



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

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Starlene

COUNCIL AGENDA

February 21, 1989

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on February 21, 1989, 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 Moravec
P Grimes
P Rygg
P Carlson
P Herbes
P Smothers
P Langsdorf

Staff

P Dulgar
A Olson
P Kennedy ^{7:02 P.M.}
P Monk
P Peterson
P George
P Galman

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 Special Work Session of February 6, 1989 and the Regular City Council meeting of February 7, 1989.

Moved by Councilmember Rygg and seconded by Councilmember Sm. to
(approve) (approve, making the following exceptions:

_____ to) the
minutes of the Special Work Session of February 6, 1989 and the
minutes of the Regular City Council meeting of February 7, 1989.

Motion Carried.

CONSENT AGENDA

1. Set public hearing for March 7, 1989, to consider tentative approval of Bedman Addition preliminary plat located at 7025 - 46th Avenue North.
2. Set public hearing for March 21, 1989, to consider tentative approval of Proffesors Addition preliminary plat located at 3209 and 3233 Florida Avenue North.
3. Set public hearing for March 21, 1989, to consider tentative approval of Froehlich Addition preliminary plat located at 4524 and 4528 Hampshire Avenue North.
4. Set public hearing for March 7, 1989, to consider variance application #89-4 at 8017 - 33rd Avenue North as requested by Don Hintz to vary the 40' rear yard setback and allow a 14' encroachment to complete a 20' x 24' deck.
5. Consideration of the resignation of Marty Gates from the Civil Service Commission effective February 14, 1989.

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

Motion Carried.

Moved by Councilmember Sm and seconded by Councilmember Carlson to approve the Consent Agenda.

Motion Carried.

REGULAR AGENDA

1. The City Council considered the First Reading of an Ordinance to rezone property from B-4 District (Community Commercial) to B-3 District (Auto-Oriented Commercial) and conditional use permits to allow fuel station, auto repair-minor in a B-3 District and to allow an accessory retail (food) establishment in a B-3 District for Midwest Retail Properties at 5256, 5264 and 5272 West Broadway.

Thomas Barrett, Midwest Retail Properties
Bill Jenkins, 5301 Douglas (Octopus Car Wash)
Clem Steichen, 5256 W. Broadway

- A. Moved by Councilmember Largo and seconded by Councilmember Sm to adopt the following ordinance: (5 votes needed for approval)

ORDINANCE NO. 89-

AN ORDINANCE RELATING TO ZONING: CHANGING THE USE
CLASSIFICATIONS OF CERTAIN LANDS

and further, that the second and final reading be held on March 7, 1989.

Motion Carried.

- B. Moved by Councilmember Sm and seconded by Councilmember Largo to (approve as recommended by and based on the findings of fact of the Planning Commission) (deny) (continue until the discussion of) conditional use permits to allow fuel station, auto repair-minor in a B-3 District and to allow an accessory retail (food) establishment in a B-3 District for Midwest Retail Properties at 5256, 5264 and 5272 West Broadway.

Motion Carried.

2. The City Council considered conditional use permits to allow a convenience food (submarine sandwiches) establishment in a B-3 District; allow auto repair-minor/tire/battery establishment in a B-3 District, and allow an accessory, enclosed retail establishment in a B-3 District for Crystal Plaza Partnership at 6800 - 56th Avenue North.

Jeff Carleton, architect

Mar/Rygg to continue consideration of the conditional use permits for Crystal Plaza Partnership to allow staff to meet with applicant regarding easements agreement with Ground Round Restaurant.

Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to (approve as recommended by and based on the findings of fact of the Planning Commission) (deny) (continue until _____ the discussion of) conditional use permits to allow a convenience food (submarine sandwiches) establishment in a B-3 District; allow auto repair-minor/tire/battery establishment in a B-3 District, and allow an accessory, enclosed retail establishment in a B-3 District for Crystal Plaza Partnership at 6800 - 56th Avenue North.

Motion Carried.

3. The City Council considered the applications for appointment to the Park & Recreation Advisory Commission from William T. O'Reilly, 3124 Welcome Avenue North, Marlyn H. Theisen, 6807 - 50th Avenue North, and John Henry Berg, 4500 Welcome Avenue North, for terms ending 12-31-89.

Moved by Councilmember *Sm* and seconded by Councilmember *Grimes* to appoint *Marlyn Theisen* and *William T. O'Reilly* to the Park & Recreation Advisory Commission for terms ending 12-31-89.

Motion Carried.

unopposed

4. The City Council considered the application for appointment to the Environmental Quality Commission from Phyllis Isaacson, 7000 Lombardy Lane, for a term expiring December 31, 1990.

unexpired

Moved by Councilmember Mor and seconded by Councilmember Sm to appoint Phyllis Isaacson to the Environmental Quality Commission for a term expiring December 31, 1990.

Motion Carried.

5. The City Council considered insurance renewal for 1989 - 1990 policy year for General Liability, Bonds, Property, Boiler, Auto and Public Officials Insurance.

Moved by Councilmember Sm and seconded by Councilmember Rygg to (approve) (deny) (continue until _____ the discussion of) insurance renewal for 1989 - 1990 policy year for General Liability, Bonds, Property, Boiler, Auto and Public Officials Insurance in the amount of \$189,866 as submitted by the League of Minnesota Insurance Trust Program (LMCIT).

Motion Carried.

6. Appearance of Gary Holsten of Anoka Pawn Broker Shop regarding an ordinance relating to pawn brokers and second-hand goods dealers.

No action taken

Mayor Herber called a recess at 8:42 p.m. and the meeting was reconvened at 8:53 p.m.

Item #11 was moved to #7
Insert here

7. The City Council considered a joint meeting of the Crystal City Council and the Crystal Housing & Redevelopment Authority on March 9, 1989. *Several City Councilmembers had a conflict on March 9. The Mayor called the joint for March 8, 1989 pending availability of the HRA membership.*
8. The City Council considered the second reading of an Ordinance Amending the Crystal City Charter. *Lorraine Bedman, 7025-46th Ave. No. appeared and was heard.*

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

ORDINANCE NO. 89-3

AN ORDINANCE RELATING TO CITY GOVERNMENT:
AMENDING THE CRYSTAL CITY CHARTER

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

Motion Carried.

9. The City Council considered a resolution authorizing the issuance and sale of General Obligation Bonds in an amount not to exceed \$2,000,000 to finance the new Community Center building.

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

RESOLUTION NO. 89- 7

RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF
\$2,000,000 GENERAL OBLIGATION COMMUNITY CENTER BONDS,
SERIES 1989 A

By roll call and voting aye: Mer, Grimes, Carlson, Rygg, Smothers
Lango, Herbes; voting no: _____; absent, not
voting: _____.

Motion carried, resolution declared adopted.

10. The City Council considered a joint agreement for the inspection of garbage and refuse vehicles with the City of New Hope for the purpose of licensing garbage refuse trucks.

Moved by Councilmember Rygg and seconded by Councilmember Sm to (approve) (deny) (continue until _____ the discussion of) a joint agreement with the City of New Hope for the inspection of garbage and refuse vehicles for the purpose of licensing garbage refuse trucks, and further that the Mayor and City Manager be authorized to sign such agreement.

Motion Carried.

11. The appearance of Ed Thonander of the Crystal Frolic's Committee regarding a request for funding, ^{the closing of} Sherburne Ave. as was done during the 1988 Crystal Frolics, Elko's Celebrity Ball Game, and the camp out - ^{policing of the Becker Park grounds} by the Elko's Senior Scouts, and waiver of the carnival license fee.
- Largo/Sm to refer the matter of allowing Senior Scouts to camp out at Becker Park and police the grounds to the Park + Recreation Advisory Commission and request a report back to the City Council. Motion Carried
 - Carlson/Sm to approve an allocation of up to \$5,000 from the Crystal City Budget OPEN FORUM to be used to fund parade entries and to waive the fee for the carnival license for the Crystal Frolics to be held on July 28, 29 and 30, 1989. Motion Carried.

INFORMAL DISCUSSION AND ANNOUNCEMENTS

- City Clerk to receive and order box lunches for the Feb. 23, 1989 meeting with business people for Elmer Carlson, Rallie Smathers, Adrian Rygg and Betty Hukko.
- Mayor asked for Commission updates from each of the Council liaisons. Reports were given on the Environmental Quality Commission by Councilmember Langedarf, LRA by Councilmember Morneau, Human Relations Commission by Councilmember Grimes and Park + Recreation Advisory Commission by Councilmember Smathers.
- City Mgr. - report on Hennepin Recycling Group and referred to memo in packet from Recycling Coordinator.
- City Mgr. - informed Council that Park Dedication Ordinance is being sent back to Park + Rec. Advisory Commission.
- City Mgr. - Concession Stand for Little League - Staff explore opportunities and report back to Council.
- City Engr. - Medicine Lake Road update next packet; public hearing called by New Hope for all cities - staff will attend but Council is invited if they wish to attend.

- City Council discussed temporary sign permits for a Lions Club pancake breakfast to be held on March 12, 1989.

Mor/Lange to approve the issuance of 7 temporary sign permits ^{with waiver of fee} to be located at 58th and Bass Lake Road, 5924 West Broadway, 5410 Lakeland, 4920 W. Broadway, 7200 Bass Lake Road, 2756 Douglas, 3600 Douglas Drive.

Motion Carried.

- Councilmember Langedorf requested letters of thanks be sent to Representatives Carlson and Keet and Senator Reichgott for their efforts in changing legislation governing municipal debt limit, thus allowing Crystal to sell \$2,000,000 General Obligation Bonds for the Crystal Community Center.
- Councilmember Smathers - better audio system for Council meetings.

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

Motion Carried.

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

Motion Carried.

Meeting adjourned at 9:50 P.M.

LICENSE APPLICATIONS

February 21, 1989

License Renewals

GAS FITTER'S LICENSE - \$30.25

Cronstrom's Heating & Air, 4410 Excelsior Blvd.,
Minneapolis, MN 55416

Thermex, 4850 Park Glen Road, Minneapolis, MN 55416

Burnsville Heating, 12481 Rhode Island Ave. S., Savage, MN
55378

Don Weld Plumbing & Heating, 805 Windmere Curve, Plymouth,
MN 55441

PLUMBERS LICENSE - \$30.25

Widmer, Inc., P.O. Box 219, St. Bonifacius, MN 55375

Don Weld Plumbing & Heating, 805 Windmere Curve, Plymouth,
MN 55441

Bill Fignar Plumbing, 2844 Johnson St. NE, Minneapolis, MN
55418

ANNUAL SIGN LICENSE RENEWALS

Harold Herman Furniture, 3159 Vera Cruz Ave. N.	53.50
Old Country Buffet, 5526 West Broadway	30.00
Crystal Vacuum, 6410 56th Ave. N.	15.00
Headlines, 5560 West Broadway	30.00
Norling Motors, 5548 Lakeland Ave. N.	30.00
Dakota, 5448 Douglas Dr. N.	15.00
Frameworks, 5582 West Broadway	15.00
Dairy Queen, 6827 56th Ave. N.	60.00
Pro-Air Aviation, 5930 Lakeland Ave. N.	30.00
Arnold's Hamburger Grill, 5518 Lakeland Ave. N.	55.50
10,000 Auto Parts, 6600 56th Ave. N.	30.00
Twin Oaks Realty, 3353 Douglas Dr. N.	15.00
The Waterbed Room, 119-121 Willow Bend	45.00
Title Wave Stores, 5508 West Broadway	30.00
Winnetka Village Development, 7700-10-20 36th Ave. N.	30.00
U Haul, 5465 Lakeland Ave. N.	45.00
Kinney Shoes, 227 Willow Bend	15.00
Crystal Liquors, 5924 West Broadway	45.00
52 Hi/Dallas Cafe, 5640 West Broadway	30.00
Carpet King, 5445 Lakeland Ave. N.	41.70
Gallery Hair Studio, 3325 Vera Cruz Ave. N.	15.00
Crystal Motel, 5650 Lakeland Ave. N.	86.40
Athletic X-press, 219 Willow Bend	15.00
Crystal Cobbler, 5510 West Boradway, Suite E	15.00
Crystal Village Apartments, 3000 Winnetka Ave. N.	75.00

Lens Crafters, 143 Willow Bend	45.00
Aagaard Floral, 6402 56th Ave. N.	15.00
Junior Shoe World, 5570 West Broadway	15.00
County Seat, 345 Willow Bend	15.00
Donuts & More, 5303 36th Ave. N.	15.00
Northside Appliance, 6404 56th Ave. N.	15.00
Linn's Auto Service, 57501 West Broadway	60.00
Douglas Court Apartments, 6400 27th Ave. N.	15.00
Sign Renewals including 25% penalty fees	
Union 76, 3401 Douglas Dr. N.	37.50
Sign Renewals including 50% penalty fees	
Payless Shoes, 331 Willow Bend	22.50
West Broadway Video, 4617 36th Ave. N.	22.50

FOOD ESTABLISHMENT - Day Care (Exempt)

North Hennepin Montessori School, 6700 46th Pl. N.

FOOD ESTABLISHMENT - Itinerant (Exempt)

Crystal Women of Today/Park & Rec. Dept.
One Day Only at City Hall, March 20, 1989

Sent with Preliminary Agenda on 2-17-89:

Council minutes of Special Mtg. of 2-6-89 and
Regular Mtg. of 2-7-89.

Planning Comm. minutes of 2-13-89 meeting.

Letter of resignation from Civil Service Commission
from Marty Gates dated 2-14-89.

Memo from City Engr. dated 2-8-89 re: rezoning and
conditional use permits for 5256/64/72 West Brdwy.

Memo from City Engr. dated 2-3-89 re: CUP's for
use changes at 6800 - 56th Ave. No.

Application for Appointment to the Park & Rec. Adv
Comm. from Marlyn H. Theisen, William T. O'Reilly,
and John Henry Berg.

Application for Appointment to the Environmental
Quality Comm. from Phyllis Isaacson.

Memo from Adm. Asst. dated 2-15-89 re: approval
of insurance premium renewal 1989-1990.

Letter from EBA dated 2-16-89 re: volunteer coverage
City of Crystal.

Letter from Gary Holsten of Anoka Pawnbrokers dated
2-12-89.

Letter from city Attorney dated 2-15-89 re: Crystal
Charter Amendment Ordinance; ordinance amendment.

Letter from Springsted dated 2-15-89 and recommenda-
tions for the \$2,000,000 Community Center Bonds.

Letter from City Attorney dated 2-15-89 re: General
Obligation Community Center Bonds, Series 1989A.

Agreement with City of New Hope for joint garbage
refuse truck inspection.

Letter from City Attorney dated 2-10-89 and internal
memorandum prepared by Corrine Heine about 3 recent
open meeting law cases.

Minutes of the Hennepin Recycling Group mtg. of
1-26-89 and 2-2-89.

Memo from Community Development Coordinator dated
2-17-89 re: update on energy audit program and
January Report - Brooklyn Center CEC.

COUNCIL AGENDA - SUMMARY

COUNCIL MEETING OF
FEBRUARY 21, 1989

Call to order

Roll call

Pledge of Allegiance to the Flag

Approval of the minutes of the February 6th Work Session and regular meeting of February 7, 1989.

Consent Agenda

1. Set public hearing for March 7, 1989, to consider tentative approval of Bedman Addition preliminary plat located at 7025 - 46th Avenue North.
2. Set public hearing for March 21, 1989, to consider tentative approval of Proffesors Addition preliminary plat located at 3209 and 3233 Florida Avenue North.
3. Set public hearing for March 21, 1989, to consider tentative approval of Froehlich Addition preliminary plat located at 4524 and 4528 Hampshire Avenue North.
4. Set public hearing for March 7, 1989, to consider variance application #89-4 at 8017 - 33rd Avenue North as requested by Don Hintz to vary the 40' rear yard setback and allow a 14' encroachment to complete a 20' x 24' deck.
5. Consideration of the resignation of Marty Gates from the Civil Service Commission effective February 14, 1989.

Regular Agenda Items

1. Consideration of rezoning property from B-4 District (Community Commercial) to B-3 District (Auto-Oriented Commercial) and conditional use permits to allow fuel station, auto repair-minor in a B-3 District and to allow an accessory retail (food) establishment in a B-3 District for Midwest Retail Properties at 5256, 5264 and 5272 West Broadway.

2. Consideration of conditional use permits to allow a convenience food (submarine sandwiches) establishment in a B-3 District; allow auto repair-minor/tire/battery establishment in a B-3 District, and allow an accessory, enclosed retail establishment in a B-3 District for Crystal Plaza Partnership at 6800 - 56th Avenue North.
3. Consideration of the applications for appointment to the Park & Recreation Commission from William T. O'Reilly, 3124 Welcome Avenue North, Marlyn H. Theisen, 6807 - 50th Avenue North, and John Henry Berg, 4500 Welcome Avenue North, for terms ending 12-31-89.
4. Consideration of the application for appointment to the Environmental Quality Commission from Phyllis Isaacson, 7000 Lombardy Lane, for a term expiring December 31, 1990.
5. Consideration of insurance renewal for 1989 - 1990 policy year for General Liability, Bonds, Property, Boiler, Auto and Public Officials Insurance.
6. Appearance by Gary Holsten of Anoka Pawn Broker Shop regarding an ordinance relating to pawn brokers and second-hand goods dealers.
7. Consideration of a joint meeting of the City Council and Crystal HRA on March 9, 1989.
8. Consideration of the second reading of an Ordinance Amending the Crystal City Charter.
9. Consideration of a resolution authorizing the issuance and sale of General Obligation Bonds in an amount not to exceed \$2,000,000 to finance the new Community Center building.
10. Consideration of a joint agreement for the inspection of garbage and refuse vehicles with the City of New Hope for the purpose of licensing garbage refuse trucks.
11. Ed Thonander of the Crystal Frolic's Committee appeared regarding a request for funding.

Open Forum

Informal Discussion and Announcements

Licenses

LICENSE APPLICATIONS

February 21, 1989

License Renewals

GAS FITTER'S LICENSE - \$30.25

Cronstrom's Heating & Air, 4410 Excelsior Blvd.,
Minneapolis, MN 55416

Thermex, 4850 Park Glen Road, Minneapolis, MN 55416

Burnsville Heating, 12481 Rhode Island Ave. S., Savage, MN
55378

Don Weld Plumbing & Heating, 805 Windmere Curve, Plymouth,
MN 55441

PLUMBERS LICENSE - \$30.25

Widmer, Inc., P.O. Box 219, St. Bonifacius, MN 55375

Don Weld Plumbing & Heating, 805 Windmere Curve, Plymouth,
MN 55441

Bill Fignar Plumbing, 2844 Johnson St. NE, Minneapolis, MN
55418

ANNUAL SIGN LICENSE RENEWALS

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Old Country Buffet, 5526 West Broadway	30.00
Crystal Vacuum, 6410 56th Ave. N.	15.00
Headlines, 5560 West Broadway	30.00
Norling Motors, 5548 Lakeland Ave. N.	30.00
Dakota, 5448 Douglas Dr. N.	15.00
Frameworks, 5582 West Broadway	15.00
Dairy Queen, 6827 56th Ave. N.	60.00
Pro-Air Aviation, 5930 Lakeland Ave. N.	30.00
Arnold's Hamburger Grill, 5518 Lakeland Ave. N.	55.50
10,000 Auto Parts, 6600 56th Ave. N.	30.00
Twin Oaks Realty, 3353 Douglas Dr. N.	15.00
The Waterbed Room, 119-121 Willow Bend	45.00
Title Wave Stores, 5508 West Broadway	30.00
Winnetka Village Development, 7700-10-20 36th Ave. N.	30.00
U Haul, 5465 Lakeland Ave. N.	45.00
Kinney Shoes, 227 Willow Bend	15.00
Crystal Liquors, 5924 West Broadway	45.00
52 Hi/Dallas Cafe, 5640 West Broadway	30.00
Carpet King, 5445 Lakeland Ave. N.	41.70
Gallery Hair Studio, 3325 Vera Cruz Ave. N.	15.00
Crystal Motel, 5650 Lakeland Ave. N.	86.40
Athletic X-press, 219 Willow Bend	15.00
Crystal Cobbler, 5510 West Broadway, Suite E	15.00
Crystal Village Apartments, 3000 Winnetka Ave. N.	75.00

Lens Crafters, 143 Willow Bend	45.00
Aagaard Floral, 6402 56th Ave. N.	15.00
Junior Shoe World, 5570 West Broadway	15.00
County Seat, 345 Willow Bend	15.00
Donuts & More, 5303 36th Ave. N.	15.00
Northside Appliance, 6404 56th Ave. N.	15.00
Linn's Auto Service, 57501 West Broadway	60.00
Douglas Court Apartments, 6400 27th Ave. N.	15.00
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Union 76, 3401 Douglas Dr. N.	37.50
Sign Renewals including 50% penalty fees	
Payless Shoes, 331 Willow Bend	22.50
West Broadway Video, 4617 36th Ave. N.	22.50

FOOD ESTABLISHMENT - Day Care (Exempt)

North Hennepin Montessori School, 6700 46th Pl. N.

FOOD ESTABLISHMENT - Itinerant (Exempt)

Crystal Women of Today/Park & Rec. Dept.
One Day Only at City Hall, March 20, 1989

DATE: February 17, 1989
TO: City of Crystal Councilmembers
FROM: Jerry Dulgar, City Manager
SUBJECT: Preliminary Agenda for the February 21, 1989
Council Meeting

Regular Agenda:

- Item #1: In past discussions about the possibility of redevelopment of this area, I have heard some reference to the fact that we have too much auto related business up in this area. While that might be some of our own personal opinions, I know of nothing in State law or in our ordinances that indicate we should regulate how many businesses there are in the area. I know some type of businesses we regulate through licensing such as liquor businesses. But, that doesn't apply to other businesses and I think we should consider this application on its merits, not on whether we think there are too much of one kind of business in the area.
- Item #3: We have three openings on the Park Board and now have three applicants. They have been asked to be at attendance at the meeting. Two of the three can be appointed. We still need applications from Ward 2 of the City.
- Item #4: Consideration of the application for appointment to the Environmental Quality Commission. Ms. Isaacson was at an earlier meeting and was interviewed by the Council. Somebody else was appointed at that time. She attends classes on Tuesday evenings so is unable to attend the Council meeting but still wishes to be considered for appointment. I believe Ms. Isaacson would be a fine addition to the commission.
- Item #5: Consideration of insurance renewal for 1989 - 1990 policy year for General Liability, Bonds, Property, Boiler, Auto and Public Officials Insurance. Nancy Deno and Cary Shaich, our agent of record, will be in attendance to review the renewal with the Council. I feel confident that they could answer any questions that you might have; however, if you have something that you would like us to research before then feel free to contact us.

- Item #6: Appearance by Gary Holsten of Anoka Pawn Broker Shop regarding an ordinance relating to pawn brokers and second-hand goods dealers. Mr. Holsten has asked to appear before the Council to appeal to you to change the ordinance that you recently passed on licensing pawnbroker shops. Mr. Holsten feels the 4 month holding period is too long and that 30 days would be more realistic. Frankly, we haven't had it in operation; I don't know what is magic or right. Our ordinance is very similar to Minneapolis and they seem to be getting along and have developed that ordinance over a long period of time through a lot of trial and error. I would recommend that we leave it the way it is.
- Item #7: Consideration of a joint meeting of the City Council and Crystal HRA on March 9, 1989. The HRA has indicated that they would like to meet with the Council at their regular meeting on March 9 if that is agreeable with the Council.
- Item #9: Consideration of a resolution authorizing the issuance and sale of General Obligation Bonds in an amount not to exceed \$2,000,000 to finance the new Community Center building. The Legislature has passed and the Governor signed a bill straightening out the debt limit on cities so we can go ahead with our bond sale now. Action recommended: Approval.
- Item #10: Consideration of a joint agreement for the inspection of garbage and refuse vehicles with the City of New Hope. With the new recycling and refuse collection joint powers agreement between New Hope, Crystal and Brooklyn Center, New Hope has indicated that they would like to have our Health Department inspect their licensed garbage and recycling trucks as we now do for both Brooklyn Center and Crystal under the joint powers agreement. This agreement would provide for that and New Hope would pay us 80 percent of their licensing fee for doing the inspection. I'd recommend that we approve the agreement.

February 6, 1989

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Pursuant to due call and notice given in the manner prescribed by Section 3.01 of the City Charter, the Special Meeting/Work Session of the Crystal City Council was held on February 6, 1989, at 5:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota.

The Secretary of the Council called the roll and the following were present: Moravec, Grimes, Herbes, Langsdorf, Rygg, Carlson, Smothers. Also in attendance were the following staff members: Jerry Dulgar, City Manager; John Olson, Assistant City Manager; David Kennedy, City Attorney; William Monk, Public Works Director; Donald Peterson, Building Inspector; Darlene George, City Clerk; Ed Brandeen, Park & Recreation Director; Julie Jones, Redevelopment/Recycling Coordinator; Tom Heenan, Sanitarian; Art Quady, Fire Chief/Fire Marshal; Miles Johnson, Finance Director; Ken Bjorn, Assessor; Jim Mossey, Chief of Police.

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

1. The City Council and staff reviewed City Hall space needs and Community Center status. Kurt Dale of Anderson Dale Architects presented an update on the Community Center.
2. Department heads gave presentations of responsibilities and issues at hand in his or her department as follows:

Administration Department - John Olson, Assistant City Manager
Building Department - Don Peterson, Building Inspector
Finance Department - Miles Johnson, Finance Director
Park Department - Ed Brandeen, Park & Recreation Director
Police Department - James mossey, Police Chief
Redevelopment/Recycling Coordinator - Julie Jones, Coordinator
Health Department - Tom Heenan, Head Sanitarian
Assessing Department - Ken Bjorn, Assessor
Fire Department - Art Quady, Fire Chief
Public Works Department - Bill Monk, Public Works Director

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

Motion Carried.

Meeting adjourned at 8:25 p.m.

Moved by Councilmember Smothers and seconded by Councilmember Langsdorf to reopen the Work Session at 8:26 p.m.

Motion Carried.

3. The City Council and staff reviewed the method of Commission appointments.

February 6, 1989

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4. The City Council and staff discussed membership of the Housing and Redevelopment Authority.
5. The City Council and staff discussed workers' compensation coverage for injuries to elected officials.

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

Motion Carried.

Meeting adjourned at 9:07 p.m.

Mayor

ATTEST:

City Clerk

CRYSTAL PLANNING COMMISSION MINUTES

February 13, 1989

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

Moved by Commissioner Nystrom and seconded by Commissioner Christopher to approve the minutes of the January 9, 1989, meeting.

Motion carried.

1. Chairperson Feyereisen declared this was the time and the place as advertised for a public hearing to consider an amendment to the Zoning Ordinance to delete the public involvement requirements of the elderly housing definition. The City Engineer explained the ordinance and stated in his contact with other suburbs one had separate zoning districts, some did nothing special. Zoning properly is the key issue. Developer given the density bonus and must leave 20% for low or moderate income tenants for 10 years and cannot switch to other type housing. The proponents presented the following: John Paulson, contractor, 320 Edgewood Ave., Minneapolis, could not understand City requiring 20% of building for low income and having subsidized housing rather than allowing a private contractor to build a quality complex and renting at market rate. Questioned raising the square footage for each elderly housing unit from 1,250 sq. ft. to 1,500 sq. ft. as not necessary for senior citizens and unworkable from a private contractor's standpoint. Mike Noonan, 5332 Hanson Court, thought City should eliminate a quirk in the ordinance and encourage private contractors and funding. When senior citizens get subsidies from Metro Council, they go to Edina rather than live in Crystal. Ade Rygg, 3701 Adair Ave. N., said his special interest was in providing needed rental housing for the elderly in Crystal.

The following were heard in opposition: Mike Kivel, 3510 Douglas Drive, questioned the housing standards to ensure quality housing if public not involved. Greg Lundeen, 6125 - 36th Ave. N., questioned the density bonus granted for elderly units at market rates and larger size units enlarging the building.

Commissioner Elsen was concerned as to what would prevent conversion of elderly housing units to multi-family after elderly housing complex built. City Engineer stated there

February 13, 1989 - Continued

would be a penalty put into the contract, and the City would have right to restrict building for elderly use.

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

Motion carried.

Moved by Commissioner Elsen and seconded by Commissioner Nystrom to continue until March 13 and request staff to develop an amendment to the Zoning Ordinance to include private contractors with private funding of elderly housing as a conditional use density bonus (Section 515.27, Subd. 4 d) 7).

Motion Carried.

2. Chairperson Feyereisen declared this was the time and the place as advertised for a public hearing to consider Applications #88-51, #88-53 and #88-55 of Midwest Retail Properties for rezoning property from B-4 District (Community Commercial) to B-3 District (Auto-Oriented Commercial) and #88-52, #88-54 and #88-56 for conditional use permits to allow fuel station, auto repair-minor in a B-3 District and to allow an accessory retail (food) establishment in a B-3 District at 5256, 5264 and 5272 West Broadway. The proponents presented the following: Thomas Barrett, developer, 1924 Fremont Ave. S., Minneapolis, proposes building a 16,000 sq. ft., masonry and glass auto mall in place of car wash, rental business and single family home. Had requested a shortened median but willing to work with County. Possible tenants would be muffler shop, tire store, and food and fuel store if able to change the median. Market study indicates need. Clem Steichen, 5256 West Broadway, gave reasons for selling property.

The following were heard: Mrs. Mike Noonan, co-owner apartment house at 5332 Hanson Court, questioned the hours as the car wash bothered some of their tenants. Mr. Barrett said hours would be 7:30 a.m. to 10 p.m. Mon. through Fri. and 9 a.m. to 5 p.m. on Sat. and if have food and fuel store its hours would be 24 hours, 7 days per week. Mike Noonan, 5332 Hanson Court, corner looks bad and would be an improvement but should keep the businesses City already has, and was concerned about traffic. John Groetum, Market Tire at 54th & West Broadway, stated north Crystal is well saturated with auto-related stores--26 auto-related buildings within area. Joe Pellish, Super-america at 5359 West Broadway, wanted to know if any restrictions on convenience stores and what size proposed (3-4,000 feet). Commissioner Magnuson wanted to know where used tires would be stored. Mr. Barrett stated there would be three indoor storage units: paper, used tires and metal.

February 13, 1989 - Continued

Moved by Commissioner Barden and seconded by Commissioner Kamp to close the public hearing.

Motion carried.

Moved by Commissioner Magnuson and seconded by Commissioner Elsen to recommend to the City Council to approve Applications #88-51, #88-53 and #88-55 as submitted by Midwest Retail Properties to rezone from B-4 District (Community Commercial) to B-3 District (Auto-Oriented Commercial) and #88-52, #88-54 and #88-56 for conditional use permits to allow fuel station, auto repair-minor in a B-3 District and to allow an accessory retail (food) establishment in a B-3 District at 5256, 5264 and 5272 West Broadway, legally described as Lots 15, 16 and 17, Block 2, Hanson's Addition.

The findings of fact are: Great improvement to the area in north Crystal, best use for this property is auto-related services, demonstrated need with market survey, and not inconsistent with surrounding land use.

Motion carried.

3. Chairperson Feyereisen declared this was the time and the place as advertised for a public hearing to consider Applications #89-1, #89-2 and #89-3 as submitted by Crystal Plaza Partnership for conditional use permits to allow a convenience food (submarine sandwiches) establishment in a B-3 District; allow auto repair-minor/tire/battery establishment in a B-3 District and allow an accessory, enclosed retail establishment in a B-3 District at 6800 - 56th Ave. N. The proponent presented the following: Jeff Carlstrom, architect turned developer, stated was willing to work with City Engineer on the parking situation, will have 6 bays, and have enclosed 250 sq. ft. for trash and tires.

The following was heard in opposition: Anthony Brown, Linn's Auto Service, 5701 West Broadway, questioned the need for more auto usage in the area. He stated he didn't believe enclosed area for tires was enough.

Moved by Commissioner Kamp and seconded by Commissioner Guertin to close the public hearing.

Motion carried.

Moved by Commissioner Christopher and seconded by Commissioner Barden to recommend to the City Council to approve Applications #89-1, #89-2 and #89-3 for conditional use permits to allow a convenience food (submarine sandwiches) establishment in a B-3 District; allow auto repair-minor/tire/battery establishment in a B-3 District and allow an accessory, enclosed retail establishment in a B-3 District at 6800 - 56th Ave. N. P.I.D. #05-118-21-42-0039.

February 13, 1989 - Continued

The findings of fact are: Recommendation does meet the conditional use requirements of the Code and consistent with existing land use.

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

Motion carried 6-3.

4. Continuation of consideration of tentative approval of proposed plat Bedman Addition located at 7025 - 46th Ave. N. as submitted by Lorraine Bedman. Ms. Bedman presented a modification of the preliminary plat enlarging Lot 2.

Moved by Commissioner Elsen and seconded by Commissioner Christopher to recommend to the City Council to grant tentative approval of Bedman Addition which is a replat of the north half of Lot 29, Auditor's Subdivision #314, located at 7025 - 46th Ave. N.

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

Motion carried 5-4.

5. Consideration of tentative approval of proposed plat Proffesors Addition located at 3209 and 3233 Florida Ave. N. as submitted by Scott V. Kevitt.

Moved by Commissioner Magnuson and seconded by Commissioner Elsen to recommend to the City Council to grant tentative approval of Proffesors Addition which is a replat of Lot 8 and 10, Block 3, Gardendale Acres, located at 3209 and 3233 Florida Ave. N., subject to development conditions in the City Engineer's memo of February 3, 1989.

Motion carried.

6. Consideration of Variance Application #89-4 for a deck which will encroach in the required 40' rear yard setback at 8017 - 33rd Ave. N. as requested by Don Hintz.

Moved by Commissioner Barden and seconded by Commissioner Christopher that pursuant to Section 515.55 of the Crystal City Code to recommend to the City Council to vary or modify the strict application of Section 515.13, Subd. 4 a), to grant a variance of 14' in the required 40' rear yard setback for a 24' x 20' deck on the existing house, at 8017 - 33rd Ave. N., P.I.D. #19-118-21-14-0061, as requested in Application #89-4 of Don Hintz.

February 13, 1989 - Continued

The findings of fact are: Replacing deck, nice addition to house, not detrimental to surrounding properties and nominal variance addition.

Motion carried.

7. Consideration of tentative approval of proposed plat Froehlich Addition located at 4524 and 4528 Hampshire Ave. N. as submitted by Harold & Avanelle Froehlich and Michael & Darla Eggert.

Moved by Commissioner Guertin and seconded by Commissioner Kamp to recommend to the City Council to grant tentative approval of Froehlich Addition which is a replat of Part of the South Half of the South Half of the Southeast Quarter of the Southeast Quarter of Section 8, Township 118, Range 21, property is located at 4524 and 4528 Hampshire Ave. N.

Motion carried.

8. Discussion items:

- A. Ordinance Amendments--regarding preliminary plat of City Code should update our requirements nearer to State law.
- B. Long Range Planning items to Planning Commission--when Light Rail Transit quiets down.

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

The meeting adjourned at 11:18 p.m.

Chairperson Feyereisen

Secretary Barden

February 7, 1989

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Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on February 7, 1989 at 7:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota.

The Secretary of the Council called the roll and the following were present: Moravec, Grimes, Herbes, Langsdorf, Rygg, Carlson, Smothers. Also in attendance were the following staff members: Jerry Dulgar, City Manager; John Olson, Assistant City Manager; David Kennedy, City Attorney; William Monk, Public Works Director; Darlene George, City Clerk; Miles Johnson, Finance Director; Jim Kelly, Administrative Assistant.

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 January 17, 1989.

Moved by Councilmember Smothers and seconded by Councilmember Langsdorf to approve the minutes of the Regular City Council meeting of January 17, 1989.

Motion Carried.

The City Council considered the following Public Hearing:

1. It being 7:00 p.m., or as soon thereafter as the matter may be heard, Mayor Herbes declared this was the date and time as advertised for a public hearing at which time the City Council will consider a preliminary plat of the Crystal Community Center Addition located at 4800 Douglas Drive. The Mayor asked those present to voice their opinions or to ask questions concerning this matter.

The Mayor closed the Public Hearing.

Moved by Councilmember Rygg and seconded by Councilmember Smothers to approve as recommended by the Planning Commission the preliminary plat of the Crystal Community Center Addition located at 4800 Douglas Drive.

Motion Carried.

Mayor Herbes recognized Boy Scouts in attendance who were present to learn about the City Government process.

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

1. The City Council considered the resignation of Hugh Munns from the Environmental Quality Commission.

Moved by Councilmember Smothers and seconded by Councilmember Langsdorf to accept the resignation of Hugh Munns from the

February 7, 1989

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Environmental Quality Commission effective January 17, 1989.
Motion Carried.

2. The City Council considered the applications for appointment to the Park & Recreation Advisory Commission of William T. O'Reilly, 3124 Welcome Avenue North, and Marlyn H. Theisen, 6807 - 50th Avenue North, for terms expiring 12-31-89. Applicants did not appear.

Moved by Councilmember Langsdorf and seconded by Councilmember Grimes to continue until February 21, 1989 meeting.

Motion Carried.

3. The City Council considered Article III of the property lease agreement for 5548 Lakeland Avenue North as requested by Norling Motors. Gunnar Norling appeared and was heard.

Councilmember Moravec stated that this item had been tabled rather than continued at the January 17, 1989 meeting and requested a vote for removal from the table. The vote was unanimous to remove the item from the table.

Moved by Councilmember Smothers and seconded by Councilmember Carlson to approve Article III of the property lease agreement for 5548 Lakeland Avenue North, changing the rent amount from \$18,000 to \$14,000 starting in the fifth year.

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

Motion carried.

4. The City Council considered a Resolution Amending and Restating the City of Crystal Employee Flexible Benefit Account Plan, including the City of Crystal Medical and Life Insurance Reimbursement Plan, and the City of Crystal Dependent Care Assistance Plan. Miles Johnson, Finance Director, explained the plans and answered questions of the Council.

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

RESOLUTION NO. 89-3

RESOLUTION AMENDING AND RESTATING THE CITY OF CRYSTAL
EMPLOYEE FLEXIBLE BENEFIT ACCOUNT PLAN, INCLUDING THE
CITY OF CRYSTAL MEDICAL AND LIFE INSURANCE REIMBURSEMENT PLAN,
AND THE CITY OF CRYSTAL DEPENDENT CARE ASSISTANCE PLAN

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

February 7, 1989

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5. The City Council considered workers' compensation insurance premium for the year 1989. Jim Kelly, temporary Administrative Assistant, and Cary Shaich, Agent of Record, were available for Council's questions.

Moved by Councilmember Smothers and seconded by Councilmember Carlson to approve the workers' compensation insurance premium for the year 1989 in the amount of \$100,121.00 as quoted by the Employee Benefit Administration Company.

Motion Carried.

6. The City Council discussed reconsideration of an off-sale liquor license application as submitted by Jerome Halek at 5600 Bass Lake Road.

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

RESOLUTION NO. 89-4

RESOLUTION RATIFYING AND CONFIRMING
DENIAL OF APPLICATION FOR OFF-SALE
LIQUOR LICENSE FOR JEROME HALEK

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

7. The City Council considered the resignation of Laretta Welter from the Charter Commission and considered her replacement. The City attorney advised it was not necessary for Council to take action on a resignation from the Charter Commission. John T. Irving, Chair of Charter Commission, appeared and was heard.

Moved by Councilmember Moravec and seconded by Councilmember Smothers to recommend Liz Reid to the District Judge for appointment to the Charter Commission.

Motion Carried.

8. The City Council considered a Resolution amending Article III, Parties; Section 1 of the Northwest Hennepin Human Services Council's Joint Powers Agreement.

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

February 7, 1989

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RESOLUTION NO. 89-5

RESOLUTION AMENDING ARTICLE III, PARTIES; SECTION 1
OF THE NORTHWEST HENNEPIN HUMAN SERVICES COUNCIL'S
JOINT POWERS AGREEMENT

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

9. The City Council considered the participation of the Crystal City Councilmembers in the City Wellness Program. No action taken.
10. The City Council considered a change in mileage rates for City employees from 26 cents to 24 cents per mile.

Moved by Councilmember Smothers and seconded by Councilmember Rygg to approve a reduction in mileage rates for City employees from 26 cents to 24 cents per mile as recommended by the Finance Director based on new IRS rules and regulations for 1989.

Motion Carried.

11. The City Council considered a resolution proclaiming February 1989 as "Crystal Loves Its Kids" Month.

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. 89-6

RESOLUTION PROCLAIMING FEBRUARY 1989
AS "CRYSTAL LOVES ITS KIDS" MONTH

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

12. The City Council considered submittal of names of potential candidates for Hennepin Parks Foundation Directors. The Mayor recommended Garry Grimes.

Moved by Councilmember Smothers and seconded by Councilmember Rygg to appoint Garry Grimes as a potential candidate for Hennepin Parks Foundation Director.

Motion Carried.

13. The City Council considered the appointment of an Assistant Weed Inspector for 1989.

February 7, 1989

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Moved by Councilmember Rygg and seconded by Councilmember Smothers to appoint Ed Brandeen, Park & Recreation Director, as the Assistant Weed Inspector for the City of Crystal for 1989.

Motion Carried.

14. The City Council discussed a joint meeting of the Charter Commission and Crystal City Council on Wednesday, February 22, at 7:00 p.m. at Crystal City Hall. Due to conflicts on February 22, the Mayor called a joint meeting of the City Council and Charter Commission for February 14, 1989 at 7:00 p.m. to be followed by a work session of the City Council.
15. The City Council considered the appointment of a Housing and Redevelopment Authority Commissioner. Mayor Herbes appointed Marty Gates as a member of the Crystal HRA.

Moved by Councilmember Rygg and seconded by Councilmember Smothers to accept the appointment of Marty Gates to the Crystal Housing and Redevelopment Authority for a term ending 2-1-94.

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

Motion carried.

16. Moved by Councilmember Rygg 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 Smothers and seconded by Councilmember Rygg to adjourn the meeting.

Motion Carried.

Meeting adjourned at 8:55 p.m.

Mayor

ATTEST:

City Clerk

Proposal to repeal any ordinance enacted upon by the City of Crystal or inadvertently placed into the records to read: Lot area, R-1 minimum requirement of lot is 60' Width by 100' Depth to equal 7,500 sq. ft., (Although no minutes could be found as to the adoption).

Proposal to adopt the original version filed in 1955, which specifies Lot area, R-1, requirement to be 60' Width by 100' Depth. Doc. No. 2950686 Filed June 30, 1955, Book 725 page 239. Subdivision of land. This is equal to 6,000 sq. ft.

See Crystal City Code 515.15 p.27.

Petition giving approval for a plat 60'X 100' Bedman Addition.

Flarence E Johnson	Claudia Berglund
Donna Rosen	Arthur
Laverne Herlofsky	Susan New
Donald Herlofsky	Lawrence & James
Davidson	Susan Henning
Elsa Thogsten	
Heather Hunkle	
Mike Hunkle	
Lori D. Weyrauch	
Richard W. Weyrauch	
Ann Egner	
Don Hahn	
Roseanne	
Theresa Wien.	
Sharon Hawkins	
Edna Hawkins	

February 14, 1989

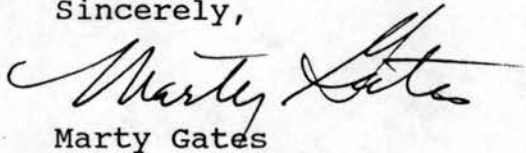
Mayor Betty Herbes
Crystal City Hall
4141 Douglas Drive North
Crystal, Minnesota 55422

Dear Mayor Herbes:

I have just received notification of my appointment to the Crystal HRA and therefore am submitting my resignation from the Crystal Civil Rights Commission.

I have enjoyed working on the Civil Service Commission and look forward to being part of the HRA.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marty Gates", is written over a horizontal line.

Marty Gates

cc: Cyril Soukup
Chair, Civil Service Commission

DATE: February 8, 1989
TO: Planning Commission
FROM: Bill Monk, City Engineer
SUBJECT: Rezoning and Conditional Use Permits for Property
at 5256/64/72 West Broadway

A proposal has been submitted to redevelop three parcels at 5256/64/72 West Broadway for automotive related use. The auto mall would displace the self-serve car wash, rental business and single family house currently occupying the site.

The three parcels are all zoned B-4, Community Commercial, and must be rezoned to B-3, Auto-Oriented Commercial, in order to accommodate the proposed uses. Additionally, conditional use permits will be required for the fuel station, auto-repair minor and accessory retail (food) uses as follows:

- Fuel station as per provisions of Section 515.35, Subd. 4 c)
- Auto repair-minor and tire and battery stores as per provisions of Section 515.35, Subd. 4 c)
- Accessory, enclosed retail (food) as per Section 515.35, Subd. 4 f).

As noted in the attached site plan, the building is designed to allow for pull-thru service while the layout is orientated to minimize the direct sight and noise impacts on the multiple residential complex to the north. The site plan will need several modifications to meet all conditions of the Code as well as standard improvement requirements and Hennepin County access conditions (letter attached). These revisions to setback, drainage, curbing, etc. will be handled as a part of the development agreement process. The only extraordinary requirement involves additional landscaping along the Hanson Court frontage to provide a buffer to the nearby residential property.

In this instance, the site plan functions as a secondary issue in relation to the rezoning. Crystal's Land Use Plan, as included in the Comprehensive Plan, designates this area as Multi-Family Residential/Office; so a rezoning to automotive commercial would appear to be a move in the wrong direction. However, this viewpoint is tempered by the

Planning Commission

Subject: Rezoning and Conditional Use Permits for Property
at 5256/64/72 West Broadway

February 8, 1989

Page 2

extensive automotive commercial/industrial zonings that exist along West Broadway south of Douglas Drive. Additionally, given the expanse of retail commercial and multi-residential zonings just to the north, there is a real question whether small retail/multiple/office sites are still to be considered marketable in this area.

I view the auto mall proposal as a definite improvement to the site. While a rezoning to accommodate the development expands the automotive type zoning in Crystal, the site is not improperly located for such a use. In addressing the saturation issue in relation to existing automotive businesses, I can only answer that the market dictates and there is no way to quantify saturation in terms of zoning districts.

This office recommends approval of the proposed rezoning and conditional use permits subject to standard site improvements as included in a development agreement.


WM:jrs

Encls

2/14/89 UPDATE

On February 13 the Planning Commission recommended approval of the rezoning and conditional use permits described above. The Commission's findings of fact were as follows:

- Proposal represents good improvement that will enhance the area.
- The site plan functions well.
- Market appears to dictate need.
- Proposal is consistent with surrounding land uses



DEPARTMENT OF PUBLIC WORKS
320 Washington Ave. South
Hopkins, Minnesota 55343-8468

935-3381

January 25, 1989

Mr. William Monk, City Engineer
City of Crystal
4141 Douglas Drive North
Crystal, MN 55422

Dear Mr. Monk:

RE: Proposed Plat - Crystal Auto Service Center
CSAH 8, Southeast quadrant of Hanson Court
Section 9, Township 118, Range 21
Hennepin County Plat No. 1698
Review and Recommendations

Minnesota Statutes 505.02 and 505.03, Plats and Surveys, require County review of proposed plats abutting County roads. We reviewed the above plat and make the following comments:

- No additional right of way required by Hennepin County along this segment of CSAH 8 at this time.
- To minimize the number of unprotected left turns from heavily travelled CSAH 8, Hennepin County will not permit the existing median to be shortened. We prefer one 32 to 36 foot driveway to CSAH 8 instead of the two narrower driveways shown. To prevent ingress/egress around the nose of the existing median the driveway must be constructed at least 60 feet from the southeast corner of the plat. The developer must restore any unused existing access to CSAH 8 to Hennepin County standards.
- Any new access to a county road, a change in land use or a revision to an existing access requires an approved Hennepin County entrance permit before beginning any construction. Contact our Maintenance Division for entrance permit forms.
- All proposed construction within County right of way requires an approved utility permit prior to beginning construction. This includes, but is not limited to, drainage and utility construction, trail development, and landscaping. Contact our Maintenance Division for utility permit forms.
- The developer must restore all areas disturbed during construction within County right of way.

Please direct any response or questions to Les Weigelt.

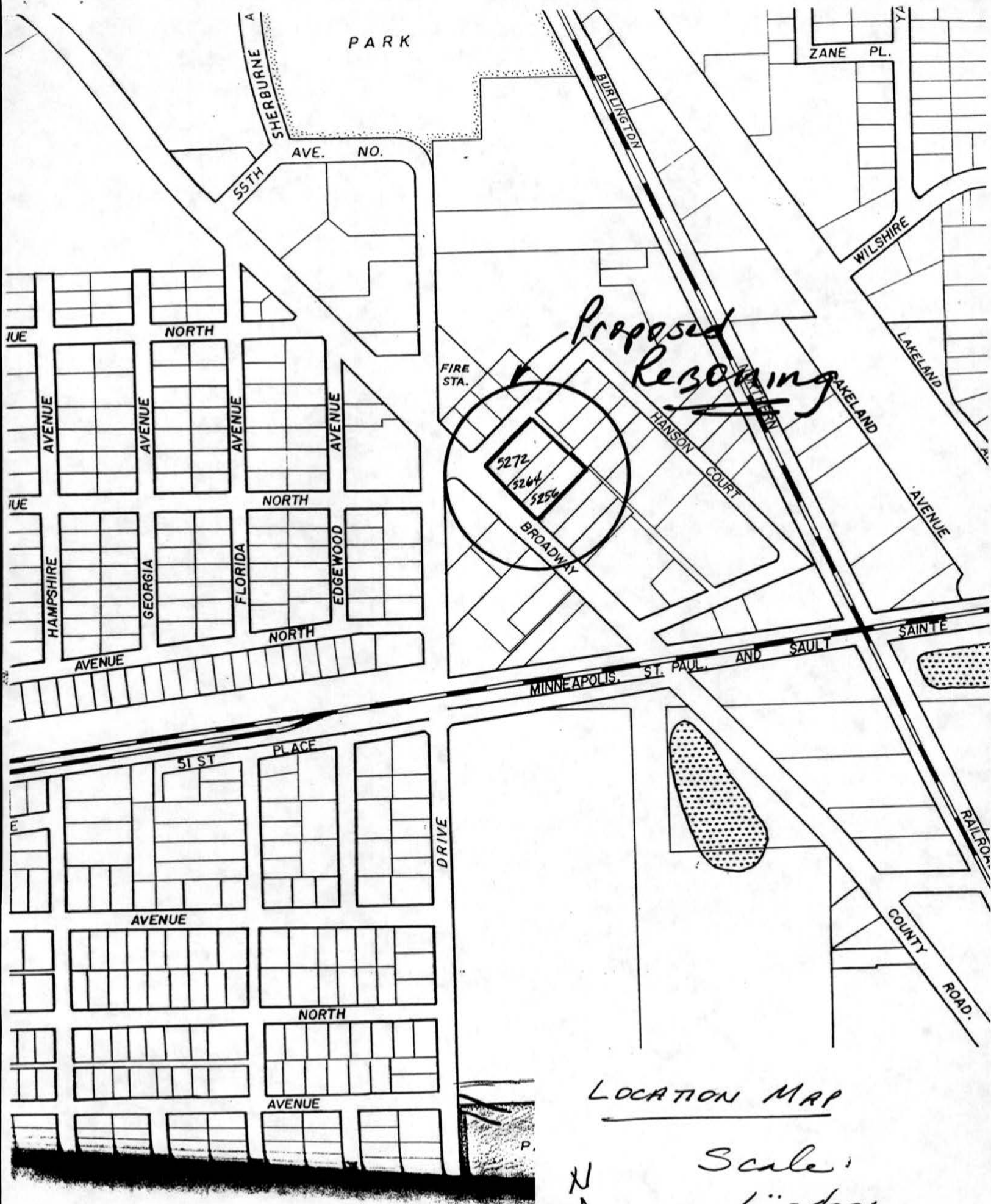
Sincerely,

David W. Schmidt, P.E.
Transportation Planning

DWS/LDW:lw

HENNEPIN COUNTY

an equal opportunity employer

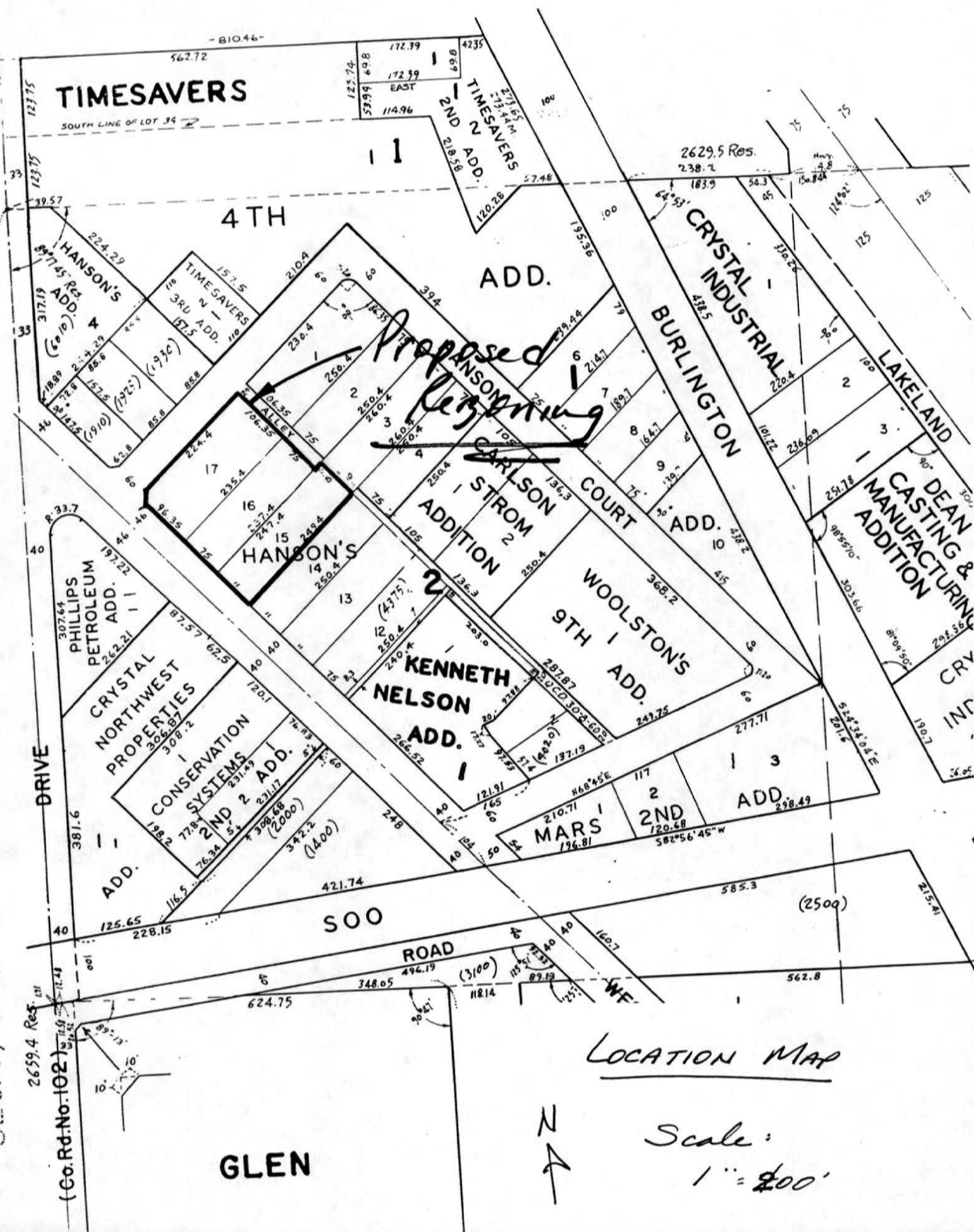


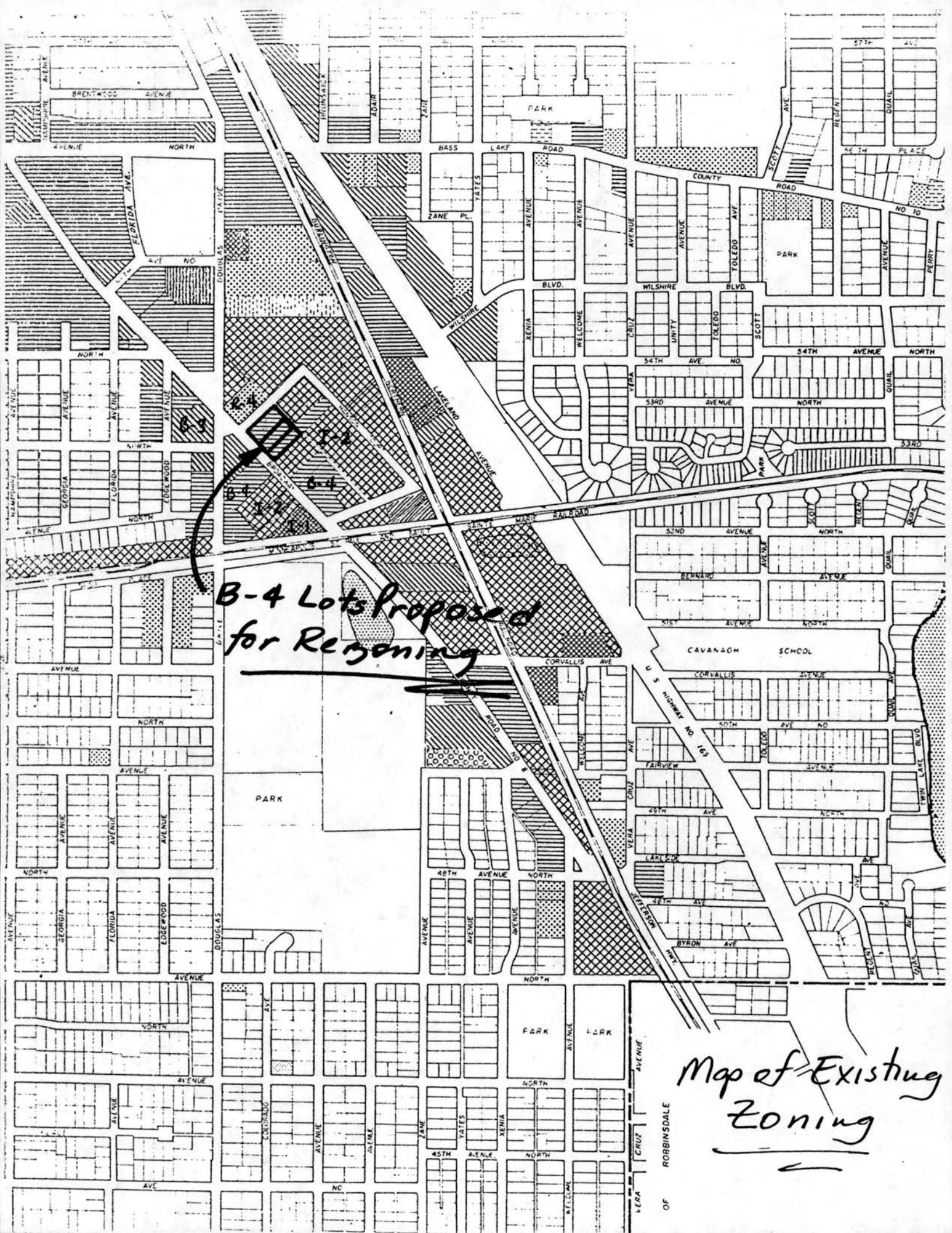
LOCATION MAP

Scale:
1" = 400'

NA

SEC. 8, T. 118, R. 21





B-4 Lots Proposed
for Rezonning

Map of Existing
Zoning

OF ROBBINSDALE

SOUTH LINE OF LOT 34 —

114.94

2ND ADD 2 TIMES SAVERS
21858 21344 21344

2629.5 Res
238.2

CRYSTAL INDUSTRIAL
BURLINGTON

ADD.

HANSON
4 75

COURT

250
I-2
Modern Tool

Tally Ho
Restaurant
B-4

66.52

MINNEAPOLIS

I-2

B-3

CRYST

Cemetery


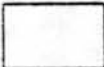






GLEN

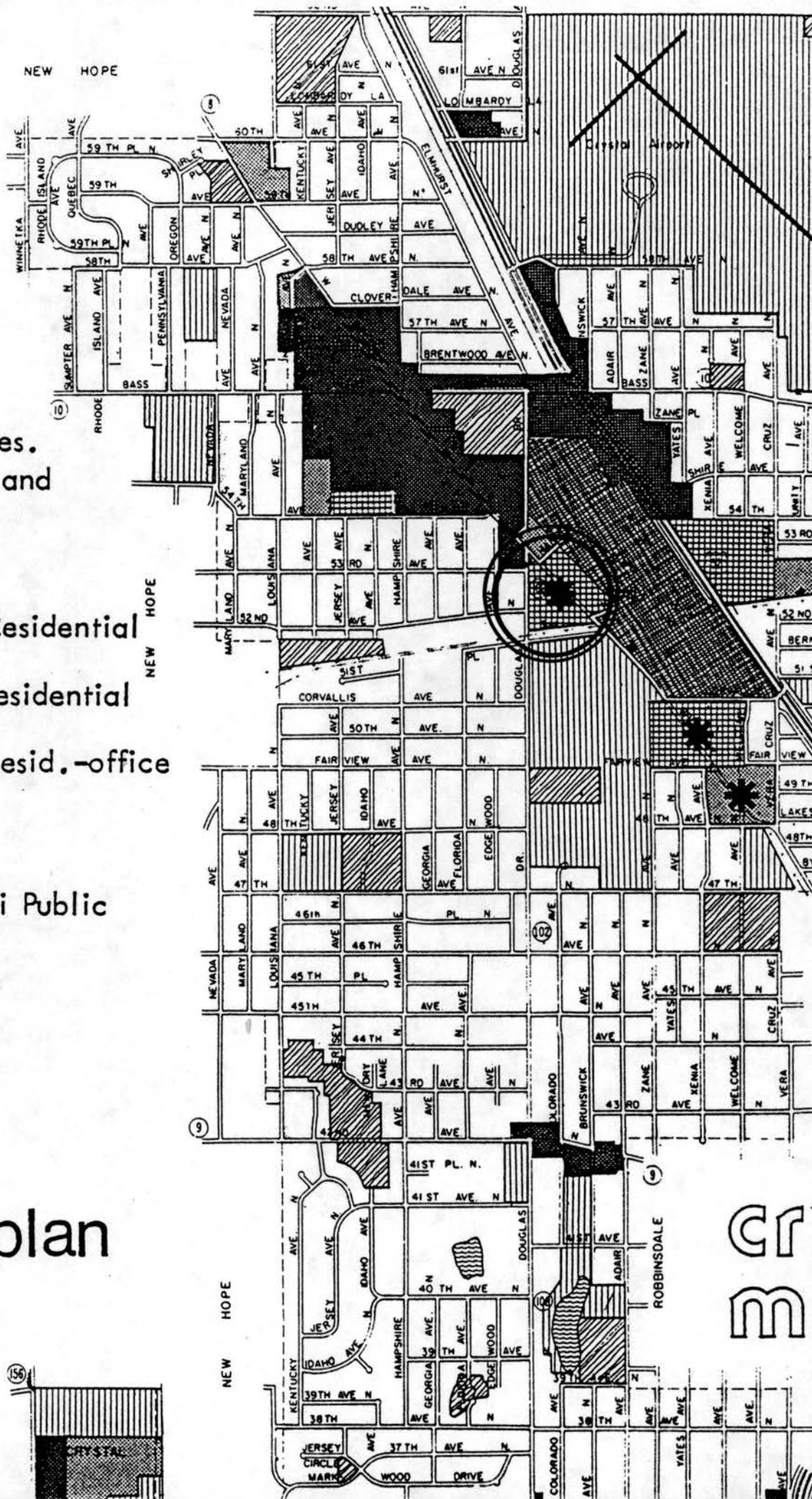
Business and Zoning Plan

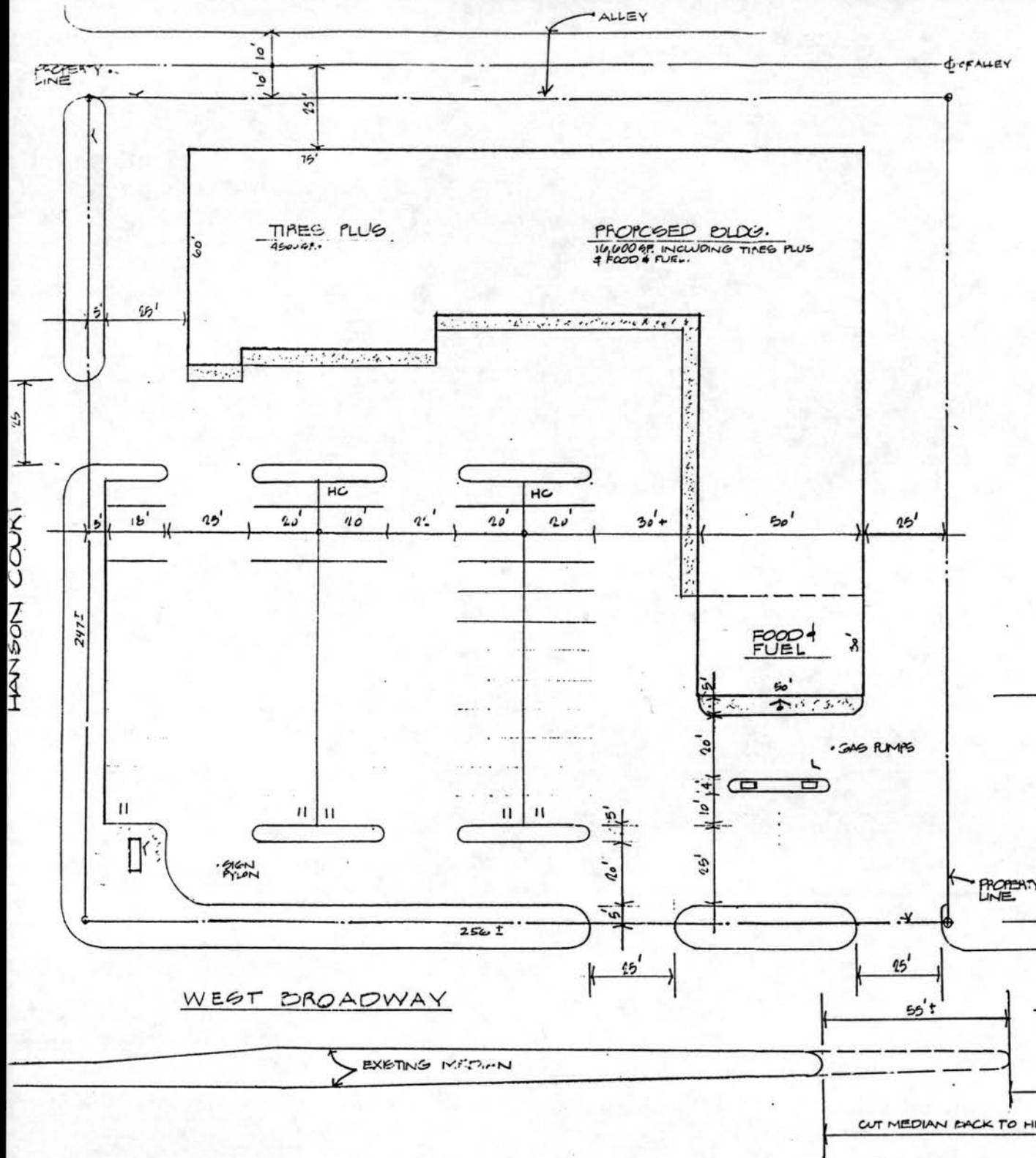
A North

Scale
1" = 200'

land use plan

- Mixed Use Zones.
Redevelopment and
consolidation
encouraged.
-  Mixed Use Zones. Redevelopment and consolidation encouraged.
 -  Single-family Residential
 -  Multi-family Residential
 -  Multi-family/Resid.-office
 -  Parks
 -  Public and Semi Public
 -  Industrial
 -  Commercial





PROJECT INFORMATION

SITE: 63,479 S.F.
 GROSS BLDG. SQ. FOOTAGE: 10,000 S.F.
 PARKING PROVIDED: (55) CARS
 SITE COVERAGE (BLDG): 26%

(Dumarks)



Crystal Auto Service Center

SCALE: 1" = 20'-0" 12/20/88

DEVELOPER: MIDWEST RETAIL PROPERTIES
 ARCHITECTS: THE RUNYAN/VOSE GROUP INC.





CITY OF CRYSTAL

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

RZ # 88-51
CU # 88-52

Date: 10.24.88

TYPE OF REQUEST: (X) Rezoning (X) Conditional Use Permit
() () Plat Approval
() Sign Variance () Other

Street Location of Property: 5256 WEST BROADWAYLegal Description of Property: LOT 15, BLOCK 2, HANSON'S
COURT ADDITION

Property Identification Number: _____

Owner: CLEM & ELLA STEICHEN
(Print Name)5256 WEST BROADWAY
(Address)533-0577
(Phone No.)Applicant: MIDWEST RETAIL PROPERTIES
(Print Name)1924 FREMONT AVE. SO. MPLS. MN. 55403
(Address)374-4375
(Phone No.)DESCRIPTION OF REQUEST: REZONE FROM B-4 TO B3 TO PERMIT THE
CONSTRUCTION OF AN AUTO SERVICE CENTERAPPLICANT'S STATEMENT WHY THIS REQUEST SHOULD BE APPROVED:
(attach additional sheets if necessary)

SURROUNDING LAND USE AND ZONING CLEARLY INDICATES A MOVE TO
COMMERCIAL USES OF THIS TYPE AND THIS REZONING WOULD BE
CONSISTANT WITH EXISTING LAND USE IN THE AREA

NOTE: Attach plan or survey of proposal.

THIS PROPERTY IS:

TORRENS / ABSTRACT
(Circle one)Th. Jarrett
(Applicant's Signature)P. J. Steichen
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: 10/25/88 RECEIPT # 42543

(Approved) (Denied) - Planning Commission

(Date)

(Approved) (Denied) - City Council

(Date)

CITY OF CRYSTAL

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

NZ # 88-53
CU # 88-54

Date: 10.24.88

TYPE OF REQUEST: (X) Rezoning (X) Conditional Use Permit
() () Plat Approval
() Sign Variance () Other

Street Location of Property: 5264 WEST BROADWAY

Legal Description of Property: LOT 16, BLOCK 2, HANSON'S
COURT ADDITION


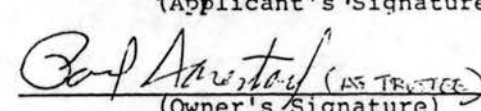
Property Identification Number:

Owner: JOHN AARESTAD
(Print Name)1417 PEARSON PARKWAY, BROOKLYN PARK, MN.
(Address)561-4158
(Phone No.)Applicant: MIDWEST RETAIL PROPERTIES
(Print Name)1924 FREMONT AVE. SO. MPLS. MN. 55403
(Address)374-4375
(Phone No.)DESCRIPTION OF REQUEST: REZONE FROM B-4 TO B3 TO PERMIT THE
CONSTRUCTION OF AN AUTO SERVICE CENTERAPPLICANT'S STATEMENT WHY THIS REQUEST SHOULD BE APPROVED:
(attach additional sheets if necessary)

SURROUNDING LAND USE AND ZONING CLEARLY INDICATES A MOVE TO
COMMERCIAL USES OF THIS TYPE AND THIS REZONING WOULD BE
CONSISTANT WITH EXISTING LAND USE IN THE AREA

NOTE: Attach plan or survey of proposal.

THIS PROPERTY IS:

TORRENS / (ABSTRACT)
(Circle one)
(Applicant's Signature)
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: 10/25/88 RECEIPT # 42543

(Approved) (Denied) - Planning Commission

(Date)

(Approved) (Denied) - City Council

(Date)

CITY OF CRYSTAL

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

RZ #88-55

CU #88-56

Date: 10.24.88

TYPE OF REQUEST: ☒ Rezoning ☒ Conditional Use Permit
() () Plat Approval
() Sign Variance () Other

Street Location of Property: 5272 WEST BROADWAY

Legal Description of Property: LOT 17 BLOCK 2 HANSON'S
COURT ADDITION

Property Identification Number:

Owner: WALTER G. WAMPACH
(Print Name)6983' MAGDA DRIVE, MAPLE GROVE, MN.
(Address)533-7048
(Phone No.)Applicant: MIDWEST RETAIL PROPERTIES
(Print Name)1924 FREMONT AVE. SO. MPLS. MN. 55403
(Address)374-4375
(Phone No.)DESCRIPTION OF REQUEST: REZONE FROM B-4 TO B3 TO PERMIT THE
CONSTRUCTION OF AN AUTO SERVICE CENTERAPPLICANT'S STATEMENT WHY THIS REQUEST SHOULD BE APPROVED:
(attach additional sheets if necessary)

SURROUNDING LAND USE AND ZONING CLEARLY INDICATES A MOVE TO
COMMERCIAL USES OF THIS TYPE AND THIS REZONING WOULD BE
CONSISTANT WITH EXISTING LAND USE IN THE AREA

NOTE: Attach plan or survey of proposal.

THIS PROPERTY IS:

TORRENS / ABSTRACT
(Circle one)Thomas J. Sautt
(Applicant's Signature)Walter Wampach
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: 10/25/88 RECEIPT # 42543

(Approved) (Denied) - Planning Commission (Date)

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

DATE: February 3, 1989
TO: Planning Commission
FROM: Bill Monk, City Engineer
SUBJECT: CUP's for Use Changes at 6800 - 56th Avenue North

A proposal has been submitted to intensify the current restaurant use at 6800 - 56th Avenue North with installation of convenience food, automotive and retail uses. While the intended businesses significantly expand the current use of the property, the 0.7 acre site is presently zoned B-3, Auto-Oriented Commercial, which allows food, auto and retail uses by conditional use permit.

A description of the proposal in relation to the conditional use permits is as follows:

- 1) Convenience food (submarine sandwich) is proposed to occupy 1,200 square feet of the "retail building" in the southwest corner of the site. Such a use is regulated by Section 515.35, Subd. 4 a) which lists 11 conditions.
- 2) Auto repair minor (tire outlet and service center) is proposed to be located in a separate 4,460 square foot building in the northeast corner of the site. Section 515.35, Subd. 4 c) regulates this conditional use and lists 18 conditions.
- 3) Enclosed retail as a separate use is proposed to occupy 1,800 square feet of "retail building" along with the convenience food. In this zoning district, enclosed retail is usually interpreted as accessory to a primary use, i.e., a food and fuel arrangement. However, I believe a broader interpretation is possible whereby retail, as permitted in B-1 and B-2 Zones, would be acceptable as a conditional use in situations of minimal conflict. Section 515.35, Subd. 4 f) regulates this retail use and addresses 5 conditions.

Using the parking standards listed in Section 515.09, Subd. 8 of the Zoning Code, the following parking needs result:

- 12 stalls for auto use
- 17 stalls for convenience food use
- 13 stalls for the retail use.

Planning Commission

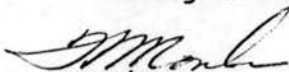
Subject: CUP's for Use Changes at 6800 - 56th Avenue North
February 3, 1989

Page 2

This total of 42 parking stalls required compares favorably with the 39 stalls provided on the site plan. However, given the limited size of this proposal, I believe it is essential that no parking variance be approved to insure there is no need for off-site parking in adjacent lots or on area streets.

Primary access to this site is from westbound 56th Avenue as an existing median precludes movements to and from eastbound 56th Avenue. Access is also available to Jersey Avenue via an easement across the Ground Round parking lot. Circulation of traffic across the site is laid out to make use of both access points although the layout of two separate parking areas will hinder on-site circulation somewhat.

This office has no problem with multiple uses on a single site as long as the use combination represents a compatible mixture and the site functions in terms of access, parking and circulation. In terms of the Crystal Plaza proposal, all ordinance provisions and policy standards should be enforced and can be met. This would include a slight down scaling of the project to meet the City's parking standards.

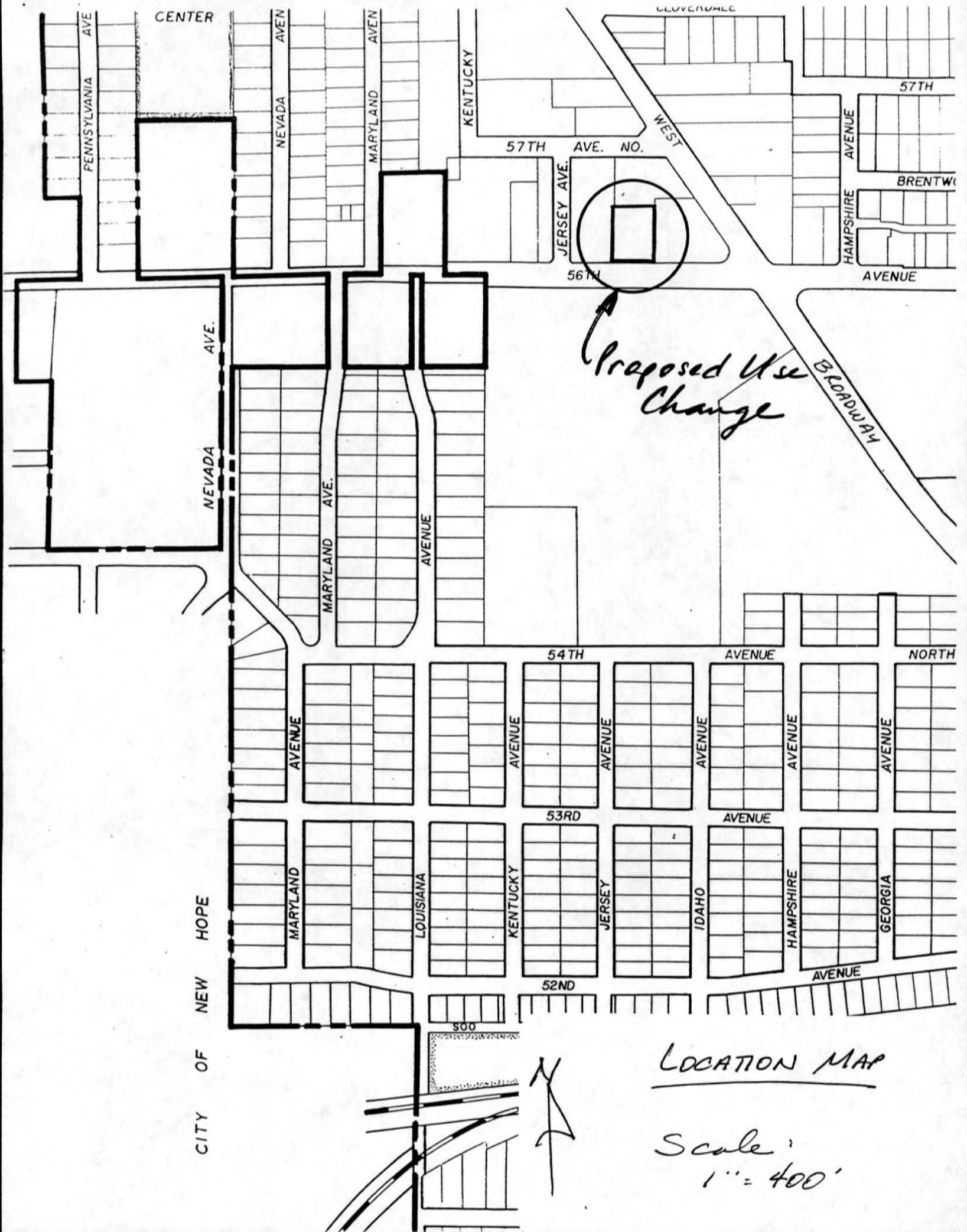

WM:jrs

Encls

2/14/89 UPDATE

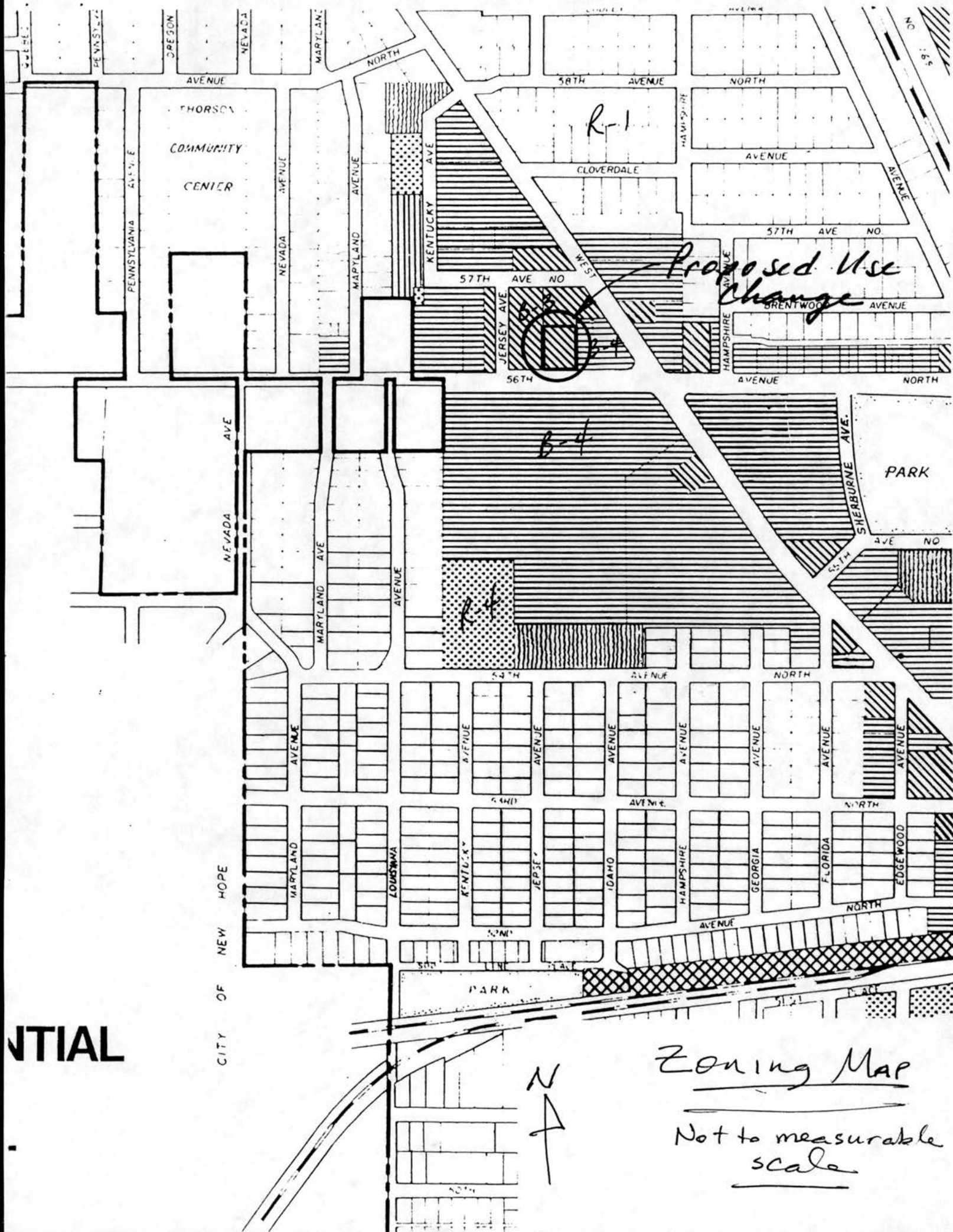
On February 13 the Planning Commission voted 6 to 3 to recommend approval of the conditional use permit applications noted above. Although concerns were raised regarding the mix of uses and site intensity, the motion for approval was based on the following findings:

- Proposal consistent with current zoning and land uses in the area.
- Project represents an improvement to the area.



NTIAL

CITY OF NEW HOPE



NO. 89-1

CITY OF CRYSTAL

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

Date: Dec. 30, 1988

TYPE OF REQUEST: () Rezoning (X) Conditional Use Permit
() () Plat Approval
() Sign Variance () Other

Street Location of Property: 6800 56th Ave. North

Legal Description of Property: Lot 4 Block 1, General Mills
Crystal Addition, Hennepin County, Minnesota

Property Identification Number: # 05-118-21 4200 39

Owner: Stoneridge Resources, Inc. (Fee Owner)
(Print Name)

2000 North Woodward Ave, Suite 300 Bloomfield Hills MI 48013
(Address)

(Phone No.)
(313) 540-9040

Applicant: Crystal Plaza Partnership
(Print Name)

100 N. Sixth St. Suite 925c Mpls. MN 55403 338 4224
(Address) (Phone No.)

DESCRIPTION OF REQUEST: Conditional use permit to allow
a convenience food establishment in a B-3 zoning
district as per Section 515.35, Subd. 4a of
the Code.

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

See attached letter

NOTE: Attach plan or survey of proposal.

THIS PROPERTY IS:

TORRENS / ABSTRACT

(Circle one)

[Signature]
(Applicant's Signature)

(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: _____ RECEIPT # _____

(Approved) (Denied) - Planning Commission

(Date)

(Approved) (Denied) - City Council

(Date)

NO. 89-2

CITY OF CRYSTAL

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

Date: Dec. 30, 1988

TYPE OF REQUEST: () Rezoning (X) Conditional Use Permit
() () Plat Approval
() Sign Variance () Other

Street Location of Property: 6800 56th Ave North

Legal Description of Property: Lot 4 Block 1 GENERAL MILLS
CRYSTAL ADDITION, Hennepin County, Minnesota

Property Identification Number: #05-118-21 4200 39

Owner: Stoneridge Resources, Inc. (Fee Owner)
(Print Name)

2000 North Woodward Ave, Suite 300 Bloomfield Hills MI 48013
(Address) (Phone No.)
(313) 540-9040

Applicant: Crystal Plaza Partnership
(Print Name)

100 N. Sixth St. Suite 925c Mpls. MN 55403 338-4224
(Address) (Phone No.)

DESCRIPTION OF REQUEST: Conditional use permit to allow
auto repair minor/tire/battery establishment in
a B-3 zoning district as per Section 515.35.
Subd. 4c of the Code

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

See attached Letter

NOTE: Attach plan or survey of proposal.

THIS PROPERTY IS:

TORRENS ABSTRACT
(Circle one)

[Signature]
(Applicant's Signature)

(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: _____ RECEIPT # _____

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

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

NO. 89-3

CITY OF CRYSTAL

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

Date: Dec. 30, 1988

TYPE OF REQUEST: () Rezoning (X) Conditional Use Permit
() () Plat Approval
() Sign Variance () Other

Street Location of Property: 6800 56th Ave North

Legal Description of Property: Lot 4, Block 1 General Mills
Crystal Addition, Hennepin County, Minnesota

Property Identification Number: # 05-118-21 4200 39

Owner: Stoneridge Resources, Inc.
(Print Name)

2000 North Woodward Ave, Suite 3000, Bloomfield Hills MI 48013
(Address) (Phone No.)

Applicant: Crystal Plaza Partnership
(Print Name) (313) 540-9040

100 N. Sixth St. Suite 925C Mpls. MN 55403 338-4224
(Address) (Phone No.)

DESCRIPTION OF REQUEST: Conditional use permit to allow
accessory, enclosed retail establishment in a
D-3 zoning district as per Section 515.35, Subd.
4F of the Code

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

See attached letter

NOTE: Attach plan or survey of proposal.

THIS PROPERTY IS:

TORRENS ABSTRACT
(Circle one)

[Signature]
(Applicant's Signature)

(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: _____ RECEIPT # _____

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

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

The Carlstrom Group



Suite 925C
100 North Sixth Street
Minneapolis, MN 55403
612 333-1221

Architecture

Construction
Management

December 30, 1988

Mr. William Monk
Public Works Director
4141 Douglas Drive North
Crystal, MN 55422

Re: Applicants Statement Why This Request Should be Approved

Dear Mr. Monk:

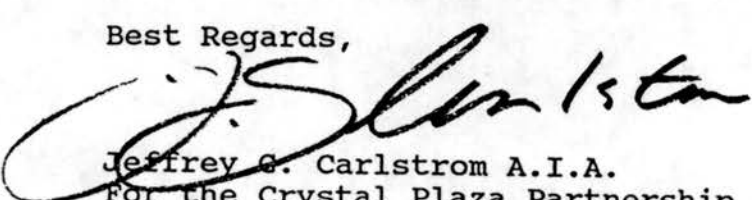
It is our objective to develop a quality retail development that is intended to service an area of approximately four miles in radius. We are absolutely intent upon "cleaning up" the site and developing an integrated, progressive architectural image using materials and building systems that, in and of themselves, should remain intact and aesthetically clean and durable for forty years or better.

At the time of the Application, we have tenants committed for 77 percent of the Project building area. Tires Plus and Subway restaurants are young, growing firms committed to developing a strong reputation for service while projecting a clean, convenient, and friendly image.

Specifically, we intend to reface--and expand onto--the existing building such that it will integrate visually with the new Tires Plus structure on the east half of the property. Entrances and signage will be similarly treated as design features.

If you should have any questions in regards to this submission, please phone at your convenience.

Best Regards,


Jeffrey G. Carlstrom A.I.A.
For the Crystal Plaza Partnership

(Ward 1)

CITY OF CRYSTAL

APPLICATION FOR APPOINTMENT TO THE

PARK & RECREATION COMMISSION

Name WILLIAM T. O'REILLY Address 3124 WELCOME AVE. 55422
Zip #

Phone (home) 544-8840 (Office) _____

Resident of Crystal Since (year) 1977

Occupation INDUSTRIAL INSULATOR Employer API

Education: (please indicate highest grade completed or highest degree and major course of study) 12TH GRADE INSULATOR APPRENTICE (4 YR)

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)

YOUTH BASKETBALL COACH 4 YRS. (CRYSTAL)

9TH GRADE TRAVELING BASKETBALL COACH (COOPER)

MEN'S BASKETBALL COORDINATOR 4 YRS (CRYSTAL)

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.)

HAVING LIVED ON BASSETT CREEK PARK FOR OVER 11 YRS., I HAVE ENJOYED WATCHING IT DEVELOP INTO AN ATTRACTIVE AND USEABLE FACILITY.

THE CRYSTAL PARK SYSTEM IS AN ASSET TO THE COMMUNITY, AND I WOULD LIKE TO BE PART OF THE PROCESS THAT HELPS PLAN AND MAKE DECISIONS ABOUT IT'S USE AND THE RECREATIONAL NEEDS OF THE RESIDENTS OF CRYSTAL.

Date Submitted: JANUARY 11, 1989.

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

CITY OF CRYSTAL

Ward-3
APPLICATION FOR APPOINTMENT TO THE

Name Marlyn H. Heisen Address Park & Rec. 6807 - 50th Ave N COMMISSION
Zip # 55428

Phone (home) 533-1139 (Office) 593-0116

Resident of Crystal Since (year) 23 yrs

Occupation R.E. Sales Employer Coldwell Banker

Education: (please indicate highest grade completed or highest degree and major course of study) Graduate of the Academy of Accountancy

Civic and other activities: (please list past and present civic activities and organizational memberships, particularly those which may be relevant to the appointment you are seeking) I'm an active member of the

Crystal Families Committee. I have years of experience with
youth involvements. These experiences include: Promotion,
Organizing & Coaching Athletes.

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.)

Please be referred to an attached copy of a "Realtor Profile"
introducing myself as an Agent for Coldwell Banker. Also be
informed that I've done a great deal of public speaking on
all subjects listed on the profile.

Date Submitted: December 22, 1988.

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

Real Tor Profile

Coldwell Banker Takes Pride In

Introducing:

Marlyn Theisen

A Real Estate Agent with your needs and concerns in mind and more importantly a Real Estate Agent with the background enabling him to most effectively represent your needs & concerns!



A Minnesota native, Marlyn has accomplished the following:

- * A graduate accountant
- * Auditor at Farmers & Merchants Savings Bank
- * Manager of Mortgage Servicing Department of the Spring Company and Coldwell Banker
- * President of the Loan Administration Division of the Mortgage Banker Association
- * Manager of the Coldwell Banker Independent Insurance Agency
- * Real Estate Agent for Coldwell Banker the firm most keyed into your concerns

Marlyn's background, as displayed above, provides him with a greater network of expertise to look after your interests and most importantly he really cares about you!

Call: Office - 593-0116

Home - 533-1139

Ward 3

did not appear
2-21-89

CITY OF CRYSTAL

APPLICATION FOR APPOINTMENT TO THE

PARKS & REC

COMMISSION

Name JOHN HENRY BERG Address 4500 WELCOME AVE 55422
Zip #

Phone (home) 537-2199 (Office) _____

Resident of Crystal Since (year) 1973

Occupation SERVICE REP. Employer DISTRON (PILLSBURY)

Education: (please indicate highest grade completed or highest degree and major course of study) B.A. DEGREE ST. CLOUD ST. U.

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)

COACH - INSTRUCTIONAL BASKETBALL (ELEM) ST. RAPHAEL'S SCHOOL
COACH - JR. HIGH BASEBALL ST. RAPHAEL'S SCHOOL
COACH - 8-9 GRADE FOOTBALL, MOUND, MN
PLAYER - CRYSTAL MENS' SOFTBALL LEAGUE

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'm AN INDIVIDUAL WHO BELIEVES IN STRONG, BASIC
PROGRAMS FOR THE DEVELOPMENT OF CHILDRENS
PHYSICAL DEVELOPMENT. SPORTS AND OUTDOOR
PHYSICAL ACTIVITIES ARE A NECESSARY FOR
A GOOD FOUNDATION IN CHILD DEVELOPMENT.
CITIZENS MUST BE ABLE TO USE GOOD FACILITIES
IN THEIR PURSUIT OF GOOD ALL AROUND DEVELOPMENT

Date Submitted: 2-17, 1989.

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

Application considered 8-16-88
Mary Pat Hanauka appointed

CITY OF CRYSTAL

APPLICATION FOR APPOINTMENT TO THE

ENVIRONMENTAL Quality COMMISSION

Name PHYLLIS ISAACSON Address 7000 LOMBARDY LN Zip # 55428

Phone (home) 533-3133 (Office) 626-5368

Resident of Crystal Since (year) 1988

Occupation MEDICAL ACCOUNTS SPECIALIST Employer MANAGING BUSINESS ACTIVITIES

Education: (please indicate highest grade completed or highest degree and major course of study) I'm a JUNIOR AT The U of M Through Extension

Civic and other activities: (please list past and present civic activities and organizational memberships, particularly those which may be relevant to the appointment you are seeking)

I WAS CHAIR of an employee task force of our department at the University of Minnesota. I ALSO SERVED ON A sub-committee that was formed to work with the civil service committee at the University

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

The quality of the environment has long been an important issue to me AND I have been a recycler for the past 15 years. The heat and drought this summer have raised the specter of what continued environmental damage might do and increased the urgency that the quality we now enjoy, be maintained. As a recent citizen of the Minneapolis area, I would like to become involved in this goal at the local level. Thank you for your consideration.

Date Submitted: August 1, 19 88.

Phyllis Isaacson

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



EMPLOYEE BENEFIT ADMINISTRATION CO.

8441 Wayzata Blvd. Suite 200
Minneapolis, Minnesota 55426-1392
Phone (612) 544-0311

February 16, 1989

Mr. Cary Shaich
The Towle Agency, Inc.
330 Second Avenue South, Suite 540
Minneapolis, MN 55401

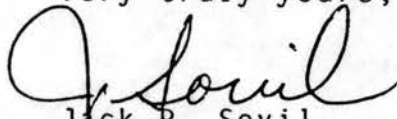
Re: Volunteer Coverage - City of Crystal

Dear Cary:

Volunteer workers are not routinely covered for workers' compensation by the League of Minnesota Cities program or any conventional insurance carrier since Minnesota statutes do not require such coverage. While the city may elect to cover its volunteers we try to discourage such coverage since volunteers are usually less well trained and supervised than regular employees. As a result, it appears to us that they present a higher risk of loss than a regular employee. If no election to cover volunteers is made by the city and a volunteer worker makes a claim against the city for damages as a result of a work related injury, the city's liability insurer should defend and indemnify the city from loss due to such a claim.

If the city should elect to cover its volunteers we would charge a premium based upon the fair value of the services rendered by the volunteers and would require records be kept showing the types of services performed and the hours involved. To put volunteers coverage in force we would require a letter from the city, or yourself as agent, requesting such coverage and informing us of the estimated hours and types of volunteer services to be utilized in the present contract year so that we may charge an appropriate addition to its deposit premium.

Very truly yours,


Jack P. Sovil
EBA

JPS:ras

✓ cc: City of Crystal
City Clerk

February 15, 1989

TO: Jerry Dulgar, City Manager
FROM: Nancy Deno Gohman, Administrative Assistant
SUBJECT: Approval of Insurance Premium Renewal 1989 - 1990

I received the figures for renewal of insurance for 1989 - 1990 policy year from our current carrier League of Minnesota Insurance Trust program (LMCIT). The figures are for renewal of General Liability, Bonds, Property, Boiler, Auto and Public Officials Insurance. I recommend that the City Council approve renewal of the following insurance premiums:

	<u>LMCIT</u>	<u>'89 Budget</u>
General Liability:	\$150,101	\$177,000
Auto Liability:	\$33,611	\$35,000
Public Officials:	\$6,154	\$ included in Gen. Liability
Totals:	\$189,866	\$212,000

Figures do not include agent's commission of \$10,150.

2/15/89

CITY OF CRYSTAL

N.D.GOHMAN

PREMIUM SUMMARY

YEAR	PACKAGE	AUTOMOBILE	WORKER'S COMP	AGENT COMMISSION	TOTAL COSTS	EXPERIENCE MOD.
1989-90	\$150,101	\$33,611	\$100,121	\$10,150	\$310,448	0.85
1988-89	\$154,193	\$31,109	\$109,077	\$8,650	\$308,769	0.74
1987-88	\$172,394	\$28,064	\$127,707		\$337,443	0.86
1986-87	\$159,289	\$38,507	\$149,054		\$362,636	0.86
1985-86	\$59,619	\$30,647	\$143,506		\$254,772	1.12
1984-85	\$29,379	\$22,917	\$79,474		\$136,007	1.34
1983-84	\$26,565	\$23,032	\$108,583		\$160,651	1.34
1982-83	\$29,732	\$20,629	\$106,985		\$160,946	1.25
1981-82	\$34,544	\$22,200	\$93,364		\$150,108	1.22
1980-81	\$46,026	\$38,285	\$108,609		\$192,920	1.49
1979-80						1.47

(1979-1986 Home Insurance Company; 1986-Present LMCIT)

PUBLIC OFFICIALS COVERAGE

1988-89	\$6,154	LMCIT
1988-89	\$5,740	LMCIT
1987-88	\$9,278	LMCIT
1986-87	\$15,786	Tudor Insurance Company
1985-86	\$5,500	Tudor Insurance Company
1984-85	\$3,002	Western World Insurance Company
1983-84	\$2,471	Western World Insurance Company
1982-83	\$3,600	Western World Insurance Company

UMBRELLA COVERAGE

1989-90	NONE	None - excessive cost
1987-89	NONE	None - excessive cost
1986-87	NONE	None available
1985-86	NONE	None available
1984-85	\$14,000	Mission National Insurance
1983-84	\$485	Chicago Insurance Company

2-12-89

Crystal City Council
Crystal, Minnesota

Dear Members,

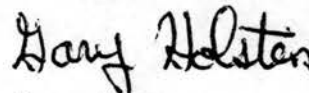
This is just a short letter to encourage you to adopt the 30 day holding period for a pawn shop in the city of Crystal. This action will be more in the line with what all of the other suburbs in the metro area are now implementing. This action will now make it possible for a group of investors, to provide a service to this suburb, that is available to the people in the surrounding communities.

For this endeavor to be feasible, and competitive with the surrounding area we need your help and support in this change. With the 4 month holding period on pawned items in this store, the start up expenses would be just to much. A similar store in Anoka and Robbinsdale, (who only have a 30 day holding period) would just be to much for us to compete against.

I promised to make this brief as I know that you have many other matters that need your attention. I just want to add that if you allow us to operate under the same rules as the competition we will give you the cleanest and best run shop in the entire metro area.

Again I thank you for your time and consideration.

Sincerely,

A handwritten signature in dark ink, reading "Gary Holsten". The signature is written in a cursive, slightly slanted style.

Gary Holsten

1988 CRYSTAL FROLICS
FINANCIAL REPORT

	FUNDRAISING ACTIVITIES	Expenses	REVENUE	Profit/Loss
1	Dunk Tank change	52.00	163.00	111.00
2	Fun Run ALLSTAR-Prize	102.00	152.00	50.00
3	JAIL Tempshitha	37.00		
	Osseo Lions	50.00	844.50	757.50
4	RAFFLE Tickets - Tempshitha	766.99		
	Bus. Env. Inc.	211.26		
	" " Freight	67.31		
	DISTRIBUTION - Scouts	800.00		
	A.C. Carlson	400.00		
	Bonds - Prizes	200.00		
		2445.56		
	Ticket Money		4106.00	
	Queen ticket Sales		503.00	
			4609.00	2163.44
5	Pull TABS. CRYSTAL LIONS (Fri)		455.25	
	KNIGHTS of Dumbus (Sat)		350.00	
	ELKS (Sun)		250.00	1055.25
6	KLEIN'S. license	109.00		
	Ticket Sellers	300.00		
		409.00		
	concessions		170.00	
	Rides		1889.00	
			2059.00	1650.00
7	Post-Advertising sales	5555.00		
	publishing		3775.00	1780.00
8	Poptrucks Firemen Aux. (25%)		82.11	
	Women of Today (25%)		425.00	507.11
9	PANCAKE BREAKFAST & Food Tent. K.C.'s. (25%)		350.00	350.00
10	BEER TENT (25%)			
11	J.C.'s - BINGO (25%)		220.00	220.00
12	FIREMEN - Beer, 25%		610.85	610.85
	V.F.W. - Bond -		50.00	925.15
				9305.15

1988 CRYSTAL FROLICS

NON REVENUE PRODUCING EVENTS

* MISCELLANEOUS EXPENSES

①

Prepared By	Initials	Date
Approved By		

2

3

			EXPENSES	Net Costs
1	1	PARADE .		
2		postage & phone calls	6765	
3		warning lights -	2060	
4		" " "	6770	
5		PRIZES - 500+	800 00	117305
6		300		95105
7		Signs. 200	21710	47639
8	2	TENT Accessories	47639	
9	3	FLOAT REPAIRS	51175	51175
10	4	SATELLITES	900 00	900 00
11	5	POLICE RESERVE - Meals - Tally Ho	31715	31715
12	6	Queen Scholarships	200 00	200 00
13	7	STAMPS .	8632	8632
14	8	Queen Committee		
15		1/29	500 00	
16		4/15	500 00	
17		4/25	200 00	
18		5/1	200 00	
19		6/8	500 00	
20		Queen Dress	100 00	
21		7/28	250 00	
22		8/25	600 00	
23			2850 00	2850 00
24	9.	Police Reserves - Overnight	360 00	360 00
25	10.	SENIOR LUNCHEON - PROGRAM		
26		luncheon - Flowers	60 00	
27		Incidentals	3278	
28		Centerpiece	2120	
29		Paper -	4464	
30		Plaques	6795	
31		Place mats	2828	
32			25985	
33		Lunch Service - food	25600	
34			51585	230 00
35				28585

(2)
1988 CRYSTAL FROLICS -
NON REVENUE PRODUCING EVENTS -

Prepared By	Initials	Date
Approved By		

		1	2	3	
		Expenses			
1	11	Sponsors Dinner -			1
2		Centerpiece	21 20		2
3		glacemats	56 30		3
4		flowers	100 50		4
5		Paper	50 00		5
6			228 00		6
7		Dinner - food	1030 00		7
8			1258.00	1035.00	8
9				<u>22300</u>	9
10					10
11	12	CORONATION ETC. cake & punch	100 00		11
12		Reception Buttons -		<u>100 00</u>	12
13					13
14					14
15				Total	15
16				745351	16
17					17
18					18
19					19
20					20
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LeFevere
Lefler
Kennedy
O'Brien &
Drawz

a Professional
Association

2000 First Bank Place West
Minneapolis
Minnesota 55402

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

J. Dennis O'Brien
John E. Drawz
David J. Kennedy
Joseph E. Hamilton
John B. Dean
Glenn E. Purdue
Richard J. Schieffer
Charles L. LeFevere
James J. Thomson, Jr.
Thomas R. Galt
Steven B. Schmidt
John G. Kressel
James M. Strommen
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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

February 15, 1989

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

Re: Crystal Charter Amendment Ordinance

Dear Jerry:

After the joint meeting of the Council and the Charter Commission, it seems to me that it would be appropriate for the Council to give a second reading to the charter amendment ordinance on Tuesday, the 21st.

I am, therefore, enclosing a copy of the ordinance for final reading. Some minor changes from the first reading are included relating to effective dates. Again, it will be necessary for all Councilmembers to be present and vote in favor.

Yours very truly,


David J. Kennedy

DJK:caw

Enclosure

ORDINANCE NO. 88-_____

AN ORDINANCE RELATING TO CITY
GOVERNMENT: AMENDING THE CRYSTAL
CITY CHARTER

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. Background: Findings: Authority.

1.01. The City of Crystal (City) is governed by a home rule charter adopted August 23, 1960, pursuant to the Constitution of the State of Minnesota and Minnesota Statutes, Chapter 410 (Act).

1.02. The Charter Commission of the City of Crystal (Commission) has proposed the adoption of a comprehensive amendment (Amendment) to the City Charter and recommended to the City Council that the Amendment be adopted by City Council ordinance in the manner prescribed by Section 410.12, Subdivision 7 of the Act. The form of the Amendment has been reviewed by this Council and is now on file with the City Clerk and is incorporated herein by reference.

1.03. A public hearing on the Amendment was duly held on November 15, 1988, by the City Council after two weeks' published notice containing the text of the Amendment as required by the Act. The notice contained a brief description of the nature and scope of the Amendment. All persons desiring to be heard with reference to the Amendment were heard at the public hearing.

1.04. The Council finds and determines that it is in the best interests of the City and its inhabitants that the Amendment be adopted.

Sec. 2. Adoption: Effective Date.

2.01. The Amendment as proposed by the Commission is adopted.

2.02. This ordinance is effective on _____ 1, 1989. If, by _____, 1989, a petition requesting a referendum on this ordinance, signed by the number of registered voters of the City required by the Act is filed with the City Clerk, this ordinance will not be effective until approved by 51% of the voters voting on the question of its adoption at a special election called by the Council for that purpose.

2.04. On the effective date of the Amendment the City Clerk is authorized and directed to file copies of the Amendment with the Secretary of State of the State of Minnesota, the Hennepin County Recorder, and in the City Clerk's office together with the certificate required by Section 410.11 of the Act.

Mayor

Attest:

Clerk

A:00110D06.F16

RECOMMENDATIONS

FOR

CITY OF CRYSTAL, MINNESOTA

\$2,000,000

GENERAL OBLIGATION COMMUNITY CENTER BONDS, SERIES 1989A

Study No. 3481
February 15, 1989
SPRINGSTED Incorporated



SPRINGSTED

PUBLIC FINANCE ADVISORS

85 East Seventh Place, Suite 100
Saint Paul, Minnesota 55101-2143
612-223-3000
FAX: 612-223-3002

February 15, 1989

Mayor Betty Herbes
Members, City Council
Mr. Jerry Dular, City Manager
Mr. Miles Johnson, Treasurer
Crystal City Hall
4141 Douglas Drive North
Crystal, MN 55422

RE: Recommendations for the Issuance of \$2,000,000 General Obligation Community Center Bonds, Series 1989A

We respectfully request your consideration of our recommendations for the issuance of these bonds. These bonds were authorized by the City voters at an election held November 8, 1988 by a vote of 6,422 (yes) to 5,533 (no).

The sale of these bonds, which was originally scheduled for January 17, had to be postponed because the 1988 State Legislature severely curtailed the City's bonding limit. The 1989 Legislature has recently passed a bill, which the Governor has signed, giving cities a debt limit equal to 2% of the market value of taxable property. This allows the City a debt limit of \$13,029,600 and we recommend the City proceed to a bond sale at this time.

The bonds will be dated April 1, 1989, and the first interest payment will be due February 1, 1990. Appendix 1 shows our recommended maturity schedule with principal due February 1, 1992 through 2005. Repayment of the issue will require 15 annual levies which will be certified by the County Auditor at 105% of actual debt service in the resolution you will adopt at the time of award of the bonds.

We have been advised that the City will levy for the first time in 1989 for this bond issue. The 1989 levy will need to include 22 months of interest through February 1, 1991, in an estimated amount of \$265,288, including the 5% overlevy. Therefore, the first principal payment has been delayed until 1992, payable from the 1990 levy. The first collection of the 1989 levy will be available to the City for payment of debt service in July of 1990. Interest payments on the bonds must commence within one year of the date of issuance, or February 1, 1990. Therefore, in order to make the February 1, 1990 interest payment, it will be necessary for the City to use other available funds, which can be reimbursed at the time of collection of the 1989 tax levy. The first interest payment due on February 1, 1990 is estimated to be \$114,843.

Subsequent levies will be necessary for only one year's principal and interest requirements. The first-half tax collection each year will provide for the August 1 interest payment of that collection year, while the second-half collection, together with the unused portion of the first-half collection, will be sufficient to pay the February 1 principal and interest payment due in the following year.

The maturity schedule for the Community Center Bonds in Appendix 1 has been structured with even debt service payments. The City has no other outstanding debt payable from tax levies. The average annual debt service levy will be approximately \$239,885, except for the 1989 levy. This is equal to a 1.25% tax capacity rate, based on the City's 1988 tax capacity of \$19,128,922.

Indiana Office:
251 North Illinois Street, Suite 1510
Indianapolis, Indiana 46204-1942
317-237-3636
Fax: 317-237-3639

Wisconsin Office:
500 Elm Grove Road, Suite 101
Elm Grove, Wisconsin 53122-0037
414-782-8222
Fax: 414-782-2904

City of Crystal, Minnesota
February 15, 1989

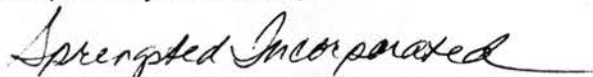
We recommend the City allow underwriters the option of discount bidding to permit the underwriting syndicate purchasing the issue to retain up to \$30,000 or \$15 per \$1,000 of principal to cover costs of underwriting and marketing the bonds. If the successful bidder does not use all of the discount allowance, the unused portion, by law, must be placed in the debt service account used to repay the bonds; it cannot be used for construction purposes. If all the discount is taken, the City will receive no less than \$1,970,000 in bond proceeds.

We recommend that bonds maturing on or after February 1, 1999 be subject to prepayment at the option of the City on February 1, 1998, and on any interest payment date thereafter at a price of par. This call feature will permit the City to prepay \$1,230,000, or 61.5% of the bonds if future circumstances so warrant.

The Tax Reform Act of 1986 places restrictions on the issuance of tax-exempt bonds. One of the requirements is the rebate of arbitrage profits from the investment of bond proceeds. The City can exempt itself from this requirement by qualifying as a "small issuer" under the Act, by issuing less than \$5,000,000 of tax-exempt bonds during the calendar year. Since the total issuance of tax-exempt bonds by the City is expected to be less than \$10,000,000 in 1989, the City can declare the bonds "qualified" under the Act, making them more attractive to banks which can then deduct 80% of the interest cost from taxation.

We are recommending the bonds be offered for sale on Tuesday, March 21, with bids to be received in the offices of Springsted Incorporated at 2:00 P.M. The bids will be opened, verified for accuracy, tabulated and then presented to the Council for action at that same evening at your regular meeting. Proceeds of the bond sale will be available to the City approximately 30 days later.

Respectfully submitted,



SPRINGSTED Incorporated

mmr

OFFICIAL TERMS OF OFFERING

\$2,000,000

CITY OF CRYSTAL, MINNESOTA

GENERAL OBLIGATION COMMUNITY CENTER BONDS, SERIES 1989A

Sealed bids for the Bonds will be opened by the City on Tuesday, March 21, 1989, at 2:00 P.M., Central Time, at the offices of SPRINGSTED, Incorporated, 85 East Seventh Place, Suite 100, Saint Paul, Minnesota 55101-2143. Consideration for award of the Bonds will be by the City Council at 7:00 P.M., Central Time, of the same day.

DETAILS OF THE BONDS

The Bonds will be dated April 1, 1989, as the date of original issue, and will bear interest payable on February 1 and August 1 of each year, commencing February 1, 1990. Interest will be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to rules of the MSRB. The Bonds will be issued in the denomination of \$5,000 each, or in integral multiples thereof as requested by the Purchaser, and fully registered as to principal and interest. Principal will be payable at the main corporate office of the Registrar and interest on each Bond will be payable by check or draft of the Registrar mailed to the registered holder thereof at his address as it appears on the books of the Registrar as of the 15th day of the calendar month next preceding the interest payment.

The Bonds will mature February 1 in the amounts and years as follows:

\$ 90,000	1992	\$125,000	1997	\$175,000	2002
\$ 95,000	1993	\$135,000	1998	\$185,000	2003
\$100,000	1994	\$140,000	1999	\$200,000	2004
\$110,000	1995	\$150,000	2000	\$215,000	2005
\$115,000	1996	\$165,000	2001		

OPTIONAL REDEMPTION

The City may elect on February 1, 1998, and on any interest payment date thereafter, to prepay Bonds due on or after February 1, 1999. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, those Bonds remaining unpaid which have the latest maturity date will be prepaid first. If only part of the Bonds having a common maturity date are called for prepayment the specific Bonds to be prepaid will be chosen by lot by the Registrar. All prepayments shall be at a price of par and accrued interest.

SECURITY AND PURPOSE

The Bonds will be general obligations of the City for which the City will pledge its full faith and credit and power to levy direct general ad valorem taxes. The proceeds will be used for the construction of a community center.

TYPE OF BID

A sealed bid for not less than \$1,970,000 and accrued interest on the total principal amount of the Bonds shall be filed with the undersigned prior to the time set for the opening of bids. Also prior to the time set for bid opening, a certified or cashier's check in the amount of \$20,000, payable to the order of the City, shall have been filed with the undersigned or SPRINGSTED Incorporated, the City's Financial Advisor. No bid will be considered for which said check has not been filed. The

check of the Purchaser will be retained by the City as liquidated damages in the event the Purchaser fails to comply with the accepted bid. The City will deposit the check of the Purchaser, the amount of which will be deducted at settlement. No bid shall be withdrawn after the time set for opening bids unless the meeting of the City scheduled for consideration of the bids is adjourned, recessed, or continued to another date without award of the Bonds having been made. Rates offered by Bidders shall be in integral multiples of 5/100 or 1/8 of 1%. No rate specified for a maturity shall exceed the rate specified for any subsequent maturity. Bonds of the same maturity shall bear a single rate from the date of the Bonds to the date of maturity.

AWARD

The Bonds will be awarded to the Bidder offering the lowest dollar interest cost to be determined by the deduction of the premium, if any, from, or the addition of any amount less than par, to the total dollar interest on the Bonds from their date to their final scheduled maturity. The City's computation of the total net dollar interest cost of each bid, in accordance with customary practice, will be controlling.

The City will reserve the right to: (i) waive nonsubstantive informalities of any bid or of matters relating to the receipt of bids and award of the Bonds, (ii) reject all bids without cause, and, (iii) reject any bid which the City determines to have failed to comply with the terms herein.

REGISTRAR

The City will name the Registrar which shall be subject to applicable SEC regulations. The City will pay for the services of the Registrar.

CUSIP NUMBERS

If the Bonds qualify for assignment of CUSIP numbers such numbers will be printed on the Bonds, but neither the failure to print such numbers on any Bond nor any error with respect thereto will constitute cause for failure or refusal by the Purchaser to accept delivery of the Bonds. The CUSIP Service Bureau charge for the assignment of CUSIP identification numbers shall be paid by the Purchaser.

SETTLEMENT

Within 40 days following the date of their award, the Bonds will be delivered without cost to the Purchaser at a place mutually satisfactory to the City and the Purchaser. Delivery will be subject to receipt by the Purchaser of an approving legal opinion of LeFevre, Lefler, Kennedy, O'Brien & Drawz, a Professional Association of Minneapolis, Minnesota, which opinion will be printed on the Bonds, and of customary closing papers, including a no-litigation certificate. On the date of settlement payment for the Bonds shall be made in federal, or equivalent, funds which shall be received at the offices of the City, or its designee, not later than 1:00 P.M., Central Time. Except as compliance with the terms of payment for the Bonds shall have been made impossible by action of the City, or its agents, the Purchaser shall be liable to the City for any loss suffered by the City by reason of the Purchaser's noncompliance with said terms for payment.

OFFICIAL STATEMENT

Underwriters may obtain a copy of the Official Statement by request to the City's Financial Advisor prior to the bid opening. The Purchaser will be provided with 25 copies of the Official Statement.

Dated February 21, 1989

BY ORDER OF THE CITY COUNCIL

/s/ Darlene George
Clerk

City of Crystal, Minnesota
\$2,000,000 G.O. Community Center Bonds,
Series 1989A

Prepared February 14, 1989
By SPRINGSTED Incorporated

Dated: 4- 1-1989

Mature: 2- 1

Year of Levy (1)	Year of Mat. (2)	Principal (3)	Rates (4)	Interest (5)	Total Principal & Interest (6)	105% of Total (7)
1989	1991	0	0.00%	252,655	252,655	265,288
1990	1992	90,000	6.50%	137,812	227,812	239,203
1991	1993	95,000	6.55%	131,962	226,962	238,310
1992	1994	100,000	6.60%	125,739	225,739	237,026
1993	1995	110,000	6.65%	119,139	229,139	240,596
1994	1996	115,000	6.70%	111,824	226,824	238,165
1995	1997	125,000	6.75%	104,119	229,119	240,575
1996	1998	135,000	6.80%	95,681	230,681	242,215
1997	1999	140,000	6.90%	86,501	226,501	237,826
1998	2000	150,000	6.95%	76,841	226,841	238,183
1999	2001	165,000	7.00%	66,416	231,416	242,987
2000	2002	175,000	7.00%	54,866	229,866	241,359
2001	2003	185,000	7.05%	42,616	227,616	238,997
2002	2004	200,000	7.10%	29,573	229,573	241,052
2003	2005	215,000	7.15%	15,373	230,373	241,892
TOTALS:		2,000,000		1,451,117	3,451,117	3,623,674

Bond Years:	20,831.67	Annual Interest:	1,451,117
Avg. Maturity:	10.42	Plus Discount:	30,000
Avg. Annual Rate:	6.966%	Net Interest:	1,481,117
N.I.C. Rate:	7.110%		

1988 Taxable Gross Tax Capacity:	\$	19,128,922	
Total Levy (Average of Levy Years: 1990-2003)	\$	239,885	1.25% Tax Capacity Rate

Interest rates are estimates; changes may cause significant alterations of this schedule.

The actual underwriter's discount bid may also vary.

LeFevere
Lefler
Kennedy
O'Brien &
Drawz

a Professional
Association

2000 First Bank Place West
Minneapolis
Minnesota 55402

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Paul D. Baertschi
Arden Fritz

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

February 15, 1989

Ms. Darlene George
City Clerk
City of Crystal
4141 Douglas Drive North
Crystal, Minnesota 55422

Re: General Obligation Community Center Bonds,
Series 1989A
City of Crystal, Minnesota

Dear Darlene:

Enclosed you will find an extract of minutes showing adoption of the resolution authorizing the sale of the above bonds for consideration by the City Council on Tuesday night.

Please return three certified copies directly to Nancy Langness at Springsted.

Yours very truly,


David J. Kennedy

DJK:caw

Enclosures

cc: Nancy Langness (w/encl.)

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 the City on Tuesday, February 21, 1989, commencing at 7:00 P.M.

The following members of the Council were present:

and the following were absent:

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

RESOLUTION NO. 88-_____

RESOLUTION PROVIDING FOR THE ISSUANCE
AND SALE OF \$2,000,000 GENERAL OBLIGATION
COMMUNITY CENTER BONDS, SERIES 1989A

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

1. It is hereby determined that:

- (a) at a duly called and regularly held general election on November 8, 1988, the voters of the City approved the issuance and sale by the City of \$2,000,000 general obligation bonds of the City pursuant to Minnesota Statutes, Chapter 475 (Act).

- (b) the purpose of the bonds as approved by the voters is to provide a portion of the financing for the construction of a new community center building (Project); and
- (c) it is necessary and expedient to the sound financial management of the affairs of the City to issue \$2,000,000 General Obligation Community Center Bonds, Series 1989A (Bonds) to provide financing for the Project.

2. In order to provide financing for the Project, the City will therefore issue and sell its Bonds in the amount of \$1,970,000. In order to provide in part the additional interest required to market the Bonds at this time, additional Bonds will be issued in the amount of \$30,000. The excess of the purchase price of the Bonds over the sum of \$1,970,000 shall be credited to the debt service fund for the Bonds for the purpose of paying interest first coming due on the additional Bonds. The Bonds will be issued, sold and delivered in accordance with the terms of the following Official Terms of Offering:

OFFICIAL TERMS OF OFFERING

\$2,000,000

CITY OF CRYSTAL, MINNESOTA

GENERAL OBLIGATION COMMUNITY CENTER BONDS, SERIES 1989A

Sealed bids for the Bonds will be opened by the City on Tuesday, March 21, 1989, at 2:00 P.M., Central Time, at the offices of SPRINGSTED, Incorporated, 85 East Seventh Place, Suite 100, Saint Paul, Minnesota 55101-2143. Consideration for award of the Bonds will be by the City Council at 7:00 P.M., Central Time, of the same day.

DETAILS OF THE BONDS

The Bonds will be dated April 1, 1989, as the date of original issue, and will bear interest payable on February 1 and August 1 of each year, commencing February 1, 1990. Interest will be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to rules of the MSRB. The Bonds will be issued in the denomination of \$5,000 each, or in integral multiples thereof as requested by the Purchaser, and fully registered as to principal and interest. Principal will be payable at the main corporate office of the Registrar and interest on each Bond will be payable by check or draft of the Registrar mailed to the registered holder thereof at his address as it appears on the books of the Registrar as of the 15th day of the calendar month next preceding the interest payment.

The Bonds will mature February 1 in the amounts and years as follows:

\$ 90,000	1992	\$125,000	1997	\$175,000	2002
\$ 95,000	1993	\$135,000	1998	\$185,000	2003
\$100,000	1994	\$140,000	1999	\$200,000	2004
\$110,000	1995	\$150,000	2000	\$215,000	2005
\$115,000	1996	\$165,000	2001		

OPTIONAL REDEMPTION

The City may elect on February 1, 1998, and on any interest payment date thereafter, to prepay Bonds due on or after February 1, 1999. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, those Bonds remaining unpaid which have the latest maturity date will be prepaid first. If only part of the Bonds having a common maturity date are called for prepayment the specific Bonds to be prepaid will be chosen by lot by the Registrar. All prepayments shall be at a price of par and accrued interest.

SECURITY AND PURPOSE

The Bonds will be general obligations of the City for which the City will pledge its full faith and credit and power to levy direct general ad valorem taxes. The proceeds will be used for the construction of a community center.

TYPE OF BID

A sealed bid for not less than \$1,970,000 and accrued interest on the total principal amount of the Bonds shall be filed with the undersigned prior to the time set for the opening of bids. Also prior to the time set for bid opening, a certified or cashier's check in the amount of \$20,000, payable to the order of the City, shall have been filed with the undersigned or SPRINGSTED Incorporated, the City's Financial Advisor. No bid will be considered for which said check has not been filed. The

check of the Purchaser will be retained by the City as liquidated damages in the event the Purchaser fails to comply with the accepted bid. The City will deposit the check of the Purchaser, the amount of which will be deducted at settlement. No bid shall be withdrawn after the time set for opening bids unless the meeting of the City scheduled for consideration of the bids is adjourned, recessed, or continued to another date without award of the Bonds having been made. Rates offered by Bidders shall be in integral multiples of 5/100 or 1/8 of 1%. No rate specified for a maturity shall exceed the rate specified for any subsequent maturity. Bonds of the same maturity shall bear a single rate from the date of the Bonds to the date of maturity.

AWARD

The Bonds will be awarded to the Bidder offering the lowest dollar interest cost to be determined by the deduction of the premium, if any, from, or the addition of any amount less than par, to the total dollar interest on the Bonds from their date to their final scheduled maturity. The City's computation of the total net dollar interest cost of each bid, in accordance with customary practice, will be controlling.

The City will reserve the right to: (i) waive nonsubstantive informalities of any bid or of matters relating to the receipt of bids and award of the Bonds, (ii) reject all bids without cause, and, (iii) reject any bid which the City determines to have failed to comply with the terms herein.

REGISTRAR

The City will name the Registrar which shall be subject to applicable SEC regulations. The City will pay for the services of the Registrar.

CUSIP NUMBERS

If the Bonds qualify for assignment of CUSIP numbers such numbers will be printed on the Bonds, but neither the failure to print such numbers on any Bond nor any error with respect thereto will constitute cause for failure or refusal by the Purchaser to accept delivery of the Bonds. The CUSIP Service Bureau charge for the assignment of CUSIP identification numbers shall be paid by the Purchaser.

SETTLEMENT

Within 40 days following the date of their award, the Bonds will be delivered without cost to the Purchaser at a place mutually satisfactory to the City and the Purchaser. Delivery will be subject to receipt by the Purchaser of an approving legal opinion of LeFevere, Lefler, Kennedy, O'Brien & Drawz, a Professional Association of Minneapolis, Minnesota, which opinion will be printed on the Bonds, and of customary closing papers, including a no-litigation certificate. On the date of settlement payment for the Bonds shall be made in federal, or equivalent, funds which shall be received at the offices of the City, or its designee, not later than 1:00 P.M., Central Time. Except as compliance with the terms of payment for the Bonds shall have been made impossible by action of the City, or its agents, the Purchaser shall be liable to the City for any loss suffered by the City by reason of the Purchaser's noncompliance with said terms for payment.

OFFICIAL STATEMENT

Underwriters may obtain a copy of the Official Statement by request to the City's Financial Advisor prior to the bid opening. The Purchaser will be provided with 25 copies of the Official Statement.

Dated February 21, 1989

BY ORDER OF THE CITY COUNCIL

/s/ Darlene George
Clerk

3. The Clerk is authorized and directed to advertise the Bonds for sale in accordance with the foregoing Official Terms of Offering and to cause the abbreviated notice of sale attached hereto as Exhibit A to be published in the manner required by law. The City Council will meet at 7:00 p.m. on Tuesday, March 21, 1989, to consider bids on the Bonds and take any other appropriate action with respect to the Bonds.

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

and the following voted against:

whereupon the resolution was declared duly passed and adopted.

NOTICE OF BOND SALE
 \$2,000,000
 GENERAL OBLIGATION COMMUNITY CENTER
 BONDS, SERIES 1989A
 CITY OF CRYSTAL,
 HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that sealed bids for the purchase of the above bonds will be received until 2:00, p.m., C.T. on Tuesday, March 21, 1989, in the offices of Springsted, Incorporated, 85 East Seventh Place, Suite 100, St. Paul, Minnesota 55101, at which time the bids will be opened and tabulated for consideration by the City Council at a meeting at 7:00 p.m. on the same day. The bonds are offered on the following terms. The bonds will be dated April 1, 1989, will bear interest payable semiannually on each February 1 and August 1, commencing February 1, 1990, and will mature on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
1992	\$ 90,000	1999	\$140,000
1993	95,000	2000	150,000
1994	100,000	2001	165,000
1995	110,000	2002	175,000
1996	115,000	2003	185,000
1997	125,000	2004	200,000
1998	135,000	2005	215,000

The City may elect on February 1, 1998 or on any interest payment date thereafter to redeem and prepay bonds of this issue in whole or in part, in inverse order of maturities and by lot within maturities, maturing on or after February 1, 1999 at a price of par plus accrued interest to date of redemption.

Bidders must specify a price of not less than \$1,970,000 plus accrued interest. A legal opinion on the bonds will be furnished by LeFevre, Lefler, Kennedy, O'Brien & Drawz, a Professional Association, Minneapolis, Minnesota. The proceeds of the bonds will be used to finance the construction of a community center building in the City.

Bidders should be aware that the Official Statement to be distributed for the bonds may contain additional bidding terms and information relative to the bonds. In the event of a variance between statements in this Notice of Bond Sale and the Official Statement bidders must comply with the terms of the latter.

BY ORDER OF THE CITY COUNCIL

/s/ Darlene George

 City Clerk

Dated: February 21, 1989.

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

I, the undersigned, being the duly qualified and acting Clerk of the City of Crystal, Minnesota, hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City Council of the City held on Tuesday, February 21, 1989, with the original minutes on file in my office and the extract is a full, true and correct copy of the minutes, insofar as they relate to the issuance and sale of \$2,000,000 General Obligation Community Center Bonds, Series 1989A of the City.

WITNESS My hand as City Clerk and the corporate seal of the City this ____ day of _____, 1989.

City Clerk
City of Crystal, Minnesota

(SEAL)

C1:00111288.RAU

AGREEMENT

WHEREAS, the City of Crystal and the City of New Hope through their respective governing bodies believe there is a need to jointly employ an inspector for the purpose of licensing garbage refuse trucks operating within said municipalities pursuant to each City's ordinances requiring inspection and licensing, and

WHEREAS, both municipalities have agreed to participate in a second joint powers agreement for collection of garbage and collection of recyclables as part of the Hennepin Recycling Group, and

WHEREAS, both municipalities find that joint inspection and licensing of garbage refuse trucks would promote cost efficiencies resulting in cost savings to each municipality and thereby protecting and promoting the health, welfare and safety of the citizens of each municipality, and

WHEREAS, the above-named parties intend to proceed pursuant to Minn. Stat. §471.59.

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE PARTIES, as follows:

1. DURATION:

THIS AGREEMENT shall have a minimum duration of one (1) year from the date of its execution by the above-named parties. At the end of this yearly period, this Agreement shall be renewed automatically unless one of the parties has given written notice

of its intent to withdraw at least 30 days before the end of the yearly period. Once renewed as provided above, this Agreement shall continue in force for an indefinite term and until terminated by one of the parties. Any party intending to terminate its participation in this Agreement shall notify the other party of this intent in writing 30 days before the date upon which the party intends to withdraw from this Agreement.

2. ADMINISTRATION:

The employment of the joint licensing inspector shall be by the City of Crystal and the Crystal City Manager shall be responsible for direct day to day administration of said inspector. Said inspector shall be deemed an employee of the City of Crystal and not the City of New Hope for payment of all compensation and fringe benefits. It is contemplated by the parties hereto that the Crystal Sanitarian will act in the capacity of licensing inspector. However, each municipality will retain responsibility for its own clerical processing of vehicle licensing including, but not limited to, providing and accepting new and renewal license applications, issuance of licenses and collection of the fees connected therewith. The licensing inspector shall be exclusively responsible for only the physical inspection of the garbage refuse trucks to insure compliance with all licensing requirements and shall report to designated officials within each municipality the results of said inspection.

3. ALLOCATION OF COST:

Currently, the City of New Hope has twelve garbage haulers operating within its boundaries as follows:

- a. Charlie Hall Disposal
- b. Randy's Sanitation
- c. Waste Technology
- d. Woodlake Sanitary Service
- e. Baldy Sanitation
- f. Browning Ferris Industries
- g. Dan's Disposal
- h. Gallagher's Service, Inc.
- i. Metro Refuse
- j. Property Refuse Removal
- k. Robbinsdale Transfer
- l. Waste Management, Blaine

The City of New Hope agrees that it will pay to the City of Crystal 80% of its licensing fee as reimbursement to Crystal for employment of the licensing inspector. Further, the City of New Hope represents that its fee for licensing the trucks of the referenced entities is \$50.00 for the first vehicle and \$25.00 for each additional vehicle. Said fee shall be paid to the City of Crystal as soon as practical by the City of New Hope after its collection by New Hope from the respective garbage hauler.

4. EMPLOYING MUNICIPALITY:

The City of Crystal hereby agrees to be the employing

municipality for the license inspector. Crystal shall compensate the inspector, provide all employee fringe benefits including, but not limited to, health, worker's compensation, unemployment compensation and any other insurance required by law. Further, the City of Crystal agrees to indemnify and hold harmless the City of New Hope for any claims made by the licensing inspector against the City of New Hope resulting from the performance of his duties as licensing inspector. The hold harmless provision shall include all costs and reasonable attorney's fees incurred by the City of New Hope in defending against such a claim.

5. AUTHORITY:

Each party executes this Agreement pursuant to the authority of their respective governing bodies, and also in consideration of the execution of the Agreement by each of the other parties and in execution of the joint powers conferred upon them by Minn. Stat. §471.59.

IN WITNESS WHEREOF, on this _____ day of _____, 1989.

CITY OF CRYSTAL

By: _____
Its Mayor

Its City Manager

CITY OF NEW HOPE

By: _____
Its Mayor

Its City Manager

MEMORANDUM

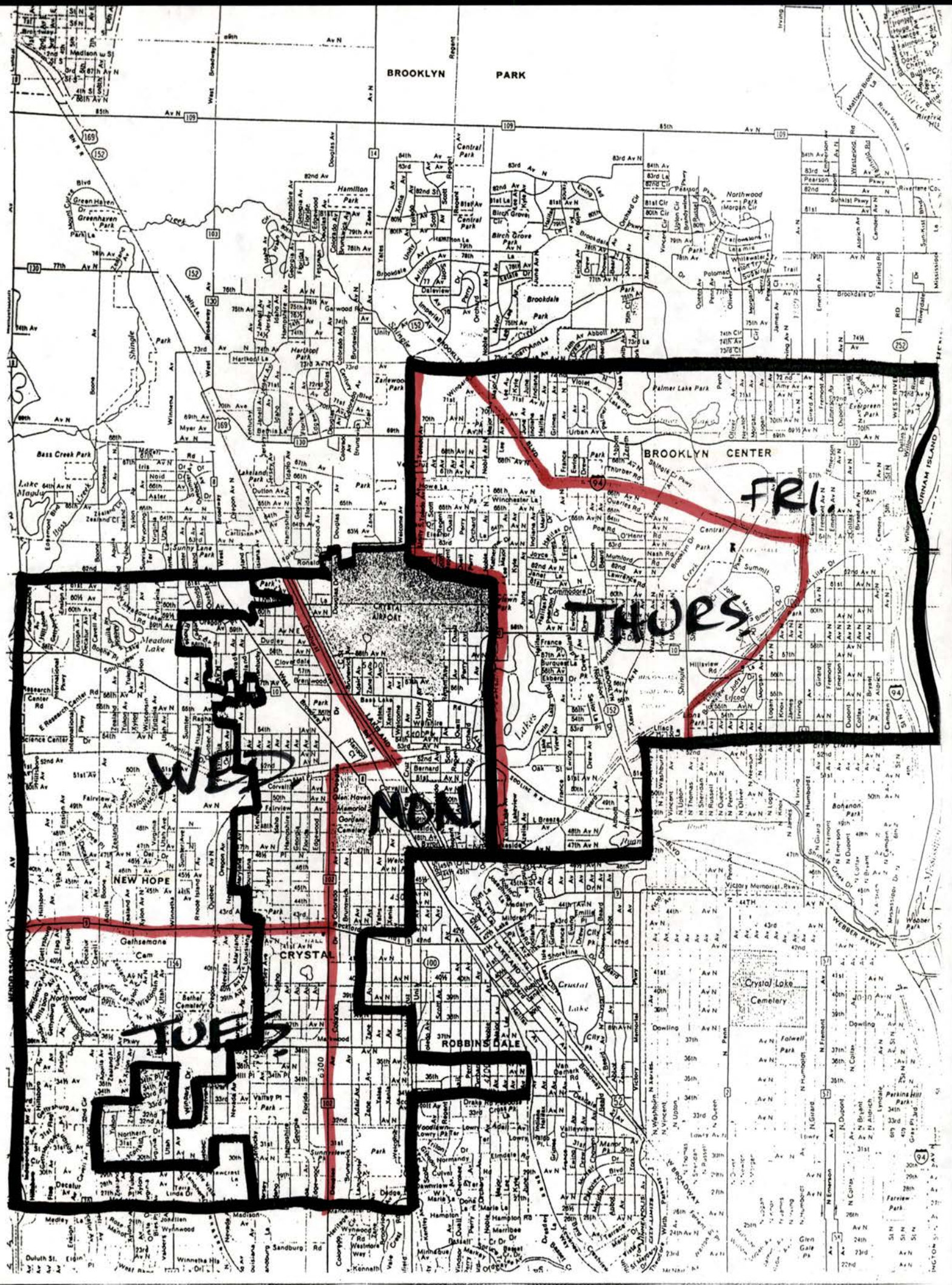
DATE: February 21, 1989
TO: Jerry Dulgar, City Manager
FROM: Julie Jones, Recycling Coordinator 9-7
SUBJECT: HRG Meeting Summary

The following is a brief recap of items discussed at the February 16 HRG meeting, since you needed to leave that meeting early. If you need any additional information for the council let me know.

1. Districting: The HRG Board agreed to the recycling district boundaries as shown on the attached map. The City of New Hope will also be requiring refuse collection according to the same Tuesday/Wednesday schedule. This will likely have the result of many Crystal residents in the west end of the City having same-day collection, as well, since BFI and Randy's Sanitation have indicated that they will be changing the day of their refuse collection from Highway 18 east to Douglas Drive, according to the Tuesday/ Wednesday schedule. BFI and Randy's Sanitation combined probably have half of the business in Crystal.
2. Publicity Campaign: The tentative publicity campaign of the HRG is to send out a two-page letter to each single-family homeowner four weeks before the program start-up date, explaining the reasons why the City is beginning a curbside recycling program and that more information will follow. Then two to three weeks before the program begins a three-fold brochure will be mailed explaining the proper handling procedures for recyclables. One week before the start-up date, BFI will deliver the recycling containers door-to-door with another written instruction sheet (possibly a door-hanger), explaining the handling procedures again, placed inside the container.
3. Bar Code System: The HRG Board discussed the costs of a bar coding system to monitor participation rates. It was decided by the Board to delay consideration of such a system until a decision is made regarding organized refuse collection and volume-based fees.
4. Containers for Multifamily Buildings: The Board was informed that Twin Lake North Condominiums and Calibre Chase Apartments (both in Crystal) have requested recycling containers for their building. The County

has agreed to reimburse the HRG for these containers as a "pilot project" only. The Board decided that any other apartments buildings requesting containers will be allowed to purchase them at full price, as long as the Cities reserve replacement supply is not depleted.

5. Containers: Crystal's and Brooklyn Center's containers are scheduled for delivery between April 1 and May 1. New Hope will begin program April 4, 1989.



BROOKLYN PARK

BROOKLYN CENTER

FRI.

THURS.

WED.

NON

TUES.

CRYSTAL

ROBBINSDALE

CRYSTAL LAKE CEMETERY

LeFevere
Lefler
Kennedy
O'Brien &
Drawz

a Professional
Association

2000 First Bank Place West
Minneapolis
Minnesota 55402

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

February 10, 1989

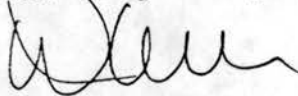
Mr. Jerry Dulgar
City Manager
City of Crystal
4141 Douglas Drive North
Crystal, Minnesota 55422

Dear Jerry:

Enclosed you will find an internal memorandum prepared by Corrine Heine of our office about three recent open meeting law cases. I think you may find them of interest.

You may want to pass the memorandum on to the Council as well, if you think that is appropriate.

Yours very truly,



David J. Kennedy

DJK:caw

Enclosure

J. Dennis O'Brien
John E. Drawz
David J. Kennedy
Joseph E. Hamilton
John B. Dean
Glenn E. Purdue
Richard J. Schieffer
Charles L. LeFevere
James J. Thomson, Jr.
Thomas R. Galt
Steven B. Schmidt
John G. Kressel
James M. Strommen
Ronald H. Batty
William P. Jordan
William R. Skallerud
Corrine A. Heine
David D. Beaudoin
Steven M. Tallen
Mary Frances Skala
Leslie M. Altman
Timothy J. Pawlenty
Rolf A. Sponheim
Julie A. Bergh
Darcy L. Hitesman
David C. Roland
Karen A. Chamerlik
Paul D. Baertschi
Arden Fritz

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

MEMORANDUM

TO: City Attorneys
FROM: Corrine Heine *CH*
DATE: February 2, 1989
RE: Recent Open Meeting Law Cases

In the past two months, the Minnesota appellate courts have decided three cases concerning the Minnesota Open Meeting Law, Minn. Stat. § 471.705 (1988). Following is a summary of the case holdings. You may wish to consider passing this memorandum on to your city council and city manager or city clerk.

Annandale Advocate v. City of Annandale, CX-87-1583 (Minn. January 20, 1989)

The most significant of the three cases decided by the courts is the Annandale Advocate case, in which the Minnesota Supreme Court addressed the relationship between the Open Meeting Law and the Minnesota Government Data Practices Act, Minn. Stat. § 13.01 et seq.

Facts: The city council of the City of Annandale hired an attorney to conduct an investigation into alleged misconduct by the chief of police. The city council later held a closed meeting for the purpose of discussing the investigative report. Based upon the report and further discussion, the council adopted a resolution discharging the police chief, subject to the chief's right to a veteran's preference hearing. The police chief requested a veteran's preference hearing within the 60 day time period but the hearing was never held; under a settlement agreement with the city, the police chief resigned his office. A local newspaper brought an action to require the city to release the report, which the newspaper claimed was public data under the Data Practices Act.

Lower court holdings: The trial court held that the investigative report was public data under Minn. Stat. § 13.43 and ordered the city to release the report. On appeal, the court of appeals raised the issue of whether the meeting was properly closed. The court of appeals held that the report was public data and that the meeting should not have been closed.

Supreme Court holding: The supreme court reversed the court of appeals, both as to the classification of the investigative report and as to the open meeting issue.

Therefore, this case has implications for cities with respect to both data practices and public meetings.

Data Practices Issue: The lower courts held that the report was public data under Minn. Stat. § 13.43, because the report was documentation supporting "final disposition" of disciplinary action. The supreme court disagreed and held that, because the police chief had a right to a veteran's preference hearing at which the discipline could be modified, the city council's action was not a "final disposition." In addition, by resigning before "final disposition" was made, the police chief effectively ensured that the investigative report would never become public but would remain private personnel data. The court's opinion suggests that "final disposition" of disciplinary action does not occur until all rights to further hearings, including rights of appeal, have been exhausted or time periods have expired.

The court's holding on the data practices issue has two implications for cities. First, because violation of the Data Practices Act may result in a claim for damages, cities should be cautious in releasing any personnel data, even following disciplinary action. Cities should not release supporting documentation to the public until all rights of appeal have been exhausted. Where the discipline may give rise to a civil action, the data should remain classified as private until the statute of limitations for such an action has run. Second, the holding may assist cities in settling employment disputes. A discharged employee may be inclined to resign prior to "final disposition" in order to prevent personnel data from becoming public.

Open Meeting Law Issue: In holding that the meeting should not have been closed, the court of appeals relied upon its earlier decision in Itasca County Bd. of Comm'rs v. Olson, 372 N.W.2d 804 (Minn. App. 1985). The Itasca County decision held that the Data Practices Act is not an exception to the Open Meeting Law and that, where otherwise private data is reasonably required to be discussed at a public meeting, the classification of the data changes from private to public. The supreme court held, however, that the Data Practices Act is an exception to the Open Meeting Law. In so holding, the court relied upon Minn. Stat. § 471.705, subd. 1b, which requires agenda materials to be made available to the public, but which expressly excepts "materials classified by law as other than public" under the Data Practices Act.

The supreme court emphasized that the data practices exception to the Open Meeting Law is narrow. A public

meeting may be closed only to discuss the actual content of the not public data. All other discussion must be open to the public. In the Annandale Advocate case, the court held that the existence of the report, the council's consideration of it, the role that the report played in the council's decision, and the terms of the settlement agreement with the police chief would be public. (Note: This case arguably prohibits cities from entering into settlement agreements with "gag clauses.")

For cities, this means that great care should be exercised in discussing any issues that relate to data classified as "not public" during public meetings. If not public data is disclosed during a public meeting, the city may be subject to a suit for damages under the Data Practices Act. On the other hand, if a city closes a meeting and discusses more than the contents of the document that is classified as not public, the city may be subject to a suit for violation of the Open Meeting Law. As a practical matter, cities are likely to err on the side of closing meetings.

Cities should be advised to identify potential data practices issues prior to public meetings and to obtain legal advice where there is any question. Advance notice to the attorney should be encouraged because, despite the supreme court's opinion that "[t]he Data Practices Act . . . is not any more difficult to apply than other statutes," the act can be very complicated to apply in some circumstances.

Northwest Publications, Inc. v. City of Saint Paul, C2-88-1474
(Minn. App. January 17, 1989)

Facts: The city council was considering various amendments to its ordinances relating to liquor licenses and nude dancing establishments. The proposed amendments were controversial, and attorneys for four businesses submitted briefs to the city council in opposition to the proposed amendments. The city council scheduled a closed meeting, the purpose of which was to discuss the threatened litigation, including the strengths and weaknesses of the positions and issues involved. A local newspaper obtained a court order to open the scheduled meeting.

Court of Appeals Holding: The city argued unsuccessfully to the trial court and to the court of appeals that, because of the threat of litigation, the council meeting could be closed under the attorney-client privilege exception to the Open Meeting Law. The Minnesota Supreme Court first recognized that exception

in Minneapolis Star & Tribune Co. v. Housing & Redevelopment Authority, 251 N.W.2d 620 (Minn. 1976), but also held that the exception would not apply to "general legal advice."

The court of appeals held that the anticipated city council discussions involved general legal advice. The court contrasted advice concerning litigation strategy, which is privileged, versus advice concerning the strengths and weaknesses of a proposed enactment, which is not. "The attorney-client exception properly applies when a governing body seeks legal advice concerning litigation strategy. The privilege is not available, however, when a governing body seeks instead to discuss the strengths and weaknesses of the underlying proposed enactment which may give rise to future litigation." In addition, the court held that whenever a city wishes to close a public meeting it must demonstrate that the need for confidentiality outweighs the public's right of access to the information.

This decision is not likely to change the way most of our cities conduct their business. What the court appears to be saying is that a city cannot debate the pros and cons of a proposed ordinance in private simply because the issue is controversial and litigation is likely. The court emphasized several times that the HRA case involved active litigation rather than threatened litigation, and the opinion generally discourages cities from relying upon the privilege when litigation is only threatened. It is likely that in any case involving threatened litigation, the court will look closely at the need for confidentiality versus the public's right to access. In active litigation cases, however, the court is likely to give greater deference to a decision to close a public meeting.

The Minnesota Daily v. The University of Minnesota, CX-88-2095,
CX-88-2114 (Minn. App. December 6, 1988)

Facts: The board of regents appointed faculty, student, and staff members to a Presidential Search Advisory Committee to screen and recommend finalists for the president's position. No members of the board of regents served on the committee, and the committee had advisory powers only. The committee announced that it intended to hold closed meetings to discuss the candidates, and the student's newspaper sued.

Court of Appeals Holding: The court held that the search committee did not constitute a committee of the governing body and was not subject to the Open Meeting Law because: (1) no members of the board of regents

were on the committee; and (2) the committee had advisory powers only. In reaching its decision, the court of appeals relied heavily upon Moberg v. Independent School District No. 281, 336 N.W.2d 510 (Minn. 1983). In Moberg, a school board appointed a factfinding panel, comprised of nonmembers of the board, to meet in closed sessions, gather information, and make a recommendation to the school board regarding a school closing. The supreme court did not find that the advisory panel was a committee of the governing body. The court of appeals suggests in its opinion that a different outcome may result if a governing body appoints a committee to act in more than an advisory capacity or to achieve a "preordained" result without public discussion. NOTE: This decision does not affect meetings of a city planning commission, even though council members do not serve on the planning commissions and the commission is an advisory body. The Open Meeting Law expressly applies to "commissions."

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HENNEPIN RECYCLING GROUP
4141 Douglas Drive North
Crystal, Minnesota 55422

January 26, 1989 Meeting
3:00 p.m.

Crystal City Hall
4141 Douglas Drive

CALL TO ORDER

The Hennepin Recycling Group Board of Directors meeting was called to order by Chairman Dulgar at 3:12 p.m.

ROLL CALL

Present: Chairman Jerry Dulgar, Director Gerald Splinter, and Director Dan Donahue.

Also present were City of New Hope Administrative Assistant Jeannine Dunn, City of Crystal Recycling Coordinator Julie Jones, City of Brooklyn Center EDA Coordinator Brad Hoffman, and HRG Administrator Tom Bubnitz.

APPROVAL OF MINUTES - JANUARY 9, 1989

There was a motion by Director Splinter and seconded by Director Donahue to approve the January 9, 1989, minutes as submitted.

All present voted in favor.

TREASURER'S REPORT

The HRG Board reviewed the treasurer's report and noted a deficit of \$1,926.80. The major expenditure for the HRG Board has been legal expenses for the organized collection lawsuit. The Board agreed the next contribution by the three member cities should be \$30,000 and be prorated by the number of households per city.

There was a motion by Director Splinter and seconded by Director Donahue to approve a \$30,000 contribution from the member cities and to prorate the \$30,000 amount by the number of households participating in the curbside recycling program in each city.

All present voted in favor.

CONSIDERATION OF BIDS FOR RECYCLING CONTAINERS

The HRG Administrator presented the bids received for recycling containers and explained three bids had been received; one from Ellison Equipment Company bidding two containers from Lewis Systems, Inc. at \$6.42 and \$7.00 per container; one from Tops Group, Inc. representing USEC, Inc. at \$8.26 per container; and one from Shamrock Industries, Inc. at \$8.40 per container.

The HRG Administrator explained none of the bids complied completely with the specifications for recycling containers. The Lewis containers offered a prorated warranty rather than a full four-year replacement warranty and did not comply with the

liquidated damages provision of the specifications in its contract. The Shamrock container did not comply completely with the specifications for the inside bottom dimension of the container and was off by eight-tenths of an inch on the inside dimension. The container bid by USEC, Inc. had only a 16.75 gallon capacity and not the 18 gallon minimum required by the specifications. The USEC container also had a limited four-year warranty.

The HRG administrator explained that the issue with regard to acceptance of the specifications is what aspects of the specifications are material and which are not material to the bid.

The Board directed the HRG Administrator to review the bid specifications received from the three companies with the HRG legal counsel and return to the Board at the next meeting with a recommendation.

There was a motion by Director Donahue and seconded by Director Splinter to table award of the bids for recycling containers until the February 2, 1989, HRG meeting to allow staff time to review the bids received with the HRG legal counsel and to make a recommendation for award of the bid.

All present voted in favor.

FINAL CONTRACT FOR CURBSIDE RECYCLING PROGRAM

The HRG Administrator presented the contract for curbside recycling with the final proposed changes. The Board reviewed the proposed revisions. A discussion ensued regarding the proposed revision with regard to Market Change; Renegotiation of Price. Chairman Dulgar expressed a concern that if a price is renegotiated due to a change in the markets, a return to the former price prior to renegotiations should be a part of the contract. He believed when the market price is returned to a positive mode, the renegotiated price should also return to its former lower price.

Director Splinter made a motion to approve the contract as amended by the changes presented by the HRG Administrator with the exception of change number 12 regarding Market Change; Renegotiation of Price. Director Splinter withdrew his motion and made a motion to modify proposed change number 12 regarding Market Change; Renegotiation of Price by substituting the language "four-month period" for "six-month period" and to add a provision whereby when the markets return to a positive mode and a fee is no longer required for disposal of the recyclable material, the renegotiated price will return to the former price prior to renegotiation. The motion was seconded by Director Donahue.

All present voted in favor.

The HRG directed the HRG Administrator to prepare a proposed billing amount for recycling services for the HRG cities and to have it available at the next HRG meeting if possible. The billing amount would include the contract cost, container cost prorated over several months, and administrative costs of the program.

PUBLICITY CAMPAIGN FOR CURBSIDE RECYCLING PROGRAM

The HRG Administrator reported the City of St. Louis Park will not allow other municipalities to use its Rocky the Resourceful Rabbit character. He explained the City of St. Louis Park believes the rabbit is associated with its program and as such creates an exclusive identity for the city.

The HRG Administrator explained he would like to work with Kent Wolkow of Walker Enterprises to prepare a brochure for mailing to residents of New Hope based on the text he had previously presented to the Board. He also explained he would like to use the services of Walker Enterprises to do additional planning for publicity for the program.

The HRG Board authorized the HRG Administrator to work with Mr. Wolkow of Walker Enterprises to prepare a brochure for mailing to New Hope residents which would explain the recycling program.

DISCUSSION ITEM

JOINT LICENSING FOR RECYCLING/REFUSE TRUCKS IN THE HRG SERVICE AREA

The HRG Board discussed the licensing of recycling and refuse vehicles for the HRG service area and expressed its preferred option would be that the inspection of the vehicles be done by the Crystal Sanitarian and the vehicles licensed by the HRG through the Crystal City Sanitarian.

BAR CODING SYSTEM

Director Donahue expressed an interest in obtaining additional information on a bar coding system for recycling and noted his council was interested in this aspect in light of the potential of moving to a volume based collection system in the future.

Mr. Kevin Nordby of BFI Waste Systems explained his company was currently investigating the use of bar coding for its collection system. He explained the cost of the labels for a bar coding system would be between \$70 to \$90 per 1,000 and the hand held readers for reading the bar codes cost approximately \$1,200. He explained he would provide additional cost figures and more detail to the HRG Administrator so he could report to the Board on the estimated cost of a bar coding system.

ADJOURNMENT

There was a motion by Director Splinter and seconded by Director (Donahue to adjourn the meeting.

All present voted in favor. The HRG meeting adjourned at 4:45 p.m.

Respectfully submitted,

Tom Bublitz
HRG Administrator

HENNEPIN RECYCLING GROUP
4141 Douglas Drive North
Crystal, Minnesota 55422

February 2, 1989
3:00 p.m.

Crystal City Hall
4141 Douglas Drive

CALL TO ORDER

The Hennepin Recycling Group Board of Directors meeting was called to order by Chairman Dulgar at 3:10 p.m.

ROLL CALL

Present: Chairman Jerry Dulgar, Director Gerald Splinter, and Director Dan Donahue.

Also present were City of New Hope Administrative Assistant Jeannine Dunn, City of Crystal Recycling Coordinator Julie Jones, and HRG Administrator Tom Bublitz.

CONSIDERATION OF AWARD OF BID FOR RECYCLING CONTAINERS

The HRG Administrator introduced a Resolution Making Certain Findings Regarding Bids Submitted for Recycling Containers and Awarding Contract for Recycling Containers. He explained the resolution would award the bid to Shamrock Industries, Inc. for recycling containers.

There was a motion by Director Splinter and seconded by Director Donahue to approve a Resolution Making Certain Findings Regarding Bids Submitted for Recycling Containers and Awarding Contract for Recycling Containers.

In discussion of the motion, Director Donahue inquired as to what assurances there were from Shamrock Industries, Inc. the prototype would meet the container specifications. Mr. Mark Smiler, representing Shamrock Industries, Inc., explained the material in the new containers is the same type of plastic material used in their existing recycling containers. He added the container is guaranteed for a full replacement for four years, and Shamrock would provide independent lab tests on the strength and durability of the containers as they have for their older model containers.

Upon a vote being taken on the motion, all present voted in favor.

FINAL CONTRACT FOR CURBSIDE RECYCLING PROGRAM

The HRG Administrator introduced the final proposed revision to the curbside recycling contract addressing market change and renegotiation of price. He explained the proposed language would allow the HRG the option of either renegotiating the contract price or paying the disposal fees when the contractor is unable to sell a particular commodity and can only dispose of the

recyclable commodity by paying a fee for disposal. He added the revision also requires the market must be in a negative position for at least four months prior to renegotiating the contract, and if the price per CDU is renegotiated based on this provision, the price would return to that which was in effect immediately prior to the renegotiated price when the commodity or commodities no longer required a fee for disposal.

Director Donahue requested the HRG Administrator to explain the rationale for deleting the audit requirement from the contract. The HRG Administrator explained during the negotiations process all three of the vendors expressed objection to requiring an independent audit of their records. They all indicated independent audits are not done in their organizations and they perform their audits internally. Also, none of the contractors were willing to make all the books and records available to the HRG for inspection, feeling if such a provision were made in the contract, it would not be an appropriate inquiry on the part of the HRG. He explained the contract does state that the contractor shall make available for inspection by the HRG any records pertinent to the services provided under the contract. He explained further in talking to other cities with contracts for recycling and refuse, none of the cities questioned actually audited the records of their contractors.

There was a motion by Director Donahue and seconded by Director Splinter to approve the Hennepin Recycling Group Contract for Residential Curbside Recycling as amended by the revision to paragraph 23 regarding Market Change; Renegotiation of Price and to authorize the execution of the contract by the HRG.

All present voted in favor.

CITY CONTRIBUTIONS TO HENNEPIN RECYCLING GROUP

The HRG Administrator explained based on a total \$30,000 contribution to the HRG by the three cities, the prorated contribution for each HRG member city based on the number of households in the curbside program in each city is \$11,700 for Brooklyn Center, \$10,800 for Crystal, and \$7,500 for New Hope.

The HRG Board directed the HRG Administrator to invoice each of the cities for their respective contributions.

CLERICAL COSTS FOR HENNEPIN RECYCLING GROUP

The HRG Administrator presented a bill to the HRG Board from the City of New Hope for clerical support costs for HRG work. He explained the total amount is \$2,669.50 and represents approximately 10 hours per week of clerical work dedicated to the HRG.

There was a motion by Chairman Dulgar and seconded by Director Splinter to approve the bill for clerical costs from the City of New Hope along with the costs of preparing the HRG logo and the cost of the HRG luncheon held in December 1988.

All present voted in favor.

ADJOURNMENT

There was a motion by Director Splinter and seconded by Director Donahue to adjourn the meeting.

All present voted in favor. The HRG meeting adjourned at 3:55 p.m.

Respectfully submitted,

Tom Bublitz
HRG Administrator

DATE: February 17, 1989
TO: Jerry Dulgar, City Manager
FROM: Julie Jones, Community Development Coordinator
SUBJECT: Update on Energy Audit Program

The attached summary (please excuse the poor copy) shows that Crystal is far ahead of the other two cities in the energy program. Crystal has received 62% of the 219 audits completed at the end of January and 47% of the Project Air audits. Project Air is where auditors come back to a house (the owner must be very low income) a second time and actually install weatherization materials.

I have received no complaints on the program to date.

West Hennepin Human Services has asked that Crystal discontinue advertising the program any further until the other two cities reach their goals.

JJ:jrs

Attachment

JANUARY REPORT BROOKLYN CENTER CEC
(CITIES OF CRYSTAL, GOLDEN VALLEY, AND BROOKLYN CENTER)

HOME ENERGY CHECKUP

Performance of checkups through the end of January totalled 135 audits in Crystal, 36 in Golden Valley, and 48 in Brooklyn Center. Referrals to Project Air have increased markedly (see below).

A third auditor began work in January. This individual will work some evenings and Saturdays, taking care of much of the pent-up demand for these services.

The auditors have discovered two high-efficiency furnaces in the past month with "rotten" heat exchangers. Their first clue that something was amiss was the large amount of debris (rust) on and below the burners. When checked against a list of manufacturers and serial numbers of equipment being modified, the furnaces were identified as eligible for modification.

PROJECT AIR

Brooklyn Center, Crystal, and Golden Valley checkups have produced 7, 9, and 3 Project Air clientele, respectively. Four of these clients were generated through the first round of Partners referrals. Work on the homes will begin in February.

Crusade this time is for a TV tower

Zealous foe of rock music is now on business quest

By Paul Gustafson
Staff Writer

Dan Peters knows that people don't care for 1,150-foot towers. But that's not what makes him nervous about publicity on his plans to put a new for-profit TV station on the air in the Twin Cities.

He says he's afraid that people will believe he's trying to bring "televangelism" to the northern Twin Cities suburbs because they will recall his years as a minister crusading against rock music.

But Peters has given up his career as a minister to become president of the fledgling KVBW-TV, which has a permit from the Federal Communications Commission (FCC) to operate a UHF television station on Channel 45.

Peters said he wants to be known as just another businessman, not as a preacher, not even as a religious broadcaster.

He and his brothers, Jim and Steve, gained national attention with their record burnings and campaigns against rock musicians, whom the Peters accused of promoting illicit sex, drugs, rebellion and satanism in their recordings.

But now, Dan Peters said, he and his associates at KVBW-TV "are just all-American capitalists trying to make a buck."

KVBW officials told the Little Canada City Council they would be willing to pay a "user's fee" of up to \$100,000 annually if the city allows them to build a free-standing tower that Peters said would "look like the Eiffel Tower."

The group also has approached Arden Hills, Roseville and Shoreview with the proposal.

Since they began their music crusade



Dan Peters

with a 1979 demonstration at which rock albums were burned, the Peterses have conducted seminars on the evils of some rock music across the country and have appeared on several national television programs, including ABC's "Nightline" and television evangelist Pat Robertson's "700 Club."

Peters isn't recanting any of that. If anything, he says, there is broader acceptance now of his warnings about rock than there was in 1979. But he fears that strong reactions to his crusades — the brothers said in a 1986 interview that they had received death threats — plus the scandals that have brought down prominent TV preachers, might hurt KVBW's efforts to find a host city.

"Depending upon what people know about me from the past, and what press reports they read, they either love me or hate me. That's the part I'm most scared about," he said.

Television continued on page 2B

Television

"I don't want our proposal to come down to an issue of, 'This is a religious broadcaster sneaking into our community.' That's what I'm trying to avoid. Let's face it... there was a lot different attitude towards religious broadcasting a few years ago than there is today."

In 1988, while still affiliated with Zion Christian Center in North St. Paul, Peters tried without success to gain approval from Oakdale officials for an \$8 million religious complex for Zion that included a separate TV-station tower and studios for Vision Broadcasting, a nonprofit group that then held KVBW's television permit.

Since then, Vision has transferred the FCC permit to Peters' for-profit corporation, which is scrambling to find a host city for its tower and station before its FCC permit expires later this year.

Though its plans are not complete, KVBW hopes to attract viewers and advertisers with "family-oriented" programs, Peters said.

"Final decisions will depend on market research, but at this point, 'family-oriented' programming seems to be the best way to go," he said.

There could be some religious shows in KVBW's lineup, but "We don't plan to run any more than do the other UHF stations in town," he said.

So far no cities have agreed to accept KVBW's tower or station, but Little

Canada City Council members say they're willing to consider it.

Little Canada officials gave a resounding "no" to an earlier proposal by KVBW to construct a tower similar to those in neighboring Shoreview that use long guy wires for support and require large parcels of land.

But the change in tower design, and all that money, has put Little Canada

officials in a mood to listen again.

"As far as towers go, I guess this new design is OK," said Council Member Beverly Scalze, "but I would think the money is probably the only reason to consider this. I don't know why anyone would do it otherwise."

Scalze and Council Member William Blesener said, however, that city officials are unlikely to approve Peters' tower if city residents object.

DUE DATE: NOON, WEDNESDAY, FEBRUARY 15, 1989

MEMO TO: Jerry Dulgar, City Manager

MEMO FROM: John Olson, Assistant City Manager

ACTION NEEDED MEMO: From the February 7, 1989 Council Meeting

The items listed below are the actions requested by the City Council at their regular Council meeting of February 7, 1989. 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

PUBLIC HEARINGS

PUBLIC WORKS
DIRECTOR

1. Public hearing to consider a preliminary plat for the Community Center Addition located at 4800 Douglas Drive.
ACTION NEEDED: Proceed as authorized by Council.
ACTION TAKEN: Final plat process in progress.

REGULAR AGENDA

CITY MANAGER

1. Consideration of the resignation of Hugh Munns from the Environmental Quality Commission.
ACTION NEEDED: Send letter of thanks and appreciation to Mr. Munns.
ACTION TAKEN: Letter written 2-8-89.

ADMINISTRATIVE
SECRETARY

2. Consideration of the applications for appointment to the Park & Recreation Advisory Commission.
ACTION NEEDED: Item continued; place item on next Council agenda.
ACTION TAKEN: Item place on 2-21-89 Council agenda.

CITY CLERK

ACTION NEEDED: Notify applicants again of Council meeting and interviews.

ACTION TAKEN: Will notify applicants the Wednesday prior to meeting.

PUBLIC WORKS
DIRECTOR

3. Consideration of property lease agreement with Norling Motors at 5548 Lakeland Avenue North.
ACTION NEEDED: Notify applicant of Council decision regarding lease amounts and proceed with signing agreement.
ACTION TAKEN: Lease being modified with execution scheduled for week of February 13.

FINANCE
DIRECTOR

4. Consideration of a Resolution regarding the Flexible Benefit Account Plan.
ACTION NEEDED: Proceed as authorized by Council.
ACTION TAKEN: Employees notified of adoption of health care and child care programs.

ADMINISTRATIVE
ASSISTANT

5. Consideration of workers' compensation insurance premium for the year 1989.
ACTION NEEDED: Notify Employee Benefit Administration Company of Council approval of workers' compensation insurance premium.
ACTION TAKEN: Employee Benefit Administration Company notified.

CITY CLERK

6. Reconsideration of an off-sale liquor license application for Jerome Halek at 5600 Bass Lake Road.
ACTION NEEDED: Notify Mr. Halek of Council ratification of previous denial.
ACTION TAKEN: Mr. Halek present at meeting.

CITY MANAGER

7. Consideration of the resignation of Laretta Welter from the Charter Commission.
ACTION NEEDED: Send letter to Chief Judge of District Court with the name of Liz Reid added to the list of names available for the Charter Commission.
ACTION TAKEN: Letter being sent by Chair of Charter Commission.

CITY MANAGER

8. Consideration of a Resolution regarding the Northwest Hennepin Human Services Council.
ACTION NEEDED: Send letter and copy of resolution to the Northwest Hennepin Human Services Council regarding the Joint Powers Agreement.
ACTION TAKEN: Letter sent 2-10-89.
9. Consideration of participation by the Council in the City's Wellness Program.
ACTION NEEDED: No action needed.

FINANCE
DIRECTOR

10. Consideration of a change in mileage rate for City employees from 26 cents to 24 cents.
ACTION NEEDED: Institute change in mileage rate.
ACTION TAKEN: Mileage rate changed to 24 cents effective 1-1-89.

CITY CLERK

11. Consideration of a resolution proclaiming February 1989 as "Crystal Loves Its Kids Month".
ACTION NEEDED: Forward copy of resolution to the Crystal Post News.
ACTION TAKEN: Hand delivered to Post News 2-10-89; copy also given to Juvenile Specialist to send to parents who initiated the idea.

CITY MANAGER

12. Consideration of submittal of names of potential candidates for Hennepin Parks Foundation Directors.
ACTION NEEDED: Forward the name of Garry Grimes to the Foundation.
ACTION TAKEN: Letter written 2-8-89. Letter also written to Charles Flanders thanking him for interest shown.

PARK & RECREATION
DIRECTOR

13. Consideration of appointment of an Assistant Weed Inspector for 1989.
ACTION NEEDED: Council appoints Park & Recreation Director as Assistant Weed Inspector; proceed as authorized.
ACTION TAKEN: Appointment noted; will proceed as authorized.

CITY CLERK

14. Consideration of a joint meeting of the Charter Commission and Crystal City Council.
ACTION NEEDED: Meeting set for February 14 at 7 p.m.; send notices of meeting date and time.
ACTION TAKEN: Notice sent to Charter Commission and to Council 2-10-89; notice posted 2-8-89.

CITY MANAGER

15. Consideration of the appointment of a Housing and Redevelopment Authority Commissioner.
ACTION NEEDED: Forward the name of Marty Gates to the Chairperson of the HRA.
ACTION TAKEN: Letter written to Ms. Gates on 2-8-89 with copy to the Vice-chair. A letter of appreciation sent to Chair John Schaaf.
16. Consideration of First Reading of an Ordinance regarding Workers' Compensation Insurance Coverage for Injuries to Elected Officials.
ACTION NEEDED: Resolution already in place; no action needed.

CITY CLERK

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

**If you wish to speak at the City Council meeting
please put your name and address below:**

[illegible]