 11 is repealed.

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

Mayor

Attest:

Clerk

1b19

LeFevere
Lefler
Kennedy
O'Brien &
Drawz

a Professional
Association

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Minneapolis
Minnesota 55402

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William P. Jordan
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Darcy L. Hitesman
David C. Roland
Karen A. Chamerlik
Paul D. Baertschi
Arden Fritz

Clayton L. LeFevere, Retired
Herbert P. Lefler, Retired

August 26, 1988

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

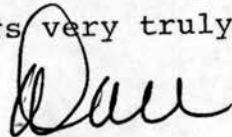
Re: Skateboard Ordinance

Dear Jerry:

Enclosed find an amended draft of the skateboard ordinance for second reading. The only changes in the ordinance are in Subsection 1350.05, Subd. 1, where the definition of commercial and industrial zoning districts is amplified, and the addition of Subdivision 7 dealing with skateboards in parks.

I think this responds to the Council's wishes.

Yours very truly,



David J. Kennedy

DJK:caw

Enclosures

ORDINANCE 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. Definition. 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. Subdivision 1. General Rule. It is unlawful to operate a skateboard on a street, alley, sidewalk or parking area within commercial and industrial zoning districts (that is, districts zoned B-1A, B-1, B-2, B-3, B-4, I-1 and I-2) unless authorized by a permit granted in accordance with Subdivision 8.

Subd. 2. Streets. 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. Safe Operation. 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. Traffic. It is unlawful to operate a skateboard in a place where the surface or traffic conditions render the place unsafe for skateboarding.

Subd. 5. Private Property. 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. Parks. The operation and use of skateboards in public parks in the City is subject to rules and regulations promulgated by the City Manager under Subsection 815.07.

Subd. 8. 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. A 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:

City Clerk

CRYS2:0011OD05.F16

August 24, 1988

TO: Jerry Dulgar, City Manager

FROM: Darlene George, City Clerk *D.G.*

RE: Canvass of returns
Primary Election
September 13, 1988

To comply with MN Statute 205.065, Subd. 5, the governing body of the City shall canvass the returns of a Primary Election within two days after the primary.

I would ask that this be placed on the September 6, 1988 Council agenda to set Wednesday, September 14, 1988 at 7:00 P.M. as the time and date for this canvassing.

This should be a real short meeting as we will just have the Ward 3 Council seat to canvass.

APPLICATION FOR LICENSE

4141 Douglas Drive, Crystal, Minnesota 55422

HONORABLE CITY COUNCIL
CRYSTAL, MINNESOTA

COUNCILMEMBERS:

I WE VFW Post 494
5222 56th Ave. No.
Crystal, MN 55429

Fee, \$ Exempt
Itinerant
New Renewal
Telephone

enclose the sum of Exempt DOLLARS
to the City of Crystal as required by the Ordinances of said City and have complied with all the
requirements of said Ordinances necessary for obtaining this License:

NOW, THEREFORE, I

VFW Post 494

hereby make application to
operate an Itinerant Food Establishment at 5222 56th Ave. No.

ONE DAY ONLY

August 21, 1988

for the period through subject to all
conditions and provisions of said Ordinance.

City Use Only

may January 21st &
will inspect on 8-21-88
J. Douglas 8-21-88

Richard R. Smith
Print Name of Applicant

Richard R. Smith
Signature of Applicant

LeFevere
Lefler
Kennedy
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Clayton L. LeFevere, Retired
Herbert P. Lefler, Retired

August 24, 1988

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

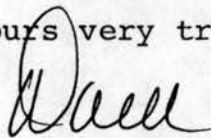
Re: Bond Election

Dear Jerry:

Enclosed you will find an extract of minutes showing adoption of a resolution setting a special election for the bond issue on November 8, the day of the general election. Although the bond referendum will be conducted on the same day as the general election, it is still treated as a special election and these proceedings reflect that fact.

Darlene will, however, want to arrange to have the ballot question prepared for the voting machine equipment.

Yours very truly,



David J. Kennedy

DJK:caw

Enclosures

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

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Crystal, Hennepin County, Minnesota, was held at the City Hall in said City on Tuesday, September 6, 1988, commencing at 7:00 o'clock p.m.

The following members were present:

and the following were absent:

* * *

* * *

* * *

The following written resolution was presented by Councilmember _____ who moved its adoption, the reading of which was disposed with by unanimous consent:

RESOLUTION NO. 88-_____

RESOLUTION DETERMINING THE NECESSITY FOR THE
ISSUANCE OF GENERAL OBLIGATION BONDS AND
CALLING A SPECIAL ELECTION THEREON

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

1. The City Council hereby finds and determines:
 - a) That it is in the best interests of the health, welfare, and safety of the City and its residents that the City acquire, construct and equip a new community center building (Project); and
 - b) That the City is authorized by the provisions of Minnesota Statutes Chapter 475 to issue its obligations to finance the Project in whole or in part and to pledge its full faith, credit and taxing powers to the payment of such obligations;

- c) That it is necessary and expedient to the sound financial management of the affairs of the City that the Project be financed in whole or in part by the issuance and sale of the City's general obligation bonds pursuant to the Act in an amount not to exceed \$2,000,000.

2. The proposition for the issuance of the bonds shall be submitted to the voters of the City at a special election to be held on Tuesday, November 8, 1988 in conjunction with the regular municipal election. The election shall be held and conducted in accordance with the laws of the State of Minnesota relating to special municipal elections and the City's home rule charter.

3. The City Clerk shall cause a notice of election in substantially the form attached hereto as Exhibit A to be posted and published as required by law as follows:

- (a) The notice of election shall be published once in the official newspaper of the City at least two weeks prior to the election;
- (b) The notice of election and a sample ballot shall be posted at each of the polling places at least ten days prior to the election;
- (c) The notice of election and a sample ballot shall be posted in the office of the City Clerk at least four days prior to the election; and
- (d) The sample ballot shall be published in the official newspaper at least one week prior to the election.

4. The polling places, hours of election and the respective judges for the election shall be those established by the City for the regular municipal elections. The polls shall be open from 7:00 a.m. until 8:00 p.m.

5. The City Clerk is authorized and directed to prepare separate ballots for the election to be printed on blue paper in substantially the following form:

OFFICIAL BALLOT
SPECIAL ELECTION

CITY OF CRYSTAL

TUESDAY, NOVEMBER 8, 1988

SHALL THE CITY OF CRYSTAL ISSUE AND SELL ITS GENERAL
OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED \$2,000,000
TO PROVIDE FUNDS TO FINANCE THE ACQUISITION, BETTERMENT
AND CONSTRUCTION OF A NEW COMMUNITY CENTER BUILDING?

YES

()

NO

()

INSTRUCTIONS TO VOTERS: Voters desiring to vote in favor of the foregoing proposition shall make a cross mark (X) in the square opposite the word YES. Voters desiring to vote against the foregoing proposition shall place a cross mark (X) opposite the word NO.

6. The City Council will canvass the results of the election and declare the results thereof in connection with the canvass of the votes at the regular municipal election.

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

EXHIBIT A

NOTICE OF SPECIAL ELECTION
CITY OF CRYSTAL
HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that a special election will be held in and for the City of Crystal, Hennepin County, Minnesota, on Tuesday, the 8th day of November, 1988, at which the following proposition will be submitted to the voters of the City for their approval or rejection:

SHALL THE CITY OF CRYSTAL ISSUE AND SELL ITS GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED \$2,000,000 TO PROVIDE FUNDS TO FINANCE THE ACQUISITION, BETTERMENT AND CONSTRUCTION OF A NEW COMMUNITY CENTER BUILDING?

YES ()

NO ()

The polling places for said election are as follows:

The polls for said election will be open at 7:00 a.m. and will remain open until closing at 8:00 p.m.

Any qualified registered voter of the City is entitled to vote at said election, and any resident of the City not previously registered as a voter may register on election day.

BY ORDER OF THE CITY COUNCIL

/s/ Darlene George
City Clerk

Dated: _____, 1988.

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

I, the undersigned, being the duly qualified and acting Clerk of the City of Crystal, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City Council of said City held on Tuesday, September 6, 1988, with the original thereof on file in my office and the same is a full, true and correct copy thereof, insofar as the same relates to the calling of a special bond election for the issuance and sale of \$2,000,000 General Obligation Bonds of the City.

WITNESS My hand as such City Clerk and the corporate seal of the City this ____ day of _____, 1988.

City Clerk
City of Crystal, Minnesota

(SEAL)

C11:00110888.SPE

RESOLUTION NO. 88-

A RESOLUTION TRANSFERRING FUNDS

BE IT RESOLVED that the City Treasurer be authorized and directed to make the following fund transfers:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Emergency Allowance	Recycling Department	\$10,000

By roll call and voting aye:

Motion Carried, resolution declared adopted.

Mayor

ATTEST:

City Clerk

Adopted by the Crystal City Council September 6, 1988.

August 31, 1988

TO: Jerry Dulgar

FROM: Miles Johnson

RE: Final 1989 Budget Proposal

With the latest adjustments in the following sheets that are attached, this is what it looks like:

Adopted 1988

Total General Fund Budget	\$5,616,087
---------------------------	-------------

Income Came From

Real Estate Taxes	\$2,046,343	
Local Government Aid	228,250	
Licenses & Permits	1,630,961	
Misc. (Court Fines, Rec Programs, Interest Income, Sanitarrians Reimb.)	860,533	
Prior Year Surplus	<u>850,000</u>	\$5,616,087

Proposed 1989

Total General Fund Budget	\$6,056,261
---------------------------	-------------

Income Will Come From

Real Estate Taxes	\$2,197,872	
Local Government Aid	2,232,614	
Licenses & Permits	192,175	
Misc (Court Fines, Rec Programs, Interest Income, Sanitarrians Reimb.)	833,600	
Prior Year Surplus	<u>600,000</u>	\$6,056,261

TO: Jerry Dulgar

August 31, 1988

FROM: Miles D. Johnson

RE: 1989 Proposed Budget - As Proposed by City Manager

	<u>1988</u>		<u>1989</u>	
	\$	Mills	\$	Mills
General Fund	\$2,046,343	13.778	\$2,197,872	14.381
Audit Fund	15,000	0.101	15,000	0.099
Police Relief Association	127,594	0.860	118,733	0.777
Fire Relief Association	27,524	0.186	37,599	0.246
City Pension Fund	282,672	1.904	280,000	1.832
Intra Structure	213,853	1.440	225,000	1.473
Debt Service	---	---	---	---
	<hr/>	<hr/>	<hr/>	<hr/>
	\$2,712,986	18.269	\$2,874,204	18.808
HRA	48,000	0.322	50,945	0.333
		<hr/>		<hr/>
		18.591		19.141
			+2.96%	

The above estimate of Mills is based on 1988 assessed valuation of \$148,390,000 plus a 3% growth factor (\$152,840,000).

1989 Levy Limit

August 31, 1988

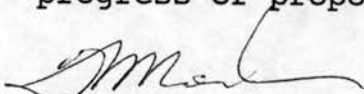
1988 Levy	\$2,712,986	
1988 Local Government Aid	1,630,961	
Less Special Levies	<u>-103,062</u>	
		4,240,885
1989		
4% Authorized Increase		+169,635
Growth of Households		<u>+ 13,232</u>
1989 Adjusted Levy Limit Base		4,423,752
1989 Local Government Aid		<u>-2,232,614</u>
Maximum Levy Before Special Authorization		2,191,138
Special Authorized Base Increase		<u>850,000</u>
Maximum Amount After Special Increase		3,041,138

TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
DATE: August 24, 1988
RE: Dredging Between Upper and Middle Twin Lakes

I recently spoke to Mr. Walter Ranik of 5032 Quail Ave. N. and was made aware that Mr. Ranik had been in contact with Hennepin County about dredging the channel between Upper and Middle Twin Lakes. The intent of Mr. Ranik's request is to allow easier boat passage in this area.

In a follow-up conversation with Dennis Bailey of Hennepin County Maintenance, I made it clear that Crystal would have to look very carefully at any dredging proposal. At this time the County is only conducting a preliminary analysis of the work needed (if any) and how the County might be involved in such a project in both a construction and financial aspect.

I asked Mr. Bailey to keep this office apprised of any progress or proposals related to this item.



WM:jrs

PARK AND RECREATION ADVISORY COMMISSION
Agenda
September 7, 1988

MEET AT YUNKERS PARK - 31ST AND YUKON

1. Call meeting to order 7:00 p.m.
2. Approval of minutes
3. Review monthly report
4. Hear citizen comment from Yunker Park area
5. Long Range Planning Commission - Gary Grimes
6. Review preliminary swim pool receipt summary
7. Discuss "Adopt-A-Park" program - Mary Moucha
8. Dedication of play equipment at Twin Oak Park
9. Bond issue update on Community Center
10. Other business
 - a. Reschedule Nov. 2 Meeting to Nov. 9th - MRPA Conf.
 - b. Review Board & Commission meeting held last week in Brooklyn Park.
 - c. Review copy of city-wide skateboard ordinance.
11. Adjournment

Harlene

1

DUE DATE: NOON, WEDNESDAY, AUGUST 31, 1988

MEMO TO: Jerry Dulgar, City Manager

MEMO FROM: John Olson, Assistant City Manager

ACTION NEEDED MEMO: From the August 16, 1988 Council Meeting

The items listed below are the actions requested by the City Council at their regular Council meeting of August 16, 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

1. Set public hearing to consider a request for a variance at 3541 Lee Avenue North.
ACTION NEEDED: Notify affected property owners of hearing.
ACTION TAKEN: Notice sent August 17, 1988.

ASSISTANT
CITY MANAGER

ACTION NEEDED: Place item on September 6 Council Agenda.
ACTION TAKEN: Item placed on September 6 Council Agenda.

PUBLIC WORKS
DIRECTOR

2. Set public hearing to consider a request for a variance at 3557 Orchard Avenue North.
ACTION NEEDED: Notify affected property owners of hearing.
ACTION TAKEN: Notification in progress.

ASSISTANT
CITY MANAGER

ACTION NEEDED: Place item on September 6 Council Agenda.
ACTION TAKEN: Item placed on September 6 Council Agenda.

BUILDING
INSPECTOR

3. Set public hearing to consider a request for a variance at 6625 - 45th Avenue North.
ACTION NEEDED: Notify affected property owners of hearing.
ACTION TAKEN: Notice sent August 17, 1988.

ASSISTANT
CITY MANAGER

ACTION NEEDED: Place item on September 6 Council Agenda.
ACTION TAKEN: Item placed on September 6 Council Agenda.

BUILDING
INSPECTOR

4. Set public hearing to consider a request for a variance at 5540 Lakeland Avenue North.
ACTION NEEDED: Notify affected property owners of hearing.
ACTION TAKEN: Notice sent August 17, 1988.

ASSISTANT
CITY MANAGER

ACTION NEEDED: Place item on September 6 Council Agenda.
ACTION TAKEN: Item placed on September 6 Council Agenda.

BUILDING
INSPECTOR

5. Set public hearing to consider a request for a variance at 5325 Welcome Avenue North.
ACTION NEEDED: Notify affected property owners of hearing.
ACTION TAKEN: Notice sent August 17, 1988.

ASSISTANT
CITY MANAGER

ACTION NEEDED: Place item on September 6 Council Agenda.
ACTION TAKEN: Item placed on September 6 Council Agenda.

BUILDING
INSPECTOR

6. Set public hearing to consider a parking variance of 45 spaces at the VFW building at 5222 - 56th Avenue North.
ACTION NEEDED: Notify affected property owners of hearing.
ACTION TAKEN: Notice sent August 17, 1988.

ASSISTANT
CITY MANAGER

ACTION NEEDED: Place item on September 6 Council Agenda.
ACTION TAKEN: Item placed on September 6 Council Agenda.

PUBLIC WORKS
DIRECTOR

7. Set public hearing for a parking variance of 20 spaces for a restaurant expansion at 6121 - 42nd Avenue North.
ACTION NEEDED: Notify affected property owners of hearing.
ACTION TAKEN: Notification in progress.

ASSISTANT
CITY MANAGER

ACTION NEEDED: Place item on September 6 Council Agenda.
ACTION TAKEN: Item placed on September 6 Council Agenda.

CITY CLERK

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.
ACTION NEEDED: Notify Relief Association of Council approval.
ACTION TAKEN: Member present at meeting; State Gambling Board notified of Council's approval, thus waiving the 60-day notice period.

CITY CLERK

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.
ACTION NEEDED: Notify Lions Club of Council approval.
ACTION TAKEN: Member present; license sent 8-17-88.

CITY CLERK

10. Consideration of a request from VFW Post #494 to sell pulltabs at the John T. Irving Fire Station on August 20, 1988.
ACTION NEEDED: Notify VFW Post #494 of Council approval.
ACTION TAKEN: Notification via telephone 8-17-88.

CITY CLERK

11. Consideration of a request from Crystal Lions 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.
ACTION NEEDED: Notify Lions Club of Council approval.
ACTION TAKEN: Applicant present, license issued.

CITY CLERK

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.
ACTION NEEDED: Notify applicant of Council approval.
ACTION TAKEN: Applicant notified via telephone 8-17-88.

PUBLIC HEARINGS

BUILDING
INSPECTOR

1. Public hearing to consider a request for a variance at 6816 - 39th Avenue North.
ACTION NEEDED: Notify applicant of Council approval.
ACTION TAKEN: Applicant present and permit issued.

REGULAR AGENDA

CITY MANAGER

1. Appearance by Patty Wilder of the Northwest Hennepin Human Services Council regarding increase in budget request.
ACTION NEEDED: Place request in budget presentation for Council.
ACTION TAKEN: Noted and included in the budget request.

PUBLIC WORKS
DIRECTOR

2. Consideration of a resolution denying preliminary approval of proposed plat for the Winnetka Woods Addition located at 3411 Winnetka Avenue North.
ACTION NEEDED: Notify property owners of resolution denying proposed plat.
ACTION TAKEN: Owner notified and sent certified copy of resolution.

BUILDING
INSPECTOR

3. Consideration of a building permit for interior and exterior changes at Rapid Oil, 5602 Lakeland Avenue North.
ACTION NEEDED: Notify applicant of Council approval.
ACTION TAKEN: Permit issued.

CITY
MANAGER

4. Consideration of applicants for appointment to the Environmental Quality Commission
ACTION NEEDED: Notify Mary Pat Hanauska of the appointment to the Environmental Quality Commission for a term expiring 12-31-90.
ACTION TAKEN: Applicant present, notified via phone 8-17-88 of 8-18-88 meeting, letter and pertinent information sent 8-22-88; also letter sent to unsuccessful applicant 8-22-88.

CITY
MANAGER

5. Consideration of applicants for appointment to the Human Relations Commission.
ACTION NEEDED: Send letter of appointment to Lois Ehret and Arlene West for terms expiring 12-31-88.
ACTION TAKEN: Letters sent 8-19-88; also sent letter to unsuccessful applicant 8-22-88.

CITY MANAGER

6. Consideration of proposed bylaws changes for the Firefighters Relief Association.
ACTION NEEDED: Notify Fire Relief Association of approval of bylaws except Article XI.
ACTION TAKEN: Member present, directed by Council to take back to Association for revision of Article XI.

PUBLIC WORKS
DIRECTOR

7. Consideration of bids for reroofing of Sewer & Water Maintenance garage.
ACTION NEEDED: Notify low bidder of Council approval.
ACTION TAKEN: Notification complete and contract in progress.

PUBLIC WORKS
DIRECTOR

8. Consideration of final plat approval of Beelen Addition at 3836-38 Douglas Drive.
ACTION NEEDED: Notify applicant of Council approval.
ACTION TAKEN: Agreement and plat being finalized consistent with action.

ASSISTANT CITY
MANAGER

9. Consideration of First Reading of an Ordinance revising variance procedure for non-conforming lots and structures in R-1 District.
ACTION NEEDED: Place Second Reading on September 6 Council agenda.
ACTION TAKEN: Item placed on September 6 Council agenda.

CITY ATTORNEY

ACTION NEEDED: Make necessary changes as discussed at Council meeting.
ACTION TAKEN: Completed ?

CITY ATTORNEY

10. Consideration of First Reading of an Ordinance relating to skateboards.
ACTION NEEDED: Make necessary changes as discussed at Council meeting.
ACTION TAKEN: Completed ?

ASSISTANT CITY
MANAGER

ACTION NEEDED: Place item on September 6 Council agenda.
ACTION TAKEN: Item placed on September 6 Council agenda.

CITY MANAGER

11. Consideration of attendance to the League of Minnesota Cities Regional meeting on Monday, September 12, 1988.
ACTION NEEDED: Forward names of interested Councilmembers to League.
ACTION TAKEN: Councilmember Langsdorf indicated she had sent reservation in.

CITY MANAGER

12. Consideration of City Council attendance to the City Picnic on August 25, 1988.
ACTION NEEDED: Relate to committee any Councilmembers planning to attend.
ACTION TAKEN: Related to Joan Schmidt 8-17-88.

PUBLIC WORKS
DIRECTOR

13. Consideration of rescinding the water ban.
ACTION NEEDED: Publicize rescission of ban.
ACTION TAKEN: Publication complete and resolution executed.

ASSISTANT
CITY MANAGER

14. Consideration of Second Reading of an Ordinance regarding auto sales.
ACTION NEEDED: Place item on September 6 Council agenda.
ACTION TAKEN: Item placed on September 6 Council agenda.

ASSISTANT
CITY MANAGER

15. Consideration of a request from Norling Motors regarding new location.
ACTION NEEDED: Place Item on Council agenda for September 6.
ACTION TAKEN: Item placed on September 6 Council agenda.

CITY CLERK

16. Licenses.

ACTION NEEDED: Issue licenses.

ACTION TAKEN: Licenses issued.

September 1, 1988

TO: City Council
FROM: Employee Committee
RE: Employee Picnic

The Employee Committee wishes to thank the generosity and participation of the Crystal City Council in the First Annual Employee Picnic.

Everyone had a great time and felt it to be a huge success! Once again, thank you.

js

EMBER D. REICHGOTT

Senator 46th District
Room G-9, State Capitol
St. Paul, Minnesota 55155
Phone: 296-2889
and
7701 48th Avenue North
New Hope, Minnesota 55428

Senate
State of Minnesota

August 15, 1988

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

Dear Jerry:

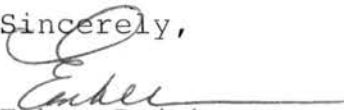
Thank you for sending me a copy of the resolution passed by the Crystal City Council regarding multiple post retirement inflator mechanisms for local police and paid firefighter pension plans. I appreciate your keeping me updated on these issues.

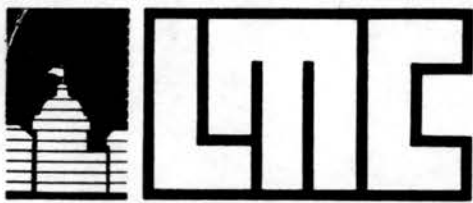
I can understand the concern of the Council. Most public employees have a single mechanism to increase pension benefits after retirement, which is the distribution of all earnings of the fund over the assumption level of 5% per year.

I do want to draw your attention to a very crucial point in the 1988 legislation for Minneapolis police and fire: it is subject to a "local approval" clause so that the City Council may make the final decision. This is in keeping with a philosophy of having the local community have input into the decision-making process. In any event, I would be happy to work with the Council and with the League of Cities on this and other issues in the future.

Thank you again for writing, and please share my thoughts with the Crystal City Council.

Sincerely,


Ember Reichgott
State Senator



League of Minnesota Cities

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

August 22, 1988

TO: City Clerks, Administrators

FROM: Ann Higgins, Federal Liaison/
Legislative Representative

SUBJECT: Penalty provisions of Chapter 211A, Campaign Financing
Reports

Attached please find a copy of correspondence to Secretary of State Joan Grove requesting clarification of provisions of the 1988 Minnesota Fair Campaign Practices Act. Expansion of campaign financing report requirements by the 1988 legislature also impose a misdemeanor penalty on any filing officer (most often the city clerk) who issues an election certificate to a candidate who has not filed campaign financing reports.

It is also important that the Secretary of State hear directly from city officials. Please contact the Elections Division if you have concerns about the new penalty provisions. Comments from election officials are very helpful in emphasizing the unreasonableness of the liability created for filing officers by these new penalty provisions.

The League has asked the Secretary of State to provide information for upcoming regional meetings to clarify that candidates are indeed responsible for complying with the requirements, not filing officers. Financial reporting requirements now extend to all candidates (except school board candidates, who must comply in 1989 elections), regardless of the population of the city. If a candidate for public office, including elected municipal offices, receives contributions or spends campaign funds of \$750 or more in a year, he/she must comply with reporting requirements.

City clerks and other city officials have voiced their concerns about new penalties that make filing officers liable for actions for which they are clearly not responsible. Members of the LMC Elections and Ethics Committee have also discussed the provisions and have expressed serious concern for filing officer liability under the statute.

As noted in the August 17 letter, the threat of criminal penalty is placed on filing officers without providing any means by which such officials can reasonably be expected to know whether candidates are required to file such reports. Since the law requires candidates

to comply with the campaign financing reporting requirements, it is evident that penalties for failure to do so should rest solely with the candidates and should not be extended to filing officers.

Please send copies of any correspondence on these matters to the LMC Office to my attention. During the coming weeks, the Elections and Ethics Committee will develop policy recommendations to address the issues raised by the imposition of such penalties and to urge the legislature to make changes in the attachment of penalties for failure to comply with campaign finance reporting requirements that more reasonably and accurately reflect the candidate's responsibility to comply with the law.

Attachment



League of Minnesota Cities

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

August 17, 1988

The Honorable Joan Anderson Growe
Secretary of State
180 State Office Building
St. Paul, MN 55155

Dear Joan:

Within the next several weeks, the League of Minnesota Cities will conduct regional meetings in locations throughout the state. During that time questions regarding the enactment of new state laws and requirements will be aired, and League staff will provide information for city officials in attendance. At that time, it would be useful to have information on hand to clarify concerns raised by LMC member cities regarding penalties imposed on election filing officers in 1988 Minnesota Statutes, Chapter 211A, Campaign Financing Reports Act.

Clarification of several sections of the 1988 Campaign Financing Reports Act would be useful to bring to the attention of city clerks and other election officials who are likely to attend these meetings. During the past month since the recodification of the fair campaign practices and financial reporting laws went into effect, the League has received numerous inquiries from cities about the provision in Chapter 211A, Financial Reports (Article 2, Section 5, Subd.1), which imposes a misdemeanor penalty on any filing officer who issues an election certificate to a candidate who has not complied with financial reporting requirements.

In previous conversations between Joseph Mansky, Director, Elections Division, and Ann Higgins, LMC Legislative Representative on elections issues, Mr. Mansky indicated that it is the individual candidate and his/her campaign committee which is responsible for complying with financial reporting requirements in Chapter 211A. Nevertheless, the threat of criminal penalty is placed upon the filing officer (most often the city clerk) without providing any reasonable means by which the filing officer would know whether financial reports from the candidate or campaign committee are required.

The League urges you to support amendments which make it clear that the law must rely on the candidates themselves, as well as political parties and citizens to enforce reporting requirements. Removing the ambiguous responsibilities of filing officers in this regard would clarify matters for all concerned and more reasonably reflect the appropriate assignment of responsibility for compliance with reporting requirements.

City clerks and filing officers are not requesting for more legal mechanisms in the law to obtain further disclosure from candidates, but rather removal of that responsibility and imposition of criminal penalties from their assigned duties as election officials.

It would be helpful and reassuring for the Secretary of State to issue a formal statement of clarification for distribution to election filing officers and city officials. Such clarification would alleviate concerns and confusion that have resulted from the inclusion of penalty provisions and liability for filing officers under Chapter 211A. Many city clerks, most of whom also serve as filing officers, have expressed serious concerns that these provisions place them in a difficult and uncertain position. Making filing officers liable for actions taken in the execution of their responsibility (to issue election certificates) if such actions result in the certification of election of a candidate who has failed to comply with financial reporting requirements under Chapter 211A is not a reasonable nor appropriate assignment of responsibility since the submission of campaign financial reports is clearly not a responsibility of the filing officer.

There is little experience to date with the new provisions or with implementing the law at the local level. An official communication from the Secretary of State providing clarification of the responsibility for compliance would increase confidence and relieve uncertainty. It is certain that many city clerks and administrative personnel are currently operating without the security of knowing that their responsibility under the law does not extend to knowledge of the status of campaign contributions and expenditures of local candidates.

Please respond to this request prior to August 24 so that the League may have an opportunity to discuss with you the distribution of such a statement to city clerks and other election officials.

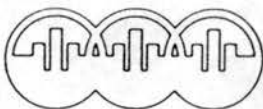
Sincerely,



Donald A. Slater
Executive Director

cc: Joseph Mansky, Director
Elections Division
Office of the Secretary of State

Karen Anderson, Councilmember, Minnetonka
Chair, LMC Elections & Ethics Committee



National
League
of
Cities

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Washington, D.C.
20004
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Fax: (202) 626-3043

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Councilwoman-at-Large,
Denver, Colorado

Executive Director
Alan Beals

August 19, 1988

To: Mayors and Managers of Direct Member Cities
Executive Directors of State Municipal Leagues

From: Alan Beals, Executive Director *Alan Beals*

Subject: Proposed Amendments to National Municipal Policy and
Separate Resolutions, Annual Congress of Cities,
Boston, Massachusetts, December 3-7, 1988

DUE: MONDAY, OCTOBER 3, 1988

The Policy Committees of the National League of Cities will meet from 9:00 a.m. until 4:30 p.m., Sunday, December 4, 1988 in the Hynes Convention Center. NLC's Resolutions Committee will meet at 1:00 p.m., Monday, December 5, also in the Hynes Convention Center. Member cities and state municipal leagues are invited to submit policy proposals for consideration by these committees.

* * * * *

DEADLINE FOR SUBMISSION

All advance proposals to amend the NLC National Municipal Policy and advance separate resolutions must be submitted to:

Chairman, Resolutions Committee
National League of Cities
1301 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

To assure sponsors full rights to the NLC policy process, and to allow for distribution of advance proposals to NLC's membership, proposals must be received in NLC's office by the end of business on Monday, October 3, 1988.

Past Presidents: Tom Bradley, Mayor, Los Angeles, California • Henry G. Cisneros, Mayor, San Antonio, Texas • Ferd L. Harrison, Mayor, Scotland Neck, North Carolina • William H. Hudnut, III, Mayor, Indianapolis, Indiana • George Latimer, Mayor, St. Paul, Minnesota • Henry W. Maier, Mayor, Milwaukee, Wisconsin • Jessie M. Rattley, Mayor, Newport News, Virginia • John Rousakis, Mayor, Savannah, Georgia • Charles Royer, Mayor, Seattle, Washington • George V. Voinovich, Mayor, Cleveland, Ohio • **Directors:** Gary Anderson, Mayor, Decatur, Illinois • Sidney J. Barthelmy, Mayor, New Orleans, Louisiana • Marjorie A. Boon, Mayor, Grand Haven, Michigan • John E. Bourne, Jr., Mayor, North Charleston, South Carolina • Jon C. Burrell, Executive Director, Maryland Municipal League • Hal Conklin, Councilmember, Santa Barbara, California • Mary Davis, Councilmember, Atlanta, Georgia • Ed Ellert, Mayor, Overland Park, Kansas • Edward C. Farrell, Executive Director, New York Conference of Mayors • Robert Farrell, Councilmember, Los Angeles, California • Jan Furner, Executive Director, Utah League of Cities & Towns • E. Arthur Gray, Mayor, Port Jervis, New York • Glenda E. Hood, Mayor Pro Tem, Orlando, Florida • Karen Humphrey, Councilmember, Fresno, California • Robert E. Johnson, Executive Director, North Dakota League of Cities • Joseph A. Leafe, Mayor, Norfolk, Virginia • Charles Lyons, Chairman, Board of Selectmen, Arlington, Massachusetts • Melissa Merahon, Alderman, Louisville, Kentucky • Bob Overstreet, Councilmember, Everett, Washington • Grace Petersen, Mayor, Pierre, South Dakota • Dana G. Rinehart, Mayor, Columbus, Ohio • John H. Rodriguez, Councilman, Yuma, Arizona • Perry Roquemore, Executive Director, Alabama League of Municipalities • Steven C. Roberts, Alderman, St. Louis, Missouri • James Scheibel, Councilmember, St. Paul, Minnesota • Florence Shapiro, Councilwoman, Plano, Texas • Dolores Sibonga, Councilmember, Seattle, Washington • Joseph A. Sweat, Executive Director, Tennessee Municipal League • E.B. Turner, Mayor Pro Tem, Lumberton, North Carolina • James Weatherby, Executive Director, Association of Idaho Cities

Page Two

FORM OF SUBMISSION

National Municipal Policy for 1988, copies of which have been previously furnished to all member cities and state leagues, is the comprehensive policy statement of the National League of Cities. It is subject to amendment at each annual business meeting of NLC. Proposed changes to the 1988 National Municipal Policy should be submitted in the form specified on the attached insert.

Separate resolutions are short term expressions of the membership of the National League of Cities, typically endorsing or opposing specific Congressional bills or current Presidential positions. They do not become part of the continuing National Municipal Policy document but are transmitted to appropriate federal officials immediately following the annual meeting. Such resolutions automatically die at the end of the calendar year following the Congress of Cities at which they were passed. The format to be followed for each resolution submitted is specified on the reverse side of the attached insert.

Each policy amendment or resolution should be accompanied by a one-page explanation which describes the nature of the problem or concern from the municipal perspective and discusses the proposed action which should be taken to address the problem. The one-page explanation will be distributed along with the proposed amendments or resolutions to all Policy Committee members. A blank form is enclosed, feel free to xerox as many copies as necessary, but keep explanation to one side only.

Questions on the form or germaneness of policy proposals or separate resolutions will be referred to a subcommittee of NLC's Advisory Council, appointed for that purpose by the NLC President, for recommendation to NLC's Resolutions Committee. The criteria used by the subcommittee in making their recommendations appear below under the subtitle "Guidelines for Development of Policy Proposals."

PROCEDURES FOR CONSIDERATION OF ADVANCE SUBMISSIONS

All proposals received in NLC's offices before the end of business on Monday, October 3, 1988 will be assigned to a policy committee for consideration when the committees meet on Sunday, December 4th in Boston. Members submitting proposals will be notified of the committee to which their proposal is referred and the time and place of the committee meeting. Sponsors of proposals or their representatives will be expected to appear before the full committee to present and discuss their proposal.

If the policy committee accepts the proposal, it will be submitted to the Resolutions Committee by the policy committee chairperson as part of the committee report.

Energy, Environment & Natural Resources



2.04 SOLID WASTE AND HAZARDOUS WASTE

B. Hazardous Wastes and Materials Management

3. Policies

m. Smaller Generator Exemption

~~(EPA should attempt to determine what quantity of hazardous waste is currently exempted from RCRA regulation and whether currently exempted generators are properly disposing of their wastes.)~~



words to be deleted:
strike thru text and
enclose in parenthesis

Congress should enact legislation which would substantially reduce the existing exemption for small generators of hazardous waste from the current level of 1000 kilograms of waste per month. EPA should develop and promulgate regulations governing the hazardous waste management practices of small generators as soon after enactment as possible.



words to be added:
underline text

EPA should provide technical assistance to states and local governments considering regulating federally exempted hazardous waste generators.



text to remain
unchanged

(Sample Resolution)

PROPOSED RESOLUTION

OCEAN DISPOSAL OF NUCLEAR WASTES

WHEREAS, the United States Navy has a proposal to dispose of up to 100 defueled decommissioned nuclear submarines during the next three decades; and

WHEREAS, one of the options is for ocean disposal of these submarines; and

WHEREAS, the oceans are a food source for much of the world's population, and contamination of the food chain could have far reaching implications;

NOW, THEREFORE, BE IT RESOLVED the National League of Cities should support the 1972 ban on all ocean dumping of nuclear wastes until it can be demonstrated that the safety and efficiency of ocean disposal offers less harm to human health and the environment than other practical alternative methods of disposal.

Typing Instructions

- Margins should be one inch on all sides.
- Courier 12 typing element.
- Under the words "Proposed Resolution", type title.
- Make sure to type in the resolution's sponsor (individual, city or state municipal league).

Submitted by: Colorado Municipal League

Date Received: (LEAVE BLANK)

Referred to: (LEAVE BLANK)

BOSTON, MASSACHUSETTS

EXPLANATION OF PROPOSED
POLICY AMENDMENT/RESOLUTION

TITLE OF RESOLUTION OR AMENDMENT: _____
SUBMITTED BY: _____ DATE: _____
CONTACT: _____ TITLE: _____

***** PLEASE TYPE ***** SINGLE SPACE ***** ONE SIDE ONLY *****

Page Three

If the policy committee rejects the proposal, the fact that the proposal was received by Monday, October 3rd and was distributed to members in advance permits the sponsor to appeal the policy committee action to the Resolutions Committee during their meeting on Monday, December 5.

PROCEDURE FOR CONSIDERATION OF PROPOSALS NOT SUBMITTED BY MONDAY, OCTOBER 3rd

A member of a policy committee may offer amendments to National Municipal Policy within his committee's jurisdiction or related separate resolutions during the Policy Committee meeting on Sunday, December 4.

Policy Committees are composed of from three to seven members from each state nominated by the state municipal league. Member cities and state leagues are urged to work with their state committee delegation if they are unable to submit their proposal prior to the Monday, October 3 deadline.

The Resolutions Committee will consider only Policy Committee reports, proposals from member cities and state municipal leagues received in NLC's offices by Monday, October 3, and recommendations of individual Resolutions Committee members.

ANNUAL BUSINESS MEETING

Any certified voting delegate of a member city or state league may offer a National Municipal Policy amendment or a separate resolution for consideration at the Annual Business Meeting on Wednesday, December 7, 1988. However, any proposals not submitted to the voting delegates by the Resolutions Committee or the Board of Directors must be by petition presented to the presiding officer of the Annual Business Meeting **no later than 1/2 hour prior to the meeting's Call to Order**. To be accepted for floor consideration at the Annual Business Meeting, such a petition must receive a majority vote of all certified voting delegates present and voting.

All proposals to amend National Municipal Policy and all separate resolutions, however submitted, require a 2/3 vote of delegates present and voting for passage.

* * * * *

GUIDELINES FOR DEVELOPMENT OF POLICY PROPOSALS

NLC's Board of Directors has adopted the following guidelines for policy proposals to be considered for adoption at the Congress of Cities:

1. Whether acted upon as amendments to National Municipal Policy or separate resolutions, policy proposals
 - a. shall--in their subject matter--concern shared policy and program needs, issues or problems of the nation's municipal governments;
 - b. shall be concerned with federal government policy, and therefore, be addressed to federal government policy-makers;
 - c. shall neither contradict nor duplicate existing NLC policy statements, except where they are intended to amend or repeal such policy;
 - d. shall not compromise the independence or integrity of individual member cities to pursue any course of action adopted by appropriate municipal policy-making bodies; and
 - e. shall not compromise the budget-making, program determining or priority setting role of the NLC Board.
2. As basic, continuing organizational policy positions, proposed amendments to National Municipal Policy should specify city positions on federal roles and responsibilities, policy goals, purposes, principles and/or program characteristics within the broad subject areas covered by existing policy or authorized by Board action. They should not refer to proposed Congressional legislation by title, sponsor's name or bill number.
3. Non-continuing separate resolutions should be restricted to those action-specific items of short term utility addressed to the Congress or the President. In separate resolutions, specific reference to proposed legislation by title, sponsor's name or bill number is appropriate.
4. Separate resolutions shall be considered only when they do not conflict with or contradict existing National Municipal Policy.

* * * * *

Further information regarding the NLC policy process may be secured prior to the Congress of Cities from:

William E. Davis, III, Director
Office of Policy Analysis and Development
National League of Cities
1301 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
(202) 626-3030