



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

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Darlene

COUNCIL AGENDA

May 16, 1989

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on May 16, 1989, at 8:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota.

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

Councilmembers

P Moravec (*arrived at 8:10 p.m.*)
P Grimes
P Rygg
P Carlson
P Herbes
P Smothers
P Langsdorf

Staff

P Dulgar
P Olson
P Kennedy
P Monk
P Barber
P George
P Quady

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

The Mayor acknowledged the receipt of donations to the Park and Recreation Department from Westphal American Legion Post #251 in the amount of \$440 for a bench at Becker Park; from Crystal Lions Club in the amount of \$1,250 for benches at Becker Park, \$750 for Metropolitan Boys Choir concert and \$1,000 to the Crystal Frolics Committee; and from Ladies Auxiliary/Charles Knaeble Post #494 in the amount of \$440 for a bench at Becker Park.

1. The City Council considered the minutes of the Board of Equalization and the Regular City Council meeting of May 2, 1989.

Moved by Councilmember S and seconded by Councilmember L to (approve) (approve, making the following exceptions:

_____ to) the minutes of the Board of Equalization meeting and the Regular City Council meeting of May 2, 1989.

Motion Carried.

— Bill Barber, a member of the American Red Cross, presented a plaque to the City of Crystal for the most money raised for the Mayors' Swim-A-Cross.
— Councilmember Smothers displayed a plaque presented to the Crystal Lions Club as the civic group donating the most money to the Mayors' Swim-A-Cross.

CONSENT AGENDA

1. Consideration of a charitable gambling license from Church of St. Raphael's, 7301 Bass Lake Road, for their festival August 4, 5, and 6, 1989.
2. Set public hearing for June 5, 1989 for consideration of a request to grant a variance of 2' in the required 40' rear yard setback for a 14' x 16' addition on the existing house at 3024 Wisconsin Avenue North as requested by Richard Miners.
3. Consideration to extend the approved solicitor's permit for Crystal Fire Cadets - Explorer Post #2071, 4141 Douglas Drive, to sell candy door to door from May 20, 1989 through June 20, 1989.
4. *Set public hearing for June 5, 1989 to consider a request to grant a variance at 3136 Hampshire Ave. No. as requested by Chris Knight.*

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

Moved by Councilmember S and seconded by Councilmember G to approve the Consent Agenda.

Motion Carried.

PUBLIC HEARINGS

Councilmember Morales arrived at 8:10 p.m.

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 the 1989 Sealcoat Program in District 3. *The Mayor asked those present etc. Those present and heard were:*
John Bobbette, 4536 Colorado Resident, 6520-47th Ave. No.
Mike Pohl, 4226 Jane Ave. No.
John Larson, 4321 Wilcome
Horton Glass, 6612-46th Place
Mark Nelson, 4247 Xenia
Kelly Monroe, 54th + Florida

The Mayor closed the Public Hearing.

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

RESOLUTION NO. 89-23

A RESOLUTION AUTHORIZING THE 1989
SEALCOAT PROJECT 89-2

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

REGULAR AGENDA

1. The City Council considered the preliminary plat of Professors Addition, 32nd Avenue North and Florida. *Those present and heard were:*

Ken Larson, 3226 Hampshire
Bob Miller, Attorney for Mr. Kewitt, Developer
Bob Woods, 3232 Florida
Marilyn O'Brien, owner of 1 acre North of the development

Moved by Councilmember M and seconded by Councilmember G to (approve) (deny) (continue until _____ the discussion of) tentative approval of proposed plat Professors Addition located at 32nd Avenue North with the following conditions: 1) The existing 27-inch storm sewer be extended to the north edge of Block 1; 2) A drainage easement be provided over all of Outlet A; 3) Concrete curb and gutter be extended along 32nd Avenue in front of Lots 1 and 2 of Block 1; 4) Soil correction be performed on Lots 1 and 2, Block 1, and engineering reports certifying buildability be filed with the City.

Motion Carried.

Recess 9:28 - Resumed 9:37 p.m.

*Item 5.
next 3.*

The City Council considered the First Reading of an Ordinance Related to Elderly Housing.

C/S to amend the ordinance to read "55 years of age" rather than "60 years of age" in Section 515.03, Subd. 71.

Aye: G, R, C, H, S, L

No: M

Motion Carried

Greg. Lundeen, 6125-36th Ave. No.

Mike Kiviel, 3510 Douglas Drive appeared and were heard.

Moved by Councilmember R and seconded by Councilmember C to adopt the following ordinance:

ORDINANCE NO. 89-

AN ORDINANCE RELATING TO ZONING REGULATIONS:
 AMENDING CRYSTAL CITY CODE SECTIONS 515.03 AND 515.15

and further, that ~~this be~~ the second and final reading be held on June 5, 1989.

Aye: G, R, C, H, S

No: M, L

Motion Carried.

- 4 3. The City Council considered the authorization to issue building permit to R & J Investments to build a 70' x 50' airplane hangar at Lot 9D, Crystal Airport.

Moved by Councilmember S and seconded by Councilmember C to (approve) (deny) (continue until _____ the discussion of) authorization to issue a building permit to R & J Investments to build a 70' x 50' airplane hangar at Lot 9D, Crystal Airport, subject to standard procedure.

Motion Carried.

- 5 4. The City Council considered the authorization to issue building permit to Pizza Hut of America, Inc. for remodeling the building at 3600 Douglas Drive.

Moved by Councilmember C and seconded by Councilmember G to (approve) (deny) (continue until _____ the discussion of) authorization to issue building permit to Pizza Hut of America, Inc. for remodeling the building at 3600 Douglas Drive.

Motion Carried.

- 6 5. The City Council considered the Second Reading of an Ordinance Relating to Zoning for 3600 Douglas Drive.

Moved by Councilmember S and seconded by Councilmember C to adopt the following ordinance:

ORDINANCE NO. 89-8

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

and further that this be second and final reading.

Motion Carried.

- 2' 6. The City Council considered a bid for purchase of a new fire truck.

Manager proposal: purchase one truck with Accessory B and look at purchasing the second truck dependent upon legislative action.

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

RESOLUTION NO. 89-24

RESOLUTION AWARDING A BID

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

Motion carried, resolution declared adopted.

7. The City Council considered the Second Reading of an Ordinance for easement vacation at 6619 - 31st Avenue North.

Moved by Councilmember L and seconded by Councilmember C to adopt the following ordinance:

ORDINANCE NO. 89-9

AN ORDINANCE VACATING CERTAIN UTILITY EASEMENTS

and further that this be the second and final reading.

Motion Carried.

8. The City Council considered the Second Reading of an Ordinance for easement vacation at 5003 Angeline Avenue North.

Moved by Councilmember M and seconded by Councilmember C to adopt the following ordinance:

ORDINANCE NO. 89-10

AN ORDINANCE VACATING A CERTAIN DRAINAGE
AND UTILITY EASEMENT

and further that this be the second and final reading.

Motion Carried.

9. The City Council considered no parking designation on Lakeland Avenue (County Road 81 Frontage Road) between 56th and 58th Avenues.

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

RESOLUTION NO. 89-25

A RESOLUTION AUTHORIZING THE ESTABLISHMENT
OF A PARKING ZONE

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

Motion carried, resolution declared adopted.

10. The City Council considered a resolution regarding lead and copper levels in potable water supplies.

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

RESOLUTION NO. 89-26

A RESOLUTION OPPOSING PROPOSED NEW EPA
RULES FOR LEAD AND COPPER

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

Motion carried, resolution declared adopted.

11. The City Council considered a resolution directing establishment and approving refuse/recycling collection districts and days of collection as established by the City Manager.

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

RESOLUTION NO. 89-27

A RESOLUTION DIRECTING ESTABLISHMENT OF REFUSE
AND RECYCLING COLLECTION DISTRICTS

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

Motion carried, resolution declared adopted.

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

RESOLUTION NO. 89-28

A RESOLUTION APPROVING REFUSE/RECYCLING COLLECTION
DISTRICTS AND DAYS OF COLLECTION AS
ESTABLISHED BY THE CITY MANAGER

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

Motion carried, resolution declared adopted.

First Readings of

12. The City Council considered an Ordinance Amendment restricting pickup times for commercial refuse haulers and an amendment to the Zoning Code regarding refuse enclosures.

- A. Moved by Councilmember C and seconded by Councilmember S to adopt the following ordinance:

ORDINANCE NO. 89-

AN ORDINANCE AMENDING CRYSTAL CITY CODE
SECTION 645.05, SUBDIVISION 3

and further that the second and final reading be held on June 5, 1989.

- B. Moved by Councilmember R and seconded by Councilmember S to adopt the following ordinance:

ORDINANCE NO. 89-

AN ORDINANCE AMENDING THE CRYSTAL ZONING CODE
REGARDING REFUSE ENCLOSURES

and further that the second and final reading be held on June 5, 1989.

Motion Carried
Motion Carried.

13. The City Council considered a recommendation from the Human Relations Commission to reimburse Judy Rice \$100 for graphic work done on their brochure to date.

Moved by Councilmember S and seconded by Councilmember R to (authorize) (deny) (continue until _____ the discussion of) a reimbursement to Judy Rice in the amount of \$100 for graphic work done on the Human Relations Commission brochure to date.

Motion Carried.

14. The City Council considered the assignment of a staff person to the Human Relations Commission. *Staff will work with Councilmember Grimes on the assignment.*

Moved by Councilmember _____ and seconded by Councilmember _____ to appoint _____ as a staff person to the Human Relations Commission.

Motion Carried.

15. The City Considered an Ordinance Amendment to include Community Service Officers to have authority to issue citations in lieu of arrest.

Moved by Councilmember L and seconded by Councilmember S to adopt the following ordinance:

ORDINANCE NO. 89-

AN ORDINANCE RELATING TO PUBLIC SAFETY; AMENDING CRYSTAL CITY CODE, SECTION 960 BY ADDING A SUBSECTION

and further that the second and final reading be held on June 5, 1989.

Motion Carried.

16. The City Council considered a resolution setting fees for secondhand goods dealers investigations.

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

RESOLUTION NO. 89-29

A RESOLUTION ESTABLISHING INVESTIGATION FEES:
LIQUOR LICENSES AND PAWN BROKER LICENSES

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

Motion carried, resolution declared adopted.

17. The City Council considered an enabling resolution for an Economic Development Authority.

S/R to set a public hearing for 7:00 p.m. or as soon thereafter as the matter may be heard, June 20, 1989, on the question of adopting an enabling resolution for the Creation of an Economic Development Authority for the City.

Aye: G, R, C, H, S, L

No: M

Motion Carried

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

~~RESOLUTION NO. 89-~~

~~A RESOLUTION ENABLING THE CREATION OF AN
ECONOMIC DEVELOPMENT AUTHORITY IN THE CITY
OF CRYSTAL, MINNESOTA~~

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

~~Motion carried, resolution declared adopted.~~

OPEN FORUM

APPLICATIONS FOR LICENSE

May 16, 1989

POOLS - Outdoor (\$100.00)

Woodbridge Apartments, 2701 Brunswick Ave. No.
Cedarwood Courts, 5450 Douglas Drive
Crystal Village Apartments, 3000 Winnetka
Crystal Village Apartments, 3016 Sumter
Crystal Village Apartments, 7609 32nd Ave. No.
Crystal Village Apartments, 3130 Sumster
Douglas Terrace Apartments, 3330 Douglas Drive
Twin Lake Condominium Assoc., 4710 58th Ave. No.

POOLS - Indoor (\$150.00)

Cedarwood Courts, 5450 Douglas Drive
Cedarwood Courts, 5500 Douglas Drive
Twin Lake North Condominium Assoc., 4710 58th

FOOD ESTABLISHMENT - (\$150 with QA Plan + \$30 ea. addnl fac.
\$220 w/o QA Plan + \$40. ea. addnl fac.

LaGondola &- Spaghetti House, 6023 42nd Ave. No.

LICENSES

May 16, 1989

GAS FITTER'S LICENSE - \$30.25 - Renewals

Blaine Heating & Air, 13562 Central Ave. NE., Anoka, MN
55304

PLUMBER'S LICENSE - \$30.25 - Renewals

American Plumbing Services, 18517 Covington Rd., Minnetonka,
MN 55345

SIGN HANGER'S LICENSE - \$66.00 - Renewals

LeRoy Signs, 6325 Welcome Ave. N., Minneapolis, MN 55429

OFF-SALE LIQUOR LICENSE - \$200.00

Louie's Liquors, Inc., 4920 West Broadway
Lamplighter Liquor Barrel, Inc., 2728 Douglas Drive
Palace Inn Broadway Pizza, Inc., 5607 West Broadway
Handy Superette dba Adair Liquor #1, 6001 - 42nd Avenue North
Rom-C, Inc. dba Crystal Liquors, 5924 West Broadway
Chalet Liquors, Inc., 5301 - 36th Avenue North
DAS, Inc. dba United Liquors, 3530 North Douglas Drive
LAMA Corporation dba MGM Liquor Warehouse, 355 Willow Bend

Sent with Preliminary Agenda on May 12, 1989:

- Memo from Park & Rec. Director dated 5-4-89 re: donations from City Organizations.
- Minutes of the Board of Equalization held on 5-2-89.
- Minutes of the Council Mtg. of 5-2-89.
- Planning Commission minutes of 5-8-89 meeting.
- Charitable Gambling Application for St. Raphael's Church for August 4, 5, and 6, 1989.
- Memo from Crystal Fire Dept. Explorer Post dated 5-3-89 re: extension of permit for soliciting candy.
- Memo from City Engr. dated 5-3-89 re: 1989 Seal Coat Program Improvement Hearing.
- Memo from City Engr. dated 5-10-89 re: Professors Addition Preliminary Plat.
- Memo from City Engr. dated 5-3-89 re: Elderly Housing Ordinance Amendment.
- Memo from Building Inspector dated 5-12-89 re: Crystal Airport Lot 9D.
- Memo from Bldg. Inspector dated 5-12-89 re: 3600 Douglas Drive North bldg. permit approval.
- Copy of an ordinance relating to zoning; changing the use classification of certain lands (3600 Douglas Drive)
- Memo from Fire Chief dated 5-3-89 re: Fire Truck Bid dated 4-25-89.
- Copy of an ordinance vacating certain utility easements (6619 - 31st Ave. No.).
- Copy of an ordinance vacating a certain drainage and utility easement (5003 Angeline Avenue).
- Memo from City Engr. dated 5-10-89 re: Parking Restrictions on Lakeland Avenue North of 56th Ave.
- Memo from City Engr. dated 5-8-89 re: EPA Regulations for lead and copper levels in drinking water.
- Copy of a resolution directing establishment of refuse and recycling collection districts.
- Copy of a resolution approving refuse/recycling collection districts and days of collection as established by the City Manager.
- Memo from Supervising Sanitarian dated 4-25-89 re: refuse haulers pickup times.
- Copy of Human Relations Commission minutes of 4-24-89
- Copy of an ordinance relating to public safety; amending Crystal City Code, Section 960 by adding a subsection.
- Letter from City Attorney dated 5-10-89 and resolution regarding investigation fees.

Letter from City Attorney dated 5-11-89 re: Economic Development Authority; resolution enabling the creation of an Economic Development Authority in the City of Crystal, Minnesota; Notice of Public Hearing; EDA Survey Data May 1989.

Off-sale Liquor License applications.(8).

Action Needed Memo from the May 2, 1989 Council Mtg. Minutes of the Long-Range Planning Commission of April 11, 1989.

Crystal Park & Recreation Dept. monthly report for April 1989.

Crystal Park & Recreation Advisory Commission minutes of 4-5-89.

Hennepin County resolution #89-4-341 regarding storage of 1000 tons of newsprint from recycling.

Copy of charitable gambling contributions made by Church of All Saints for April 1989.

HCRRA - LRT Preliminary Engineering and Related Studies - Themes of the Non-User Survey.

Letter from Ember Reichgott dated 5-4-89 re: letters to her regarding tax increment financing.

Letter from Martin Sabo dated 5-2-89 re: concerns about our nation's air transportation system.

Letter from Patti Hague, American Red Cross dated 5-5-89 re: Mayor's Swim-A-Cross.

Letter from The Bank Wayzata dated 5-2-89 re: Twin West Chamber of Commerce Membership Blitz.

List of Met Council Members in Northern Mayors' Territory - April 28, 1989.

Included in the packet on May 16, 1989:

Copy of brochure re: National Leadership Institute for Elected Officials.

Proposed Schedule for Crystal Community Center 5-15-89
EDA Survey Data May 1989.

City of Crystal Expenditure Report for April 1989

Memo from HRA dated 5-16-89 re: tour of HRA's
Scattered Site Acquisition Projects.

Maureen

Memorandum

DATE: May 12, 1989
TO: City of Crystal Councilmembers
FROM: John A. Olson, Assistant City Manager
SUBJECT: Preliminary Agenda for the May 16, 1989 Council Meeting

This agenda message will be fairly short since most of the items to be considered have either been discussed previously or have sufficient background material that I need not describe them here. There are a few items that I will comment on for your information.

Regular Agenda Items:

6. Consideration of bid for purchase of new fire truck. The truck committee of the Fire Department will be here in addition to the Fire Chief in case you have questions about their recommendation on the purchase of a new fire truck.
13. Consideration of a recommendation from the Human Relations Commission to reimburse Judy Rice \$100 for graphic work done on their brochure to date. Typically when projects like this are being done by commissions they can come to the staff and have these bills paid; however, in this case Ms. Rice choose to pay for them herself and then seek reimbursement. We do not have a problem with this; however, we would encourage the commissions to talk with us prior to having work done by outside vendors since we may be already using someone who is cheaper or we may have an easier way of getting things done.

These are the only comments I wish to make on the agenda. Jerry may have further information on any of the items which he may bring up Tuesday night.

There may be one additional item for the Consent Agenda which I will discuss with Jerry on Monday. This is a variance request of 1' 8" in the required front yard setback for the building of a garage at 3136 Hampshire Ave. N. I will be discussing with Jerry whether this variance is small enough that it can proceed directly to the Council or whether it should go through the Planning Commission procedure. If he feels that this can go to the Council directly for hearing then it will appear on the Consent Agenda for setting hearing for the first meeting in June.

Have a pleasant weekend for fishing or Mother's Day celebration, whichever you choose.

JAO/js

COUNCIL AGENDA - SUMMARY

COUNCIL MEETING OF
MAY 16, 1989

Call to order

Roll call

Pledge of Allegiance to the Flag

Recognition of donations to the Park and Recreation Department from Westphal American Legion Post #251 in the amount of \$440 for a bench at Becker Park; from Crystal Lions Club in the amount of \$1,250 for benches at Becker Park, \$750 for Metropolitan Boys Choir concert and \$1,000 to the Crystal Frolics Committee; and from Ladies Auxiliary/Charles Knaeble Post #494 in the amount of \$440 for a bench at Becker Park.

Approval of the minutes of the Board of Equalization meeting and regular meeting of May 2, 1989.

Consent Agenda

1. Consideration of a charitable gambling license from Church of St. Raphael's, 7301 Bass Lake Road, for their festival August 4, 5, and 6, 1989.
2. Set public hearing for June 5, 1989 for consideration of a request to grant a variance of 2' in the required 40' rear yard setback for a 14' x 16' addition on the existing house at 3024 Wisconsin Avenue North as requested by Richard Miners.
3. Consideration to extend the approved solicitor's permit for Crystal Fire Cadets - Explorer Post #2071, 4141 Douglas Drive, to sell candy door to door from May 20, 1989 through June 20, 1989.

Public Hearings

1. Public hearing to consider 1989 Sealcoat Program in District 3. *Resolution*

Regular Agenda Items

1. Consideration of preliminary plat of Proffesors Addition.
2. Consideration of the First Reading of an Ordinance Related to Elderly Housing.

3. Consideration of authorization to issue building permit to R & J Investments to build a 70' x 50' airplane hangar at Lot 9D, Crystal Airport, subject to standard procedure.
4. Consideration of authorization to issue building permit to Pizza Hut of America, Inc. for remodeling the building at 3600 Douglas Drive.
5. Consideration of the Second Reading of an Ordinance Relating to Zoning for 3600 Douglas Drive.
6. Consideration of bid for purchase of new fire truck.
7. Consideration of Second Reading of an Ordinance for easement vacation at 6619 - 31st Avenue North.
8. Consideration of Second Reading of an Ordinance for easement vacation at 5003 Angeline Avenue North.
9. Consideration of no parking designation on Lakeland Avenue (County Road 81 Frontage Road) between 56th and 58th Avenues.
10. Consideration of a resolution regarding lead and copper levels in potable water supplies.
11. Consideration of a resolution directing establishment and approving refuse/recycling collection districts and days of collection as established by the City Manager.
12. Consideration of ^{the First Reading of} an Ordinance Amendment restricting pickup times for commercial refuse haulers and an amendment to the Zoning Code regarding refuse enclosures.
13. Consideration of a recommendation from the Human Relations Commission to reimburse Judy Rice \$100 for graphic work done on their brochure to date.
14. Consideration of an assignment of a staff person to the Human Relations Commission.
15. Consideration of an Ordinance Amendment to include Community Service Officers to have authority to issue citations in lieu of arrest.
16. Consideration of a resolution setting fees for secondhand goods dealers investigation.

A. and
B. Resolutions

Get Originals
from Julie for
signature

Mention the
word except
should not be
crossed out.

17. Consideration of an enabling resolution for an
Economic Development Authority.

Open Forum

Informal Discussion and Announcements

Licenses

Adjournment

APPLICATIONS FOR LICENSE

May 16, 1989

POOLS - Outdoor (\$100.00)

Woodbridge Apartments, 2701 Brunswick Ave. No.
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Crystal Village Apartments, 3016 Sumter
Crystal Village Apartments, 7609 32nd Ave. No.
Crystal Village Apartments, 3130 Sumster
Douglas Terrace Apartments, 3330 Douglas Drive
Twin Lake Condominium Assoc., 4710 58th Ave. No.

POOLS - Indoor (\$150.00)

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FOOD ESTABLISHMENT - (\$150 with QA Plan + \$30 ea. addnl fac.
\$220 w/o QA Plan + \$40. ea. addnl fac.

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May 16, 1989

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Rom-C, Inc. dba Crystal Liquors, 5924 West Broadway
Chalet Liquors, Inc., 5301 - 36th Avenue North
DAS, Inc. dba United Liquors, 3530 North Douglas Drive
LAMA Corporation dba MGM Liquor Warehouse, 355 Willow Bend

DATE: May 4, 1989
MEMO TO: Jerry Dulgar, City Manager
FROM: Edward C. Brandeen, Park & Recreation Director *E C B*
SUBJ.: Donations from City Organizations to the Park Recreation
Department

For your information, the following donations have recently
been received by the Park & Recreation Department:

**Westphal American Legion Post #251 - Bench/Becker Park....\$ 440.00
**Crystal Lions Club - Benches/Becker Park.....1,250.00
Metropolitan Boys Choir Concert..... 750.00
Crystal Frolics Committee.....1,000.00
**Ladies Auxiliary/Chas. Knaeble Post #494 - Bench/Becker Park 440.00

Thank-you notices will be sent from our department to these groups.

May 2, 1989

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BOARD OF EQUALIZATION

Pursuant to due call and notice thereof, the City of Crystal Council convened as a Board of Equalization on May 2, 1989, at the City Hall, 4141 Douglas Drive, Crystal, Minnesota at 7:00 P.M. The Secretary of the Council called the roll and the following were present: Moravec, Grimes, Rygg, Carlson, Herbes, Smothers, Langsdorf. Also in attendance were the following staff members: Jerry Dulgar, City Manager; John Olson, Assistant City Manager; David Kennedy, City Attorney; William Barber, Assistant Building Inspector; Darlene George, City Clerk; Ken Bjorn, Assessor; Jerry Hedlund, Appraiser.

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

Glen Buzitsky, Hennepin County Principal Appraiser, was present to discuss the 1989 assessment rolls and answer questions from those present. Those residents heard were:

George Merriam, 6626 Fairview Avenue North, PID 08-118-21-14-0107
Arie Mann, 6024-32 - 42nd Avenue North, PID 16-118-21-23-0076
Peter Bruske, 4916 Bernard Avenue North, PID 09-118-21-11-0006
Norton Glass, 6612 - 46th Place, PID 08-118-21-44-0109
Roberta Veech, 4226 Louisiana Avenue North, PID 17-118-21-12-0097
(represented by T. Stauffnecker)
Nancy & Don Chandler, 6806 - 58th Ave. N., PID 05-118-21-13-0119
Gerald Oppermann, 2917 Kentucky Ave. N., PID 20-118-21-43-0126
John Silcott, 3301 Edgewood Avenue North, PID 20-118-21-14-0076

Complaints received by mail were from:

John R. Paulson, 5924 West Broadway, PID 05-118-21-24-0091
Michael Halek, 3133-41 Douglas Drive, PID 20-118-21-41-0077

Moved by Councilmember Smothers and seconded by Councilmember Moravec to affirm the assessment rolls as presented by the City Assessor.

Motion Carried.

Moved by Councilmember Smothers and seconded by Councilmember Carlson to adjourn the Board of Equalization.

Motion Carried.

Mayor

May 2, 1989

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ATTEST:

City Clerk

May 2, 1989

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Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on May 2, 1989 at 7:00 P.M., or as soon thereafter as the meeting may be convened, at 4141 Douglas Drive, Crystal, Minnesota.

The Secretary of the Council called the roll and the following were present: Moravec, Grimes, Rygg, Carlson, Herbes, Smothers, Langsdorf. 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; William Barber, Assistant Building Inspector; Darlene George, City Clerk; Daniel Smith, Assistant City Engineer; Julie Jones, Redevelopment Coordinator; Ed Brandeen, Park & Recreation Director.

The Mayor acknowledged the receipt of a \$300 donation from Olivet Baptist Church to be distributed equally to the Fire Department, Police Department, and the Park & Recreation Department.

The City Council considered the minutes of the regular meeting of April 18, 1989 and the special meeting of April 27, 1989.

Moved by Councilmember Rygg and seconded by Councilmember Smothers to approve the minutes of the regular meeting of the City Council April 18, 1989 and the special meeting of April 27, 1989.

Motion Carried.

The City Council considered the following Consent Agenda:

1. Consideration of a charitable gambling license renewal for Minnesota Therapeutic Camp at Rostamo's, 6014 Lakeland Avenue North.
2. Set public hearing for May 16, 1989, at 8 p.m., to consider 1989 Sealcoat Program in District 3.

Moved by Councilmember Langsdorf and seconded by Councilmember Moravec to approve the Consent Agenda.

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 variance applications for density, parking and unit size for additional units at Calibre Chase, 6315 - 55th Avenue North. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. Those present and heard were: Mr. Madison, resident of Calibre Chase.

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Moved by Councilmember Carlson and seconded by Councilmember Smothers to continue the public hearing to June 5, 1989 and notify affected property owners.

Motion Carried.

2. 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 set as a Board of Adjustments and Appeals to consider variance applications to vary the lot area requirements, to encroach in the required 40' rear yard setback, to encroach in the required 30' front yard setback, to encroach in the required 50' setback from the intersection for a curb cut for a single family dwelling at 4500 Adair Avenue North and to waive the \$300 fee as requested by the Housing & Redevelopment Authority of the City of Crystal. The Mayor asked those present to voice their opinions or to ask questions concerning the variances. Those present and heard were: Frances Feyereisen, 3411 Yates Avenue North (Member of Planning Commission); Paulette Magnuson, 3159 Jersey Avenue North (Member of Planning Commission); Lorraine Bedman, 7025 - 46th Avenue North.

The Mayor closed the Public Hearing.

Moved by Councilmember Smothers and seconded by Councilmember Rygg to deny as recommended by and based on the findings of fact of the Planning Commission the authorization pursuant to Section 515.55 of the Crystal City Code to 1) vary or modify the strict application of Section 515.13, Subd. 4 a) to grant a variance of 20' in the required 40' rear yard setback; 2) to vary or modify the strict application of Section 515.13, Subd. 2 a) to grant a variance of 9' in the required 30' front yard setback; 3) to vary or modify the strict application of Section 515.09, Subd. 4 h) 4) to grant a variance of 14' in the required 50' setback from the intersection for a curb cut for a single family dwelling at 4500 Adair Avenue North as requested in applications #89-8, #89-9, #89-10 and #89-11, and further to waive the \$300 fee as requested by the Housing & Redevelopment Authority of the City of Crystal.

Motion Carried.

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

Motion Carried.

3. 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 sit as a Board of Adjustments and Appeals to consider a variance of 1.5' in the required 5' side yard setback to build a 20' x 28' attached garage on the existing house at 4313 Florida Avenue North as requested by Kimberly and Philip

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

The Mayor closed the Public Hearing.

Moved by Councilmember Smothers and seconded by Councilmember Carlson to grant as recommended by and based on the findings of fact of the Planning Commission the authorization pursuant to Section 515.55 of the Crystal City Code to vary or modify the strict application of Section 515.13, Subd. 3 a) 1), to grant a variance of 1.5' in the required 5' side yard setback to build a 20' x 28' attached garage on the existing house at 4313 Florida Avenue North as requested in application #89-15.
Motion Carried.

4. 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 sit as a Board of Adjustments and Appeals to consider a request to grant a variance of 5' in the required 40' rear yard setback for an 11' x 24' addition on the existing house at 4702 Douglas Drive as requested by Achievements in Design for Steven and Bonnie Pechtel. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. No one appeared.

The Mayor-closed the Public Hearing.

Moved by Councilmember Smothers and seconded by Councilmember Moravec to grant as recommended by and based on the findings of fact of the Planning Commission the authorization pursuant to Section 515.55 of the Crystal City Code to vary or modify the strict application of Section 515.13, Subd. 4 a), to grant a variance of 5' in the required 40' rear yard setback for an 11' x 24' addition on the existing house and a 24' x 24' detached double garage, at 4702 Douglas Drive as requested in application #89-17.

Motion Carried.

5. 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 sit as a Board of Adjustments and Appeals to consider a request to grant a variance of 22' in the required 40' rear yard setback for a 10' x 26' addition on the existing house at 6712 Valley Place as requested by Achievements in Design for Roger and Constance Grumdahl. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. No one appeared.

The Mayor closed the Public Hearing.

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fact of the Planning Commission the authorization pursuant to Section 515.55 of the Crystal City Code to vary or modify the strict application of Section 515.13, Subd. 4 a), to grant a variance of 22' in the required 40' rear yard setback for a 10' x 26' addition on the existing house at 6712 Valley Place as requested in application #89-16.

Motion Carried.

6. 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 an improvement project to construct curb and gutter on Brunswick Avenue between 46th and 47th Avenues. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. Those present and heard were: Roger Peterson, 4652 Brunswick Avenue North; Allen Evenson, 6101 - 47th Avenue North; Paul Olson, 6024 - 46th Avenue North; Steven Schleif, 4629 Brunswick Avenue North; Bill Moore, 4646 Brunswick Avenue North.

The Mayor closed the Public Hearing.

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

RESOLUTION NO. 89-20

RESOLUTION AUTHORIZING IMPROVEMENT
PROJECT NO. 89-5

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

7. 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 an improvement project to reconstruct alley east of Welcome Avenue between 38th and 39th Avenues North. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. Those present and heard were: Greg Smith, 3835 Vera Cruz Avenue North; Jan Zajak, 3801 Vera Cruz Avenue North; Harold Walberg, 3800 Welcome Avenue North; John McPartlan, 3832 Welcome Avenue North.

The Mayor closed the Public Hearing.

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

RESOLUTION NO. 89-21

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RESOLUTION NO. 89-21

RESOLUTION AUTHORIZING IMPROVEMENT
PROJECT NO. 89-6

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

The Mayor called a recess at 9:06 p.m. and the meeting was reconvened at 9:20 p.m.

8. 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 vacation of utility and drainage easement on Lots 1 and 2, Block 3 of Sunnyview Hills, at 6619 - 31st Avenue North. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. No one appeared.

The Mayor closed the Public Hearing.

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

ORDINANCE NO. 89-

AN ORDINANCE VACATING CERTAIN EASEMENTS WITHIN
THE CITY OF CRYSTAL

and further, that the second and final reading be held on May 16, 1989.

Motion Carried.

9. 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 vacation of portion of utility and drainage easement on Lot 2, Block 1, Larson Rolling Green of Crystal, at 5003 Angeline Avenue North. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. No one appeared.

The Mayor closed the Public Hearing.

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

ORDINANCE NO. 89-

AN ORDINANCE VACATING CERTAIN EASEMENTS WITHIN
THE CITY OF CRYSTAL

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and further, that the second and final reading be held on May 16, 1989.

Motion Carried.

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

1. The City Council considered applications for appointment to the Human Relations Commission from James Craig Allison, 4315 Welcome Avenue North, and Lois M. Darg, 3243 Zane Avenue North, for an unexpired term, expiring 12-31-89 and an unexpired term expiring 12-31-90.

Moved by Councilmember Smothers and seconded by Councilmember Langsdorf to appoint James Craig Allison, 4315 Welcome Avenue North, to the Human Relations Commission for an unexpired term expiring 12-31-89.

Motion Carried.

Moved by Councilmember Grimes and seconded by Councilmember Moravec to appoint Lois M. Darg, 3243 Zane Avenue North, to the Human Relations Commission for an unexpired term expiring 12-31-90.

Motion Carried.

2. The City Council considered an application for appointment to the Planning Commission from Bruce Smith, 5701 Rhode Island Avenue North, for an unexpired term expiring 12-31-90.

Moved by Councilmember Smothers and seconded by Councilmember Carlson to appoint Bruce Smith, 5701 Rhode Island Avenue North, to the Planning Commission for an unexpired term expiring 12-31-90.

Motion Carried.

3. The City Council considered applications for appointment to the Park & Recreation Advisory Commission from Gail Spaulding, 3913 Idaho Avenue North, and Luzetta Kenney, 2827 Hampshire Avenue North for an unexpired term expiring 12-31-90.

Moved by Councilmember Rygg and seconded by Councilmember Moravec to appoint Gail Spaulding, 3913 Idaho Avenue North, to the Park & Recreation Advisory Commission for an unexpired term expiring 12-31-90.

Motion Carried.

4. The City Council considered a petition for a stop sign at 48th and Zane Avenues North. Those present and heard were: Mike McLennan, 4806 Zane Avenue North.

Moved by Councilmember Carlson to approve the installation of a stop sign at 48th and Zane Avenues North.

Motion failed for lack of a second.

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5. The City Council considered a petition for stop signs on Welcome Avenue and 47th Avenue.

Moved by Councilmember Smothers to deny installation of stop signs on Welcome Avenue and 47th Avenue North.

Motion failed for lack of a second.

Moved by Councilmember Carlson and seconded by Councilmember Rygg to approve installation of stop signs on Welcome Avenue and 47th Avenue North.

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

Motion Carried.

6. The City Council considered the award of bid to Viking Fence to furnish and install playground equipment at three City parks (Crystal Heights, Lee, and Iron Horse).

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

RESOLUTION NO. 89-22

RESOLUTION AWARDING A BID

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

7. The City Council considered a request as submitted by Pizza Hut of America, Inc. to rezone property from B-2 (Limited Commercial) District to B-4 (Community Commercial) District and variance request for a conditional use permit to allow a convenience food establishment (pizza take-out) in a B-4 District at 3600 Douglas Drive, Lot 7, Block 1, Schwartz Addition. Present and heard were: Allan Broholm, Senior Real Estate Representative for Pizza Hut; Mark Feyereisen, 3404 Zane Avenue North, Employee of Pizza Hut; Greg Lundeen, 6125 - 36th Avenue North; Betty Lund, 6403 - 36th Avenue North; Georgia Hanson (did not give her address).

- A. Moved by Councilmember Smothers and seconded by Councilmember Carlson to adopt the following ordinance:

ORDINANCE NO. 89-

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

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and further that the second and final reading be held on May 16, 1989.

Motion Carried.

- B. Moved by Councilmember Carlson and seconded by Councilmember Grimes to approve a conditional use permit to allow a convenience food establishment (pizza take-out) in a B-4 District at 3600 Douglas Drive, Lot 7, Block 1, Schwartz Addition as requested in variance application #89-6, conditions to include upgrading of fences on north and east sides of property, addressing the issue of litter, and specific hours of operation, with the intent of review on a periodic basis to see if permit needs to be revised.

Motion Carried.

8. The City Council reconsidered the preliminary plat of Proffesors Addition, 32nd Avenue North and Florida. Those present and heard were: Grady Boeck, representing Scott Kevitt; Ralph Dorweiler, 3208 Hampshire Ave. N.; Ken Larson, 3226 Hampshire Ave. N.; Bill O'Brien (did not give address); Joe Kelly, 3232 Hampshire Ave. N.; Bob Woods, 3222 Florida Ave. N.; Steve Sigel, 3200 Florida Ave. N.; Lorraine Bedman, 7025-46th Ave. N.; Scott Kevitt, Developer.

Moved by Councilmember Moravec and seconded by Councilmember Grimes to continue until May 16, 1989, the discussion of tentative approval of proposed plat Proffesors Addition located at 32nd Avenue North and Florida to allow the City Engineer to report back to the City Council regarding grading system and plat preference.

Motion Carried.

The Mayor called a recess at 11:40 p.m. and the meeting was reconvened at 11:45 p.m.

9. The City Council considered a request to reconsider recent Council denials of the Bedman Addition preliminary plat and the Ordinance Amendment to reduce single family residential lot area requirements.

The Mayor called for a motion to reconsider the Bedman Addition preliminary plat and Ordinance Amendment to reduce single family residential lot area requirements. No motion was heard; no action taken. Councilmember Moravec was out of the room during this item.

10. The City Council considered Second Reading of an Amendment to the Ordinance to include garage sales as an accessory use in residential districts.

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

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ORDINANCE NO. 89-7

AN ORDINANCE RELATING TO GARAGE SALES: AMENDING CRYSTAL
CITY CODE, SUBSECTION 515.19, SUBD. 3, BY
ADDING A SUBDIVISION

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

Councilmember Moravec was out of the room during this action.

11. The City Council considered a proposed change in the schedule for the Community Center project from Anderson Dale Architects.

Moved by Councilmember Smothers and seconded by Councilmember Moravec to approve, as recommended by the City Manager, a proposed change in the schedule for the Community Center project from Anderson Dale Architects.

Motion Carried.

12. The City Council discussed watering restrictions for 1989.

The City Council directed staff to prepare a report and background information.

13. The City Council discussed setting a public hearing regarding an Economic Development Authority for the City of Crystal.

Moved by Councilmember Smothers and seconded by Councilmember Carlson to direct the City Attorney to prepare documentation of necessary steps to set a public hearing and prepare a schedule for publishing notice of same for consideration by the Council.

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

Motion Carried.

INFORMAL DISCUSSION AND ANNOUNCEMENTS:

Councilmember Langsdorf reported on the Environmental Commission and asked the Council's input regarding a Housing Maintenance Code. It was the consensus of the Council that the Commission should proceed with their efforts regarding a Housing Maintenance Code.

Councilmember Moravec reported on the Crystal HRA.

Moved by Councilmember Smothers and seconded by Councilmember Carlson 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,

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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 12:05 a.m.

Mayor

ATTEST:

City Clerk

CRYSTAL PLANNING COMMISSION MINUTES

May 8, 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 Nystrom and Smith; also present were Building Inspector Barber, City Engineer Monk and Recording Secretary Scofield.

Moved by Commissioner Nystrom and seconded by Commissioner Magnuson to approve the minutes of the April 10, 1989, meeting.

Motion carried.

Chairperson Feyereisen swore in new Planning Commissioner Bruce William Smith.

1. Consideration of Variance Application #89-18 for an addition which will encroach in the required 40' rear yard setback at 3024 Wisconsin Ave. N. as requested by Richard Miners.

Moved by Commissioner Christopher and seconded by Commissioner Magnuson that pursuant to Section 515.55 of the Crystal City Code to recommend to the City Council to vary or modify the strict application of Section 515.13, Subd. 4 a), to grant a variance of 2' in the required 40' rear yard setback for a 14' x 16' addition on the existing house, at 3024 Wisconsin Ave. N., P.I.D. #19-118-21-41-0113, as requested in Application #89-18 of Richard Miners.

The findings of fact are: Very good addition to the house and a minor variance.

Motion carried.

2. Consideration of a building permit for an airplane hangar at Lot 9D, Crystal Airport, as requested by R & J Investments.

Moved by Commissioner Magnuson and seconded by Commissioner Kamp to recommend to the City Council to approve authorization to issue building permit to R & J Investments to build a 70' x 50' airplane hangar at Lot 9D, Crystal Airport, subject to standard procedure.

Motion carried.

3. Reconsider an amendment to the Zoning Ordinance related to elderly housing which was referred back to the Planning Commission by the City Council at its meeting of April 18. The City Engineer restated the density ratios for neighboring suburbs and the problems with in-house enforcement

May 8, 1989 - Continued

of the Code regarding 90% in senior housing being over 60 years of age and possible land conversion. The proponents presented the following: Adrian Rygg, 4120 Brunswick Ave. N., stated amendment should only be addressing the elderly housing issue not a specific location, many senior citizens are going out of Crystal to find rental housing and should encourage private contractors rather than public involvement such as Calibre Chase with its crowded conditions, not enough storage, etc. John Paulson, 320 North Edgewood, wanted the Commission and Council to strike "public involvement" but retain the 1,250 sq. ft. for elderly housing, and Cities should have the correct ordinance and cooperative staff to encourage contractors developing elderly housing.

The following was heard in opposition: Greg Lundeen, 6125 - 36th Ave. N., stated The Crystal (elderly housing) charges higher rent to the elderly than comparable open market and in violation of the Zoning Code rents garages rather than being included in the rent and advertises rental units for 55 years and over rather than 60 years old. Cited a Florida case that found elderly housing discriminatory and the possibility that in the future other states may follow suit.

Moved by Commissioner Magnuson and seconded by Commissioner Christopher to recommend to the City Council to approve striking "public agency owned or controlled" in Section 515.03, Subd. 71, and increasing the square footage per unit for elderly (senior citizen) housing to 1,500 sq. ft. in Section 515.15, Subd. 2 d) 4) iii) of the Zoning Ordinance. Can control elderly housing by the conditional use permit and fines can be enforced in violation of the Zoning Code as stipulated in Section 515.59, Subd. 2.

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

Motion carried 6 to 4.

4. Consideration of a building permit for remodeling at 3600 Douglas Drive as requested by Pizza Hut of America, Inc.

Moved by Commissioner Elsen and seconded by Commissioner Magnuson to recommend to the City Council to approve authorization to issue a building permit to Pizza Hut of America, Inc. for remodeling the building at 3600 Douglas Drive, P.I.D. #16-118-21-33-0090, subject to standard procedure.

May 8, 1989 - Continued

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

Motion carried 9 to 1.

5. Consideration of Application #89-19 by the City of Crystal for a conditional use permit to allow construction of a community center in an R-1 (Single Family Residential) District at 4800 Douglas Drive.

Moved by Commissioner Magnuson and seconded by Commissioner Kamp to set a public hearing before the Planning Commission at 7:30 p.m., or as soon thereafter as the matter may be heard, Monday, June 12, 1989, to consider the request by the City of Crystal in Application #89-19 for a conditional use permit to allow construction of a community center in an R-1 (Single Family Residential) District at 4800 Douglas Drive, Lot 1 of proposed Crystal Community Center Addition.

Motion carried.

6. Consideration regarding final approval of proposed plat Froehlich Addition located at 4524 and 4528 Hampshire Ave. N. as submitted by Harold & Avanelle Froehlich and Michael & Darla Eggert. Applicant did not get the necessary papers to the City.
7. Consideration of a public hearing on an amendment to delete a concrete driveway approach requirement for single family residential property and an amendment to require hard surfacing for all driveways for single and double family residential properties.

Moved by Commissioner Christopher and seconded by Commissioner Nystrom to set a public hearing before the Planning Commission at 7:30 p.m., or as soon thereafter as the matter may be heard, Monday, June 12, 1989, to consider an amendment deleting a concrete driveway approach requirement for single family residential property (Section 800.19, Subd. 2) and an amendment requiring hard surfacing (of choice) for all driveways for single and double family residential properties (Section 515.09, Subd. 4 h) 11).

Motion carried.

8. Consideration of Planning Commission Bylaws.

Moved by Commissioner Nystrom and seconded by Commissioner Elsen to continue until June 12 the discussion of the Planning Commission Bylaws.

Motion carried.

May 8, 1989 - Continued

9. Discussion items:

- A. City Code Sections Related to Planning discussion continued until June 12.
- B. Planning Commission Seminar as suggested by City Attorney Kennedy. Interest was shown in a session on a week night.
- C. Commissioner Magnuson wanted to know why the Planning Commission was not covered by Workers' Compensation (Administration's April 13 memo). City Engineer will check into--was an oversight.
- D. Commissioner Anderson asked if a hearing date is scheduled for the Economic Development Authority (EDA) proposal? City Attorney Kennedy is preparing documentation of necessary steps to set a public hearing for consideration by the Council.

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

Motion carried.

The meeting adjourned at 9:35 p.m.

Chairperson Feyereisen

Secretary Barden



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

LAWFUL GAMBLING EXEMPTION

FOR BOARD USE ONLY

- INSTRUCTIONS:**
1. Submit request for exemption at least 30 days prior to the occasion.
 2. When completing form, do not complete shaded areas until after the activity.
 3. Give the gold copy to the City or County. Send the remaining copies to the Board. The copies will be returned with an exemption number added to the form. When your activity is concluded; complete the financial information, sign and date the form, and return to the Board within 30 days.

PLEASE TYPE

Organization Name **Church of St. Raphaels Crystal** Number of Members **7500** License Number (if currently or previously licensed) and/or permit number. **X-27016-83**

Address **7301 Bass Lake Road** City **Crystal** State **MN** Zip **55428** County **Hennepin**

Chief Executive Officer's Name **MSGR. Stanley J. Srnc** Phone **(612) 537-8401** Manager's Name **David M. Hoffmann** Phone Number **(612) 537-1700**

Type of Organization
☐ Fraternal ☐ Veterans
☒ Religion ☐ Other Nonprofit Organization
Attach proof of three years existence.

If Other Nonprofit Organization (Check One and attach proof of nonprofit status).
☐ IRS Designation
☐ Incorporate with Secretary of State
☐ Affiliate of Parent Nonprofit Organization

Name of Premises Where Activity Will Occur **Church grounds and parking lot** Date(s) of Activity, drawing(s) **August 4,5,6, 1989**

Premises Address **7301 Bass Lake Road** City **Crystal** State **MN** Zip **55428** County **Henn**

Game	Yes	No	Gross Receipts	Expenses and Cost of Prizes	Profit	Market Value of Prizes
Bingo	X					
Raffles	X					
Paddlewheels		X				
Tipboards		X				
Pull-Tabs	X					

Use of Profit
Christian Education

Distributor From Whom Gambling Equipment Acquired _____ Distributor's License No. _____

I affirm all information submitted to the Board is true, accurate, and complete.

Stanley J. Srnc 5/1/89
Chief Executive Officer Signature Date

I affirm all financial information submitted to the Board is true, accurate, and complete.

Chief Executive Officer Signature Date

ACKNOWLEDGEMENT OF NOTICE BY LOCAL GOVERNING BODY

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

CITY OR COUNTY

Name of Local Governing Body (City or County) **City of Crystal** Township Name (Must be notified when County is the approving body) _____
Signature of Person Receiving Application _____ Signature of Person Receiving Application _____
Title **Mayor** Date Received **5/4/89** Title _____ Date _____

CG-00020-01 (6/87)

White — Board
Pink — Organization

Canary — Board returns to Organization to complete shaded areas.
Gold — City or County

CRYSTAL FIRE CADETS EXPLORER POST #2071

4141 DOUGLAS DR.

CRYSTAL,MN.

TO:CITY COUNCIL,CITY OF CRYSTAL

FROM:RAY HARRISON,C.F.D.EXPLORER POST ADVISOR

DATE:MAY 3,1989

SUBJECT:PERMIT FOR SOLICITING CANDY

EXPLORER POST 2071 HAD PLANNED AS A FUND RAISER,A CANDY SALE FOR THE MONTH OF APRIL,AND HAD OBTAINED FROM THE CITY A PERMIT FOR THE SALE EXPIRING ON APRIL 30,1989.THE CANDY SALE WAS NEVER HELD DUE TO A GRIEVANCE FROM THE CRYSTAL FIRE DEPARTMENT RELIEF ASSOCIATION.MEMBERS OF THE RELIEF ASSOCIATION FELT THAT THE EXPLORER CANDY SALE WOULD CONFLICT WITH THE OPEN HOUSE FUND RAISER HELD BY THE CRYSTAL FIRE DEPARTMENT AND RELIEF ASSOCIATION ON MAY 20,1989. THEY ASKED THAT THE EXPLORERS NOT BEGIN THE SALE OF CANDY UNTIL THE DAY OF THE OPEN HOUSE.THEREFORE EXPLORER POST#2071 REQUESTS OF THE CITY COUNCIL AN EXTENSION OF THE APPROVED PERMIT TO SOLICIT CANDY IN THE CITY OF CRYSTAL, THE EXTENSION TO BEGIN MAY 20,1989 AND TO CONTINUE THROUGH JUNE 20,1989. YOUR CONSIDERATION IS APPRECIATED.

DATE: May 3, 1989
TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
SUBJECT: 1989 Seal Coat Program Improvement Hearing

On May 16 the City Council is scheduled to hold an improvement hearing for the 1989 Seal Coat Program. A copy of the hearing notice and the feasibility report regarding the proposed improvements along with the approving resolution are attached to complete the packet. Points to note concerning the project are as follows:

- Seal coat programs represent an economical maintenance operation performed to prolong the useful life of bituminous pavement. While City personnel seal cracks and patch the existing blacktop surface prior to placement of the seal coat, no repaving or overlays are involved.
- Although a number of the streets in this year's program were seal coated in 1985, an inspection of the area showed that an areawide seal coat was needed to reduce moisture penetration of the existing surface. It is anticipated that a six (6) year program cycle will be standard on future projects.
- The proposal to assess single family residential property using an average frontage has produced two basic responses depending on whether a property owner's residential lot has frontage more or less than the 77.4 foot average. It has been made clear to affected residents that the unit proposal is not an attempt to have one group of owners subsidize another but, instead, is an attempt to more fairly determine and assess benefit. Alleys are also being handled using this average frontage approach.
- Multiple residential, commercial and industrial property continue to be assessed benefit based on actual frontage.

At this point the Council must approve the 1989 Seal Coat Program in order for the project to proceed to plan preparation and solicitation of bid phases.



WM:jrs

Encls

FEASIBILITY REPORT FOR
1989 SEAL COATING PROGRAM

Project 89-2

In an effort to prolong the usable life of Crystal streets, a seal coating program has been continually performed for many years. The seal coating is set up on a district basis so that each street is improved on a six to eight-year rotating schedule. This year the north central section of Crystal, bounded by the Soo Line Railroad and 42nd Avenue, is scheduled for seal coating. The work area is noted on the attached map.

The streets in this quadrant of the City are in fair condition. To protect their structural integrity and prolong their useful life, the use of granite chips on all City streets, instead of buckshot on some, is being recommended again in 1989. This surface type represents a good investment when reconstruction costs are reviewed as was done by the Council in establishing an infrastructure fund during the 1987 budget process.

The City has long assessed seal coating costs on a front foot basis. The criteria used in determining the length of that frontage is as follows:

Lots zoned residential or multiple are assessed on the basis of their actual front footage abutting the improvement. For corner lots, the full frontage along the short side is always assessed while the long side is assessed for one-third of the first 135 feet and full measure on the balance. For lots abutting a street on both the front and rear lines, assessment along the rear footage shall be handled as the long side of a corner lot. Lots zoned commercial and industrial are assessed for full frontage abutting the improvement. Assessments for seal coating are levied for a two-year term.

The footage noted does include park land and other City property of general use to the public.

While no change in the calculation of front footage is recommended in 1989, it is proposed that the assessment of single family residential property be redefined on a unit basis. An average assessment for each single family residential unit would be calculated by dividing the total front footage (for residential property only) by the number of residential equivalent units deriving benefit. By using a unit or average assessment approach, assessments would be closely linked to usage which is a more accurate indicator

FEASIBILITY REPORT FOR
1989 SEAL COATING PROGRAM
Page 2

of benefit than frontage. This same unit or average frontage approach is also proposed for alleys which serve many of the single family homes within this seal coat district.

Using the above-noted assessment approach and surface treatment for all 18.5 miles of street and alley in the 1989 Seal Coating Program, the project breakdown is as follows:

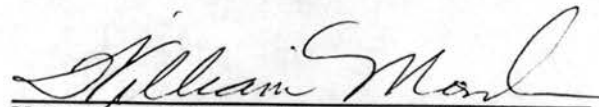
Total Project Cost	\$296,900 LF
Assessable Street Frontage	122.148.3 LF
Assessable Alley Frontage	18,328.1 LF
Cost per Front Foot - Streets	\$2.26
Cost per Front Foot - Alley	\$1.13

Single Family Breakdown

Total Frontage	100,370.7 LF
Units	1,297
Average Street Frontage	77.4 LF
Average Street Assessment	\$175.00
Average Alley Assessment	\$ 87.50

The rate assessed in 1988 was \$1.97 per front foot. This low assessment rate was achieved because of very low oil costs which are not anticipated to be repeated in 1989.

Report prepared by
Crystal Engineering Department


May 3, 1989 Reg. No. 14170

CITY OF CRYSTAL

NOTICE OF PUBLIC HEARING

SEAL COAT IMPROVEMENT NO. 89-2

MAY 16, 1989

NOTICE IS HEREBY GIVEN that the Crystal City Council will meet in the Council Chambers at the Crystal City Hall, 4141 Douglas Drive, on Tuesday, May 16, 1989, at 8:00 p.m., or as soon thereafter as the matter may be heard, to hear and consider all oral and written arguments both for or against the 1989 Seal Coat program, Improvement Project No. 89-2. Streets and alleys to be improved as part of the project are as follows:

STREETS

Adair Ave.	- 42nd Ave. to 47th Ave..
Brunswick Ave.	- 42nd Ave. to 47th Ave.
Byron Ave.	- West Broadway to Lakeland Ave.
Colorado Ave.	- 42nd Ave. to cul-de-sac N. of 47th
Corvallis Ave.	- Louisiana Ave. to Douglas Dr.
Corvallis Ave.	- West Broadway to Highway #81
Edgewood Ave.	- 47th Ave. to Fairview Ave.
Edgewood Ave.	- Corvallis Ave. to 51st Pl.
Fairview Ave.	- Zane Ave. to West Broadway
Fairview Ave.	- Welcome Ave. to Lakeland Ave.
Florida Ave.	- 47th Ave. to 51st Pl.
Florida Ave.	- 53rd Ave. to 210' N. of 54th Ave.
Georgia Ave.	- 47th Ave. to Fairview Ave.
Hampshire Ave.	- 47th Ave. to 130' N. of 51st Pl.
Idaho Ave.	- 48th Ave. to Fairview Ave.
Idaho Ave.	- 52nd Ave. to 150' S. of 52nd Ave.
Idaho Ave.	- 59th Ave. to Lombardy Lane
Jersey Ave.	- 48th Ave. to Corvallis Ave.
Jersey Ave.	- 56th Ave. to 57th Ave.
Kentucky Ave.	- 48th Ave. to Fairview Ave.
Kentucky Ave.	- 57th Ave. to West Broadway
Lakeland Ave.	- 47th Ave. to Corvallis Ave. (W. side)
Lakeside Ave.	- Vera Cruz Ave. to Lakeland Ave.
Louisiana Ave.	- 47th Ave. to Corvallis Ave.
Louisiana Ave.	- 52nd Ave. to 110' S. of 52nd Ave.
Maryland Ave.	- 47th Ave. to Fairview Ave.
Maryland Ave.	- 52nd Ave. to 54th Ave.
Maryland Ave.	- 58th Ave. to 59th Ave.
Nevada Ave.	- 45th Ave. to Fairview Ave.
Nevada Ave.	- 58th Ave. to 59th Ave.
Oregon Ave.	- 58th Ave. to 59th Ave.
Vera Cruz Ave.	- 250' S. of 43rd Ave. to 100' N. of 46th
Vera Cruz Ave.	- West Broadway to Corvallis Ave.
Welcome Ave.	- 250' S. of 43rd Ave. to West Broadway
Welcome Ave.	- Fairview Ave. to Corvallis Ave.
Xenia Ave.	- 250' S. of 43rd Ave. to Fairview Ave.
Yates Ave.	- 44th Ave. to 46th Ave.
Yates Ave.	- 47th Ave. to Fairview Ave.
Zane Ave.	- 250' S. of 43rd Ave. to Fairview Ave.
43rd Ave.	- Brunswick Ave. to Vera Cruz Ave.
44th Ave.	- Brunswick Ave. to Vera Cruz Ave.
45th Ave.	- Douglas Dr. to Zane Ave.
45th Ave.	- Zane Ave. to Vera Cruz Ave.
46th Ave.	- Douglas Dr. to Vera Cruz Ave.
47th Ave.	- Nevada Ave. to Douglas Dr.
47th Ave.	- Douglas Dr. to Vera Cruz Ave.
48th Ave.	- West Broadway to Highway #81
48th Ave.	- Nevada Ave. to Douglas Dr.
48th Ave.	- Zane Ave. to West Broadway
49th Ave.	- West Broadway to Lakeland Ave.
50th Ave.	- Vera Cruz Ave. to Lakeland Ave.
50th Ave.	- Louisiana Ave. to Douglas Dr.
	- Vera Cruz Ave. to Lakeland Ave.

- 51st Pl. - Hampshire Ave. to cul-de-sac W. of Hamp.
- 51st Pl. - Florida Ave. to Douglas Dr.
- 51st Pl. - Douglas Dr. to West Broadway
- 54th Ave. - Nevada Ave. to Maryland Ave.
- 57th Ave. - Kentucky Ave. to West Broadway
- 58th Ave. - Sumter Ave. to Nevada Ave.
- 59th Ave. - Quebec Ave. to West Broadway

ALLEYS

Louisiana Ave. to Jersey Ave., between Fairview & 50th
 Jersey Ave. to Hampshire Ave., between Fairview & 50th
 Hampshire Ave. to Florida Ave., between Fairview & 50th
 43rd Ave. to 44th Ave., between Brunswick & Adair
 43rd Ave. to 44th Ave., between Adair & Zane
 44th Ave. to 45th Ave., between Adair & Zane
 43rd Ave. - South, between Zane & Xenia
 43rd Ave. - South, between Xenia & Welcome
 43rd Ave. to 44th Ave., between Xenia & Welcome
 44th Ave. to 45th Ave., between Xenia & Welcome
 45th Ave. to 46th Ave., between Xenia & Welcome
 44th Ave. to 45th Ave., between Welcome & Vera Cruz
 45th Ave. to 46th Ave., between Welcome & Vera Cruz
 47th Ave. to 48th Ave., between Zane & Yates
 47th Ave. to 48th Ave., between Yates & Xenia
 48th Ave. to Fairview Ave., between Yates & Xenia
 47th Ave. to 48th Ave., between Xenia & Welcome
 48th Ave. to Xenia Ave., between Xenia & Welcome

The total estimated cost of the project is \$296,900. Per front foot assessments for streets are projected at \$2.26. Residential property is proposed to be assessed on a unit basis with an average front footage of 77.4 feet. This will equate the benefit to all single residential units, including corner, interior and cul-de-sac lots, with an estimated assessment of \$175.00. Residential alleys are also proposed to be assessed on a unit basis with an estimated assessment of \$87.50 per lot. Lots zoned multiple residential and commercial are to be assessed for full frontage abutting the improvement.

All properties abutting the streets to be improved by this project as listed above are subject to special assessment for the cost of such improvement, and the owners thereof may submit their opinions at said Public Hearing.

BY ORDER OF THE CITY COUNCIL
 DARLENE GEORGE, CITY CLERK

(Published in the Crystal-Robbinsdale Post News: April 26 and May 3, 1989).

RESOLUTION NO. 89-

RESOLUTION AUTHORIZING
IMPROVEMENT PROJECT #89-2 SEAL COAT

WHEREAS, it has been proposed to proceed with Seal Coat Improvement No. 89-2, and

WHEREAS, these improvements have been declared feasible, and

WHEREAS, it is necessary and in the best interest of the City of Crystal and the owners of property especially benefited thereby that the construction be performed and all property owners assessed,

NOW, THEREFORE, BE IT RESOLVED by the City Council, City of Crystal, Minnesota, that all of the improvements be and the same are ordered constructed as set out in the Notice of Public Hearing, published in the Crystal-Robbinsdale Post News April 26, 1989, and May 3, 1989, which hearing was held on May 16, 1989, which Notice of Public Hearing is incorporated into and made a part of this resolution as if set forth in full herein, including the respective cost estimates thereof.

IT IS FURTHER RESOLVED that the entire cost of the above-designated improvement, including the cost of engineering, interest during construction and necessary incidental expenses shall be assessed against all real property benefited by such improvement-as listed above.

BE IT FURTHER RESOLVED that the City Engineer be instructed to provide the City with final detailed plans and specifications for Seal Coat Improvement No. 89-2, as set forth in this Resolution, and

BE IT FURTHER RESOLVED that the City Manager be directed to cause notice of advertisement for bids to be published according to law for the construction of Seal Coat Improvement No. 89-2.

Adopted this 16th day of May, 1989.

Mayor

ATTEST:

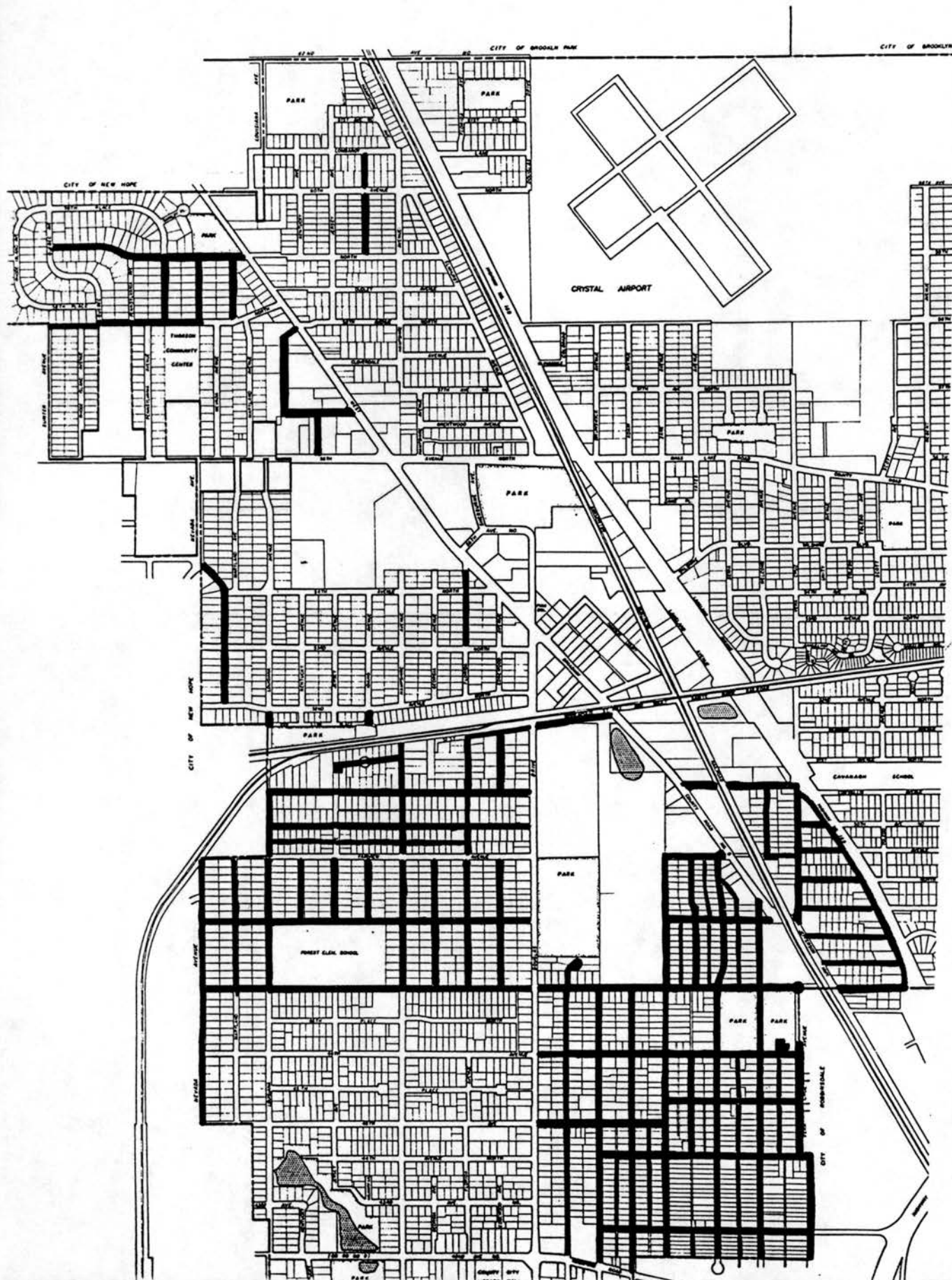
City Clerk

CRYSTAL · MINNESOTA

PROP.
1989
SEALCOAT



REVISED 12-86



DATE: May 10, 1989
TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
SUBJECT: Proffesors Addition Preliminary Plat

At its meeting of May 2 the City Council noted concerns related to drainage problems on property adjacent to the proposed plat along with a proposed revision to the alignment of lots 1 and 2 in Block 1. This office has reviewed these issues and submits the following findings:

- While it does not appear the lot grading operation has obstructed previous drainage patterns, the owner/developer has agreed to grade ditch sections from the low areas to the north and west of the proposed plat directly to the inlet of the 27-inch storm sewer. This work will be done as a part of the grading permit already approved for which a \$5,000 performance surety is on file. All work being performed under this permit including final grading and removal of excess material is scheduled to be completed as the soil dries within the next 30 to 45 days.

This office continues to believe the proposed grading plan improves drainage generated by and moving across this site by providing a more positive outlet at a significantly lower elevation.

- The realignment of Lots 1 and 2 in Block 1 will allow all the lots in Block 1 to be developed without the extension of Georgia Avenue. All lots as proposed meet dimensional and area provisions of City Code. It is proposed that soil correction as required for Lots 1 and 2 be required in the plat development agreement and covered by financial surety as the lots along Florida Avenue are presently being handled.
- Staff is presently reviewing the status of past and present assessments for the lots included in the plat in terms of the past tax forfeiture processes. As a part of a final plat process, the City would assure this property has been fully assessed for utility and street benefit.

Based on the issues noted above along with those described in the previous staff report (copy attached), this office recommends plat approval include the following conditions which would be incorporated in a final plat development agreement:

Jerry Dulgar

SUBJECT: Proffesors Addition Preliminary Plat

May 10, 1989

Page 2

- 1) The existing 27-inch storm sewer be extended to the north edge of Block 1.
- 2) A drainage easement be provided over all of Outlot A.
- 3) Concrete curb and gutter be extended along 32nd Avenue in front of Lots 1 and 2 of Block 1.
- 4) Soil correction be performed on Lots 1 and 2, Block 1, and engineering reports certifying buildability be filed with the City.



WM:jrs

Encls

Revised Preliminary Plat of Professors Addition

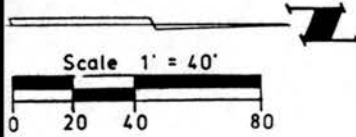
GEORGIA

AVE

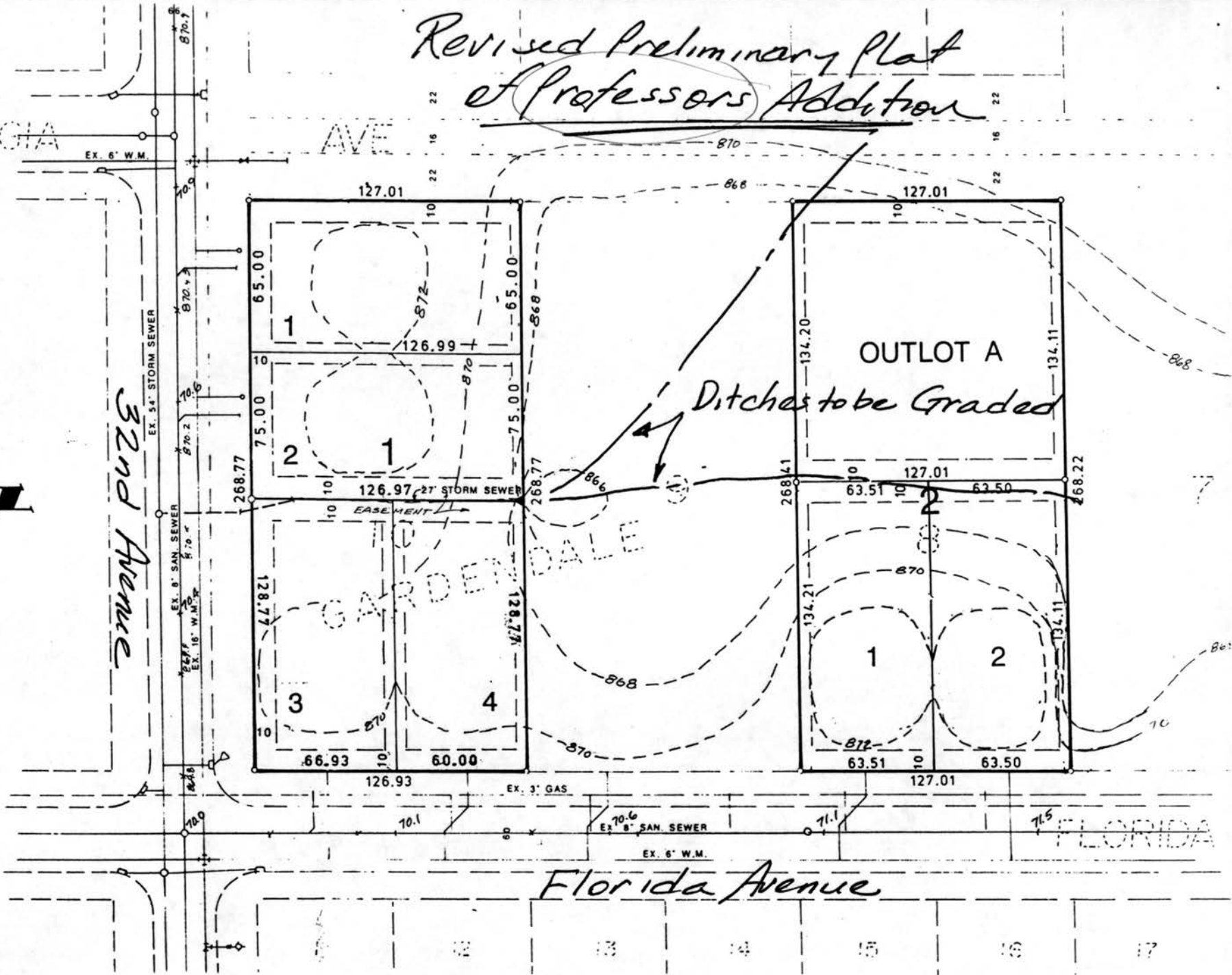
32nd Avenue

OUTLOT A

Ditches to be Graded



Denotes Iron Monument



ROBERT J. MILLER LAW OFFICES, P.A.

9405 - 36th Avenue North
New Hope, MN 55427
(612) 542-3030
FAX: 542-3161

ROBERT J. MILLER
GEOFFREY A. MILLER

LEGAL ASSISTANT
HOLLY V. TROMBLEY

April 28, 1989
File No. 14164.10

The Honorable Mayor and
City Council
City of Crystal
4141 Douglas Drive North
Crystal, MN 55422-1696

Re: Reconsideration of Plat of Proffessors Addition

Honorable Mayor and City Council:

As you know, our office represents Scott Kevitt, the Applicant for plat approval of Proffessors Addition. The matter is to be reconsidered by the Council on May 2, 1989. Unfortunately, I have to be out of town that evening. Mr. Kevitt and his Engineer, Grady Boeck, will be present to discuss engineering and related land use matters with the Council and interested citizens.

I believe it may be helpful to the Council when it reconsiders this matter to be aware of some history of the site.

In the early 1970s the property was forfeited for taxes and acquired by the City. Subsequently the City determined to put the property back into private ownership. It must be concluded from that fact that the City did this because it felt the lots were suitable for residential development.

In addition, the City has repeatedly levied special assessments against the property. Initially the assessments were for sewer and water, but in recent years special assessments have been levied for streets and curb and gutter. As a matter of law the City had to determine that the property would be benefited by such improvements. It is also clear that the City had to determine that the lots were suitable for development, otherwise the property would not be benefited. The property is currently subject to substantial special assessments.

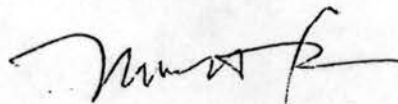
Lastly, Lots 8 and 10 are part of the plat of Gardendale Acres. If one reviews the history of Gardendale Acres, it is apparent that a substantial majority of the Gardendale Acres lots

The Honorable Mayor and
City Council
City of Crystal
April 28, 1989
Page Two

have been subdivided similar to the manner proposed by Mr. Kevitt. Mr. Kevitt would appear to be entitled to equal treatment.

We look forward to favorable action by the City Council. We also thank you in advance for the courtesies extended by the City and its cooperation in this matter.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Robert J. Miller', with a stylized flourish at the end.

Robert J. Miller

RJM:hvt
CC Mr. Scott Kevitt
Mr. Grady Boeck

DATE: February 3, 1989
TO: Planning Commission
FROM: Bill Monk, City Engineer
SUBJECT: Proffesors Addition Preliminary Plat

A preliminary plat application proposes to subdivide Lots 8 and 10 of Gardendale Acres into six buildable lots and one outlot. Last year the owner secured a grading permit from Crystal in order to perform soil correction for house pads along Florida Avenue. To offset changes in the drainage patterns caused by the grading operation, the owner installed a 27-inch diameter storm sewer from 32nd Avenue to the south property line of Lot 10. It should be noted that Lot 9 is not included in this proposal due to the extreme depth of poor soils discovered during test borings on the site.

The present zoning is R-1, Single Family Residential, and all lots as proposed on the preliminary plat meet ordinance requirements for area and dimension. However, Lot 2 of Block 1 does not have any frontage along an improved public road as Georgia Avenue has not yet been constructed. With no plans pending for the construction of Georgia Ave., the owner proposes to access the lot by means of a driveway extended from 32nd Avenue in the platted Georgia Ave. right-of-way. This driveway would be used for temporary access until the street is constructed and a more conventional driveway arrangement is available.

The creation of Outlot A is proposed so the owner can retain control as the lots along Florida Avenue are developed and sold. Outlot A would then have the potential of future subdivision as Georgia Avenue is constructed. In this way the access and utility service questions can be deferred until the proper facilities are in place.

Area-wide drainage has been addressed with the installation of the storm sewer extension last year as a part of the grading operation. Phased extension of this storm sewer as development occurs will adequately collect run-off in this tributary area.

Approval of the Proffesors Addition preliminary plat is recommended with the incorporation of the following conditions in the final plat development agreement:

Re: Proffesors Addition Preliminary Plat
February 3, 1989
Page 2

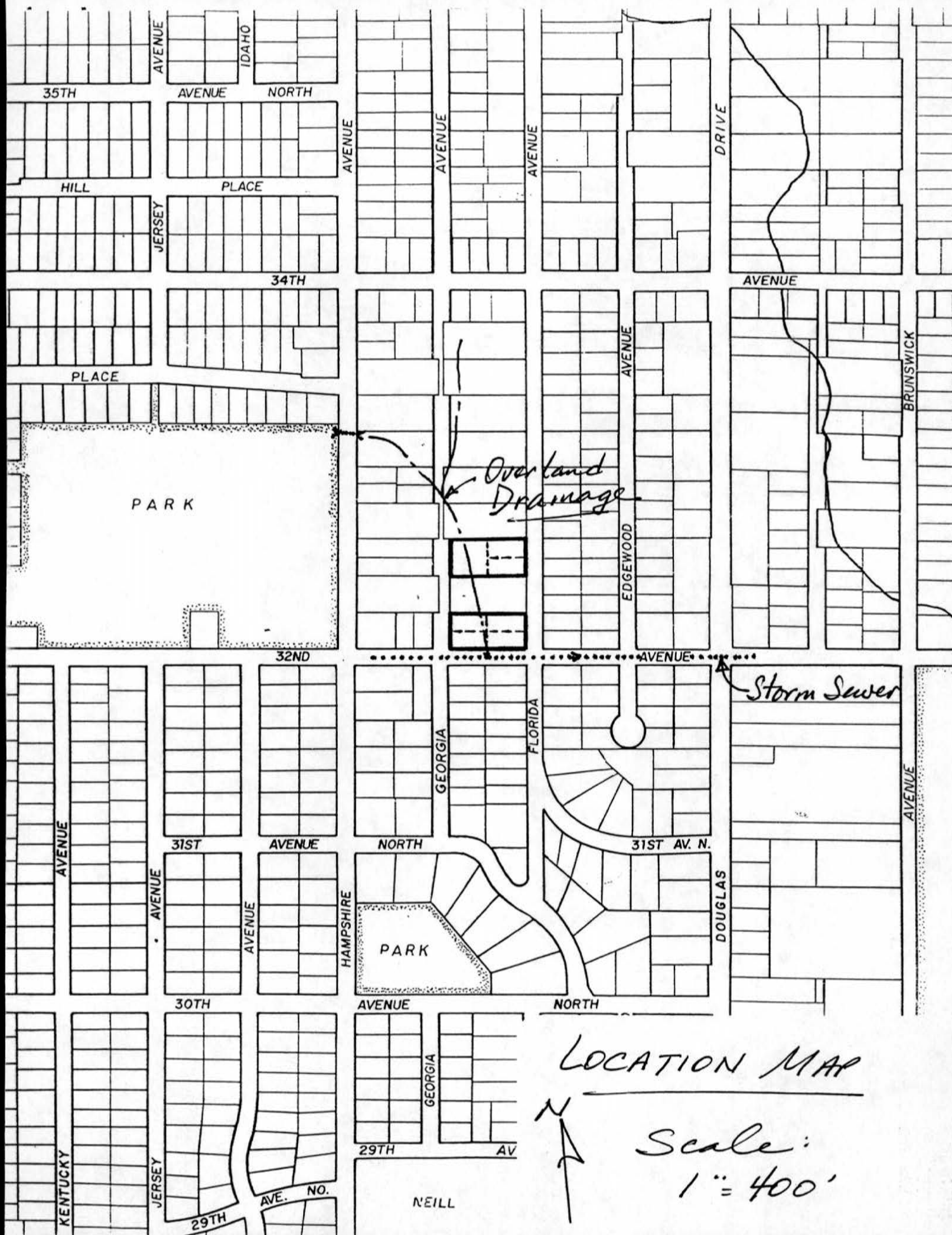
- 1) Lot 2, Block 1, be platted as an outlot so that the problems of access and utility service can be more fully addressed as the proper facilities are in place.
- 2) The existing 27-inch storm sewer be extended to the north line of Block 1 so that development of yards for Lots 1, 3 and 4 can be completed without obstructing drainage.
- 3) A drainage easement be provided over and across all of Outlot A.
- 4) Drainage and utility easements be dedicated along the perimeter of all lots.
- 5) Concrete curb and gutter be extended along 32nd Avenue in front of Lot 1, Block 1.

WM:jrs

Encls -

3/15/89 UPDATE

On February 13 the Planning Commission recommended approval of the Proffesors Addition preliminary plat with the conditions noted above. These conditions will be handled as a part of the final plat and related development agreement process.



CITY OF CRYSTAL

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

Date: 1/24/89

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

Street Location of Property: 32ND AVE N. 1/2 FLORIDALegal Description of Property: Block 1 - That part of Lot 10, Lying East of the West 22

ft. thereof, Block 3, GREENDALE ACRES. Block 2 - That part of Lot 8, Lying East of the West 22
ft. thereof, Block 3, GREENDALE ACRES

Property Identification Number: Block 1 = #20-118-21-14-0013
Block 2 = #20-118-21-14-0100

Owner: SCOTT V. KEVITT
(Print Name)

7324 33RD AVE N. CRYSTAL, MN (612) 537-3535
(Address) (Phone No.)

Applicant: SCOTT V. KEVITT
(Print Name)

7324 33RD AVE N. CRYSTAL, MN (612) 537-3535
(Address) (Phone No.)

DESCRIPTION OF REQUEST: PRELIMINARY PLAT APPROVAL OF SUB-DIVIDING 2 EXISTING
PARCELS

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

This is a request for preliminary ~~the~~ plat approval which
meets all City standards and will enable the owner to
enjoy the maximum use of his property.

NOTE: Attach plan or survey of proposal.

THIS PROPERTY IS:

TORRENS / ABSTRACT
(Circle one)

Scott V. Kevitt
(Applicant's Signature)

Scott V. Kevitt
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: 1/25/89 RECEIPT # 44256

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

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



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

FIRE DEPARTMENT

DATE: May 3, 1989
TO: Jerry Dulgar, City Manager
FROM: Art Quady, Fire Chief *Art Quady*
SUBJECT: Fire Truck Bid Dated 4-25-89

I have reviewed the specifications for a new fire truck as submitted by General Safety Equipment Corporation. I find that they meet all the requirements of our new pumping engine. The only addition would be Optional Accessory B Part 1, to add a six inch suction to the pump panel at a cost of \$110.00. Since a second truck will be needed, I also recommend that Option No. 1 or 2 be given very serious consideration.

I have included with this memo a copy of the Truck committee's recommendation.

Thank you.

AQ:jg

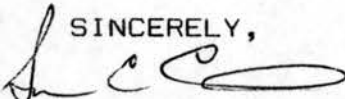
ART QUADY
FIRE CHIEF

APRIL 28, 1989

AS CHAIRMAN OF THE TRUCK COMMITTEE I WOULD LIKE TO INFORM YOU WE HAVE GONE OVER THE SPECS ON THE TRUCK BID, WE HAVE FOUND THEM TO BE CORRECT AND MEET ALL OF OUR REQUIRMENTS. WE WOULD RECOMMEND TO YOU THAT YOU ACCEPT THE BID FROM GENERAL SAFTEY EQUIPMENT TO SUPPLY THE PUMPER. WE WOULD ALSO RECOMMEND THAT YOU ACCEPT OPTION 1 AND ORDER TWO TRUCKS FOR DELIVERY AT THE SAME TIME, THUS SAVING THE CITY AN ESTIMATED \$30,000.00 TO \$50,000.00 IN INFLATIONARY COSTS OF THIS APPARATUS IN 1991.

OPTION B PART 1

WE WOULD RECOMMEND TO ACCEPT THIS OPTION FOR A LEFT SIDE SUCTION CAP.

SINCERELY,

CAPTAIN SCOTT CRANDALL
CHAIRMAN TRUCK COMMITTEE

CITY OF CRYSTAL

PROPOSAL

The undersigned certifies that the specifications have been examined and all necessary investigations have been made, and fully understands the nature and extent of the required equipment and proposes to furnish the equipment, F.O.B. 4101 Douglas Drive, Crystal, Minnesota, in accordance with the specifications and conditions attached hereto, at the prices set forth in the following schedule:

One - New 1250 G.P.M. Fire Truck - Complete \$ 168,855.00
Delivery Date 300 to 350 working days
from date of Contract
Payment for Truck Chassis at the time of
Delivery to Fire Body Builder \$ 49,950.00

Option No. 1 - Second 1250 G.P.M. Fire
Truck Delivered Same Time As First Unit \$ 167,855.00
Payment for Truck Chassis (for 2nd Unit)
at Time of Delivery to Fire Body Builder \$ 49,950.00

Option No. 2 - Second 1250 G.P.M. Fire
Truck Delivered January 2, 1991 - Complete \$ 169,855.00
Payment for Truck Chassis (for 2nd Unit)
at Time of Delivery to Fire Body Builder \$ 49,950.00

Optional Accessory A. (See Page No. 7) \$ 110.00 per truck

Optional Accessory B. (See Page No. 10) \$ 110.00 per truck ~~\$ 650.00 per truck~~

Optional Accessory C. (See Page No. 11) \$ 2,490.00 per truck

Enclosed is a certified check, bidder's bond, or cash in the
amount of \$ 10%.

FIRM NAME General Safety Eq. Corp. ADDRESS P. O. Box 249
SIGNED *Rich Kuehl* North Branch, Minn. 55056
TITLE V. P. TEL. Twin City 221-9111

DATE: May 3, 1989
TO: Planning Commission
FROM: Bill Monk, City Engineer
SUBJECT: Elderly Housing Ordinance Amendment

According to Section 515.03, Subd. 71 of City Code, elderly (senior citizen) housing is defined as a public agency owned or controlled multiple dwelling building with open occupancy limited to persons over 60 years of age. City Code further dictates such a housing type is permitted as a conditional use only in an R-O, Residential Office, District pursuant to Section 515.27, Subd. 4 c) which lists 13 specific conditions.

In researching material related to the public involvement requirements associated with elderly housing, the following two items were consistently noted:

- 1) Provisions for public involvement in housing projects have been dropped from municipal ordinances over the past few years due to difficulty experienced in defending public vs. private challenges from a land use perspective.
- 2) Special provisions for the elderly are no longer common because of in-house enforcement problems with eligibility and land use problems anticipated with potential conversion to multi-family.

Based on these findings, it is evident that separate public and private elderly categories should not be created in any housing district. Additionally, the conversion and enforcement issues must be addressed as a part of any ordinance amendment.

In reviewing the two attached ordinance amendments, the City Council referred the item back to the Commission for further consideration. The first of the two potential amendments involves deleting the public involvement language while amending the allowable lot area density to 1 unit per 1500 square feet. The existing conditions in Section 515.27, Subd. 4 c) would all remain in effect for elderly housing.

In the second potential amendment, all reference to elderly housing would be deleted from the Code. At the same time, the density bonus conditional use provisions of Section 515.27, Subd. 4 d) would be expanded to include additional amenities often associated with elderly complexes. In pursuing this option, elderly complexes would be equated with multi-family uses; so care must be taken in establishing a

Planning Commission
Elderly Housing Ordinance Amendment
May 3, 1989
Page 2

minimum allowable lot area density that will work for all residential districts.

No matter what method is chosen to address elderly housing, overall lot area density remains the pivotal issue and essentially dictates which ordinance amendment is chosen. Views on occupancy, enforcement and conversion issues work to quantify the density.

On Monday night, I will attempt to simplify the presentation of this not-so-simple planning issue.



WM:jrs

Encls

5/9/89 UPDATE

On May 8 the Planning Commission again recommended approval of the first of the two ordinances attached on a vote of 6 to 4. In their findings the majority noted that adequate enforcement provisions were available in the conditional use process to insure compliance with all conditions of the Code.

ORDINANCE NO. 89-

AN ORDINANCE RELATING TO ZONING REGULATIONS:
AMENDING CRYSTAL CITY CODE SECTIONS 515.03 AND 515.15

THE CITY OF CRYSTAL DOES ORDAIN:

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

Section 515.03, Subd. 71. Elderly (Senior Citizen) Housing. A ~~public agency owned or controlled~~ multiple dwelling building with open occupancy limited to persons over 60 years of age.

Section 515.15, Subd. 2. Lot Areas.

d) Lot area per unit.

4) All other districts

iii) Elderly (senior citizen)
housing

~~1,250 square feet~~
1,500 square feet

Section 2. This ordinance is effective in accordance with Crystal City Code, Subsection 110.11 and applies to proceedings initiated after its effective date. A proceeding enacted prior to the effective date of this ordinance may be concluded in the manner prescribed by the sections of the code amended by this ordinance.

First Reading:

Adopted:

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 89-_____

AN ORDINANCE RELATING TO ZONING
REGULATIONS: AMENDING CRYSTAL CITY
CODE, SUBSECTION 515.27, SUBDIVISION 4 d):
REPEALING CRYSTAL CITY CODE,
SUBSECTIONS 515.03, SUBDIVISION 71;
515.09, SUBDIVISION 8 o); 515.15,
SUBDIVISION 2 d) 4) iii); 515.15
SUBDIVISION 5 c); AND 515.27,
SUBDIVISION 4 c)

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. Crystal City Code, Subsection 515.27, Subdivision 4 d) is amended to read:

"515.27, Subd. 4 d). Apartment Density Bonus. ~~Except for elderly-housing,~~ A ~~maximum-of-10-percent~~ reduction in square feet of lot area per unit for multiple family dwellings of ~~40~~ ten units or more as required in Subsection 515.15 of this Code based upon the following bonus features and square foot reduction factors:

Bonus Feature	Square Foot Reduction Per Unit
1) Type two construction	100 square feet
2) Elevator serving each floor	50 square feet
3) Transit service available within 300 feet of entrance	50 square feet
4) Two-thirds of the required fee free parking underground or within the principal structure (not including attached or detached garages)	150 square feet
5) Indoor recreation and social rooms equal to 25 square feet per unit or 750 square feet total, whichever is greater	50 square feet
6) Major outdoor recreational facilities such as swimming pools, tennis courts or similar facilities requiring a sub- stantial investment equaling at minimum five percent of the construction cost of the principal structure	20 square feet

- 7) The site of the principal use and its related parking is served by an arterial or collector street 75 square feet
- 8) Useable open space as defined in Subsection 515.03, Subd. 175 of this Code is equal to at least 20 percent of the gross lot area 150 square feet
- 9) The site of the main entrance of the principal use is within 400 feet of commercial shopping development or adequate provision for access to such facilities is provided." 75 square feet

Sec. 2. Crystal City Code, Subsections 515.03, Subd. 71; 515.09, Subd. 8 o); 515.15, Subd. 2 d), 4 iii); 515.15, Subd. 5 c); and 515.27, Subd. 4 c) are repealed. Nothing in this ordinance is to be construed to (i) affect the right, title or interest of a person in real property or (ii) modify, abrogate or impair the rights and obligations of the City or a person arising from the prior exercise of the City of its powers under the sections of the City Code repealed by this ordinance.

Sec. 3. This ordinance is effective in accordance with Crystal City Code, Subsection 110.11 and applies to proceedings initiated after its effective date. A proceeding enacted prior to the effective date of this ordinance may be concluded in the manner prescribed by the sections of the code repealed by this ordinance.

Mayor

Attest:

City Clerk

3:00110D02.F16

DATE: May 12, 1989

TO: Jerry Dulgar, City Manager

FROM: Bill Barber, Building Inspector

RE: Crystal Airport
Lot 9D

R. & J. Investments are proposing to build a 50'x70' hangar for aircraft storage. We have a signed lease agreement from MAC.

This is another hangar being built to replace some of the old ones which have recently been torn down.

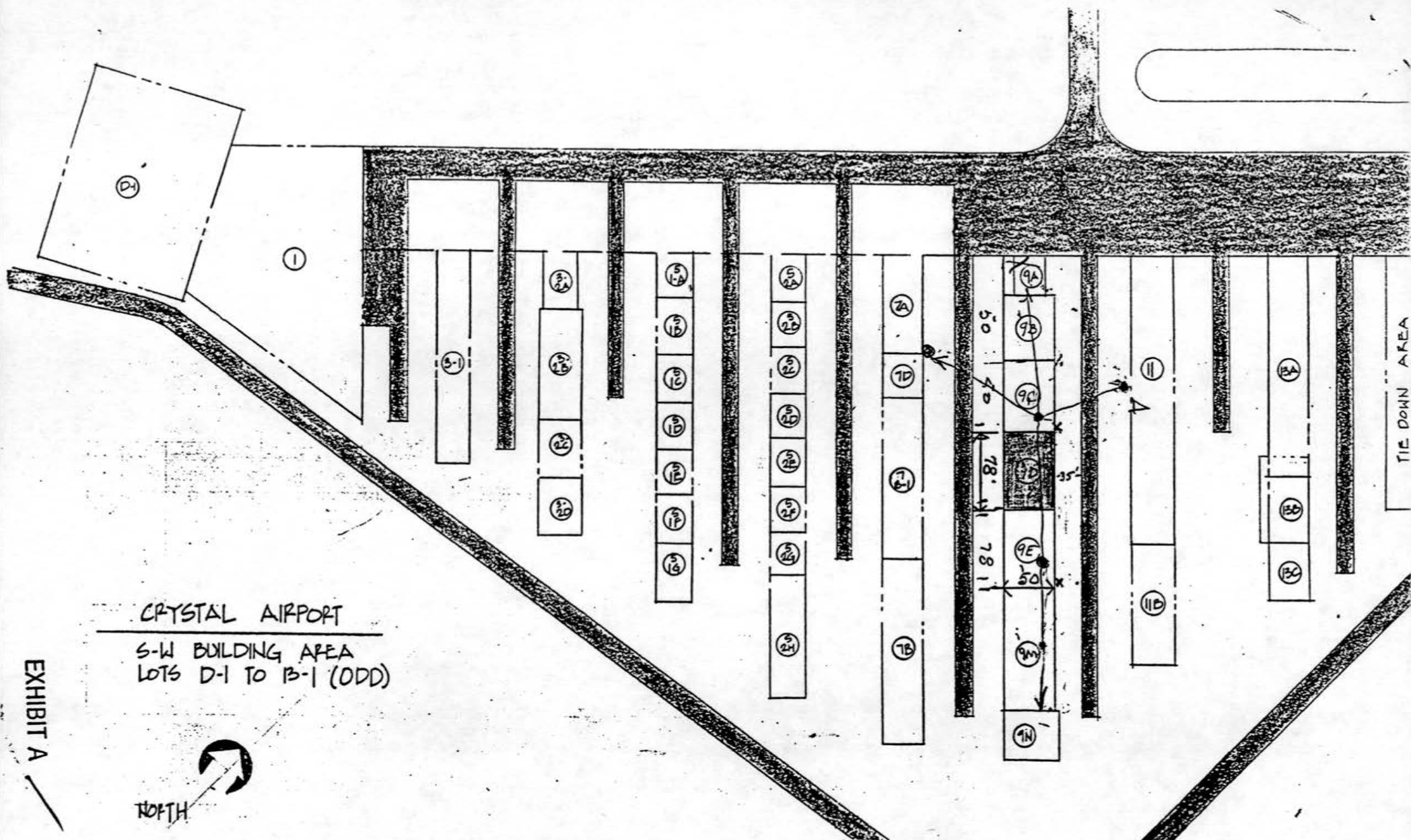
I have a transparency of the location.

kk

EXHIBIT A

CRYSTAL AIRPORT

S-W BUILDING AREA
LOTS D-1 TO B-1 (ODD)

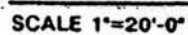


DATE: May 12, 1989
TO: Jerry Dulgar, City Manager
FROM: Bill Barber, Building Inspector
RE: 3600 Douglas Dr. N.
Building Permit Approval

Tech Builders Inc. has applied for a building permit to remodel 3600 Douglas Dr. and convert it to a Pizza Hut Takeout/Delivery. The rezoning and conditional use permit was approved by Council on May 2. Planning Commission has recommended to Council to approve the building permit.

I have a transparency showing the site and floor plan. I'm certain that someone will be present to represent Pizza Hut.

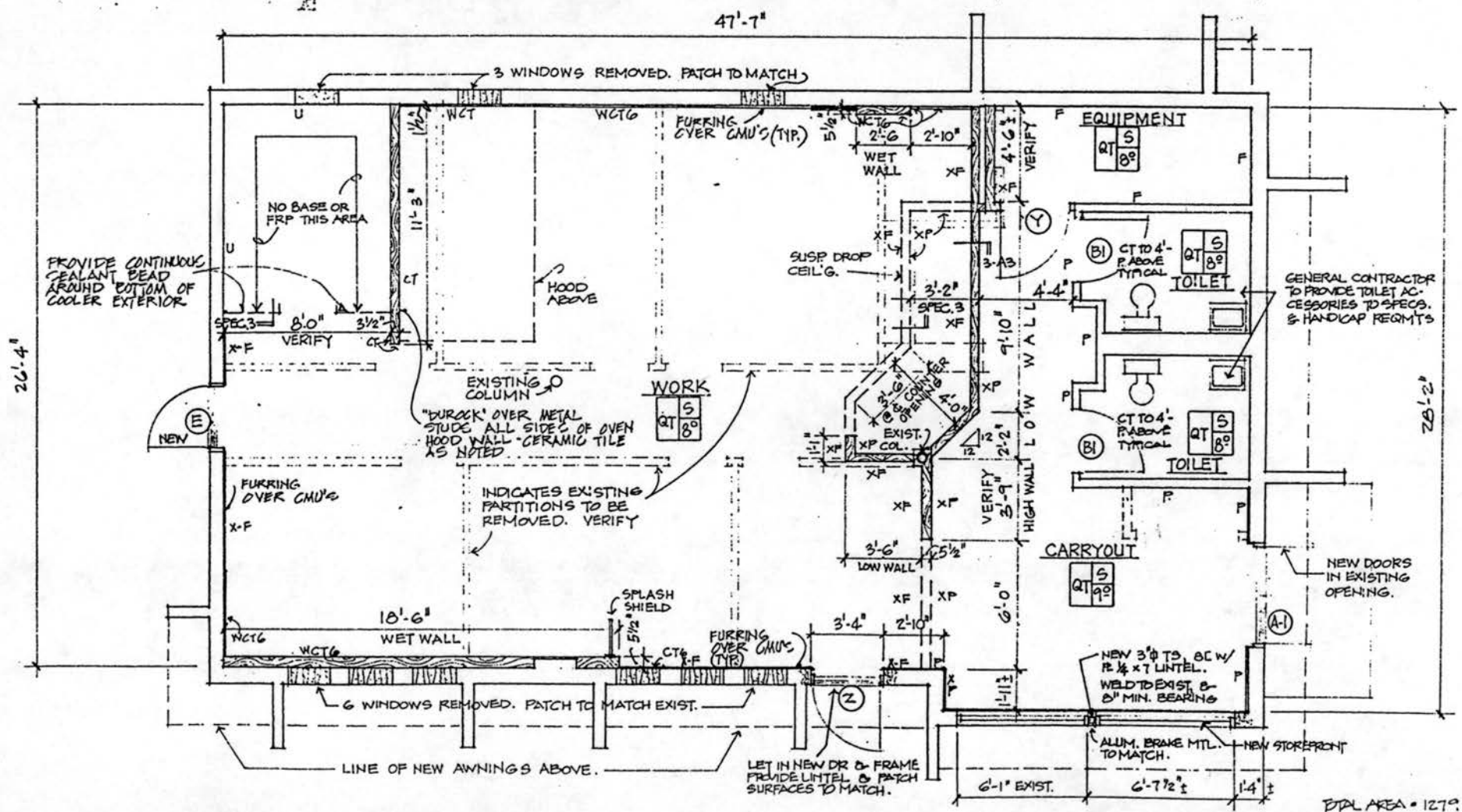
kk



SPASH SHIELD CHANDRINK
SCALE 1/2" = 1'-0"

NOTE: GENERAL CONTRACTOR SHALL PROVIDE STRUCTURAL SUPPORT FOR ALL ROOF MOUNTED OR SUSPENDED MECHANICAL AND FOOD SERVICE EQUIPMENT AS REQUIRED.

4" 11" x 10" 4" x 4" AFF. F.A.M.
TO CEILING
6" TILE TO 6'-0" AFF. FRP TO CEILING
CT- CERAMIC TILE



ORDINANCE NO. 89-

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

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. The zoning district classification of the following described land is hereby changed as follows:

Description of Land:

P.I.D. #16-118-21-33-0090 located at 3600 Douglas Drive

Present Classification:

B-2, Limited Commercial District

New Classification:

B-4, Community Commercial District

Sec. 2. The Zoning Administrator is authorized and directed to make the appropriate changes in the Zoning District map on file in the Office of the City Clerk in accordance with Crystal City Code, Appendix I, Section 515.17, Subdivision 2.

Sec. 3. This ordinance is effective in accordance with Subsection 110.11 of the City Code.

First Reading: May 2, 1989.

Passed by the City Council: May 16, 1989.

Mayor

ATTEST:

City Clerk

(Published in the Crystal-Robbinsdale Post News
May 24, 1989)

31ST AVENUE

ORDINANCE NO 89-_____

AN ORDINANCE VACATING CERTAIN
UTILITY EASEMENTS

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. Pursuant to Minnesota Statutes, Section 462.358, Subdivision 7, and Crystal City Charter, Section 12.06 (collective, Act), a request to vacate City utility easements (Easements) located on property at 6619 - 31st Avenue North in the City.

Sec. 2. A public hearing after duly published notice and opportunity of the affected property owners to be heard concerning the vacation has been held in accordance with the Act.

Sec. 3. The City Council has found and determined that vacation of the Easements is in the public interest.

Sec. 4. The Easements to be vacated are legally described as:

The north 165.6 feet of the easterly 5 feet of Lot 1,
Block 3, Sunnyview Hills.

The north 165.6 feet of the westerly 5 feet of Lot 2,
Block 3, Sunnyview Hills.

Sec. 5. The Easements are vacated.

Sec. 6. The City Clerk is authorized and directed to file a copy of this ordinance with the Hennepin County Recorder.

Mayor

Attest:

City Clerk

CRYS4:00110D04.F16

ANGELINE AVENUE

ORDINANCE NO 89-_____

AN ORDINANCE VACATING A CERTAIN
DRAINAGE AND UTILITY EASEMENT

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. Pursuant to Minnesota Statutes, Section 462.358, Subdivision 7, and Crystal City Charter, Section 12.06 (collective, Act), a request to vacate a portion of a City drainage and utility easement (Easement) located on property at 5003 Angeline Avenue North in the City has been submitted to the Council.

Sec. 2. A public hearing after duly published notice and opportunity of the affected property owners to be heard concerning the vacation has been held in accordance with the Act.

Sec. 3. The City Council has found and determined that vacation of the Easement as proposed is in the public interest.

Sec. 4. The portion of the Easement to be vacated is legally described as:

The east 55 feet of the west 60 feet of the north 10 feet of the south 50 feet, Lot 2, Block 1, Larson's Rolling Green of Crystal.

Sec. 5. The portion of the as described Easement is vacated.

Sec. 6. The City Clerk is authorized and directed to file a copy of this ordinance with the Hennepin County Recorder.

Mayor

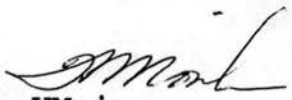
Attest:

City Clerk

CRYS4:0011OD04.F16

DATE: May 10, 1989
TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
SUBJECT: Parking Restrictions on Lakeland Avenue
North of 56th Avenue

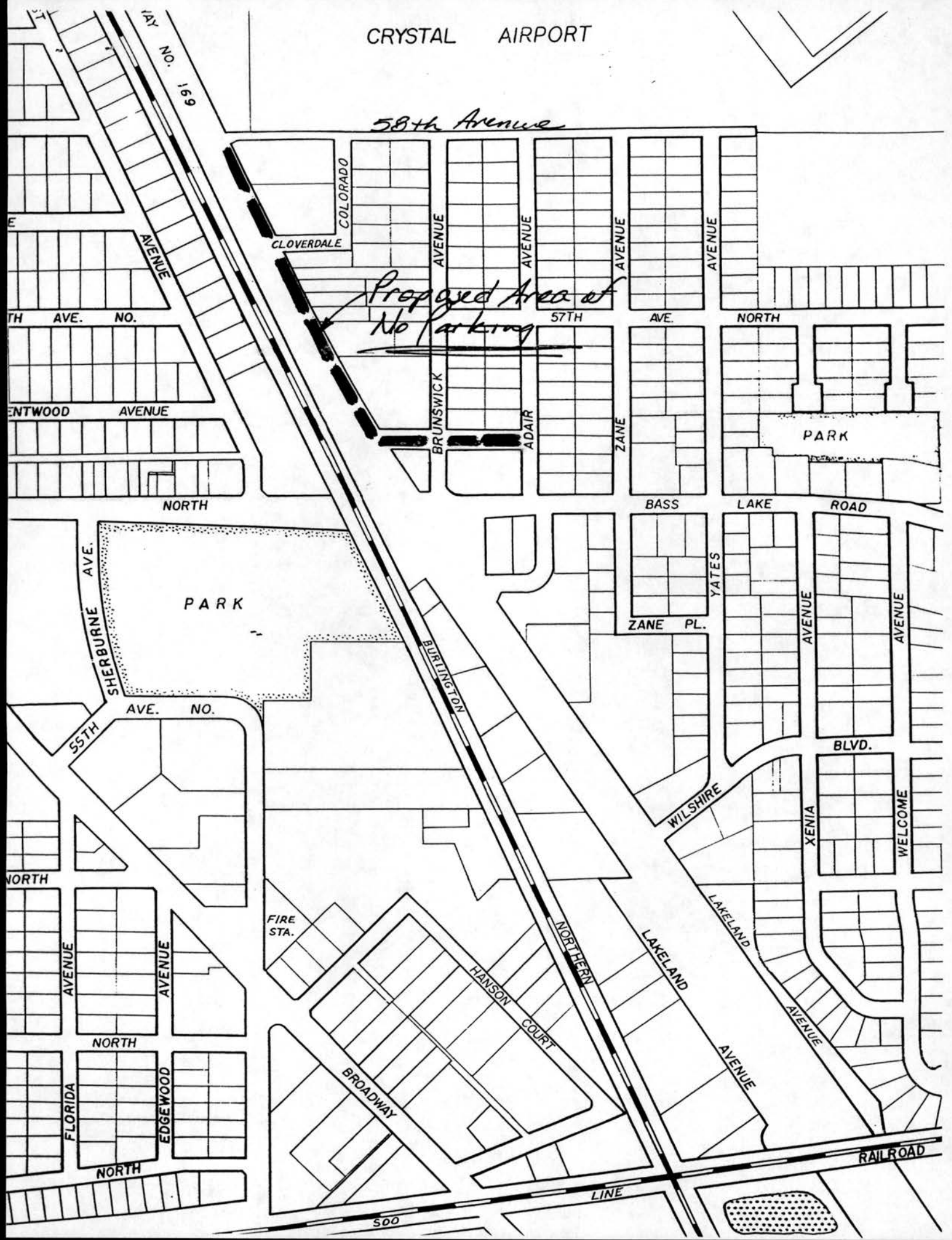
Nighttime parking problems continue to be experienced on Lakeland Avenue (CR 81 frontage road) north of Bass Lake Road. At times, the parking on both sides of the street prohibits two-way traffic and obstructs vision around curves and at intersections. For that reason, this office recommends a no parking zone be established on Lakeland Avenue between 58th and Adair Avenues as noted on the attached map.



WM:jrs

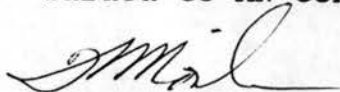
Encl

CRYSTAL AIRPORT



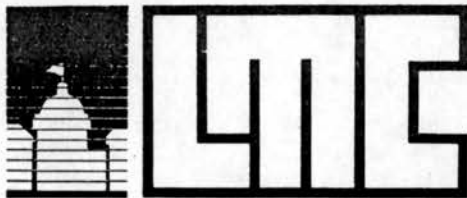
DATE: May 8, 1989
TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
SUBJECT: EPA Regulations for Lead and Copper Levels in
Drinking Water

As noted in the attached memorandum from the League of MN Cities, the U.S. EPA is preparing regulations regarding copper and lead levels in drinking water. While everyone supports the overall plan in its intent to protect public safety, several of the regulatory provisions provide minimal improvement to water quality but have significant economic impacts on local systems. For that reason, this office recommends approval of the attached resolution to be forwarded to MN Congressional and Senate representatives.



WM:jrs

Encls



League of Minnesota Cities

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

April 25, 1989

MEMORANDUM

TO: Mayors, Managers, Clerks
Water Utility Supervisors

FROM: Ann Higgins, Federal Liaison

SUBJECT: Calculating local cost of compliance with National
Primary Drinking Water Regulations on Maximum Contamination
Levels for Lead (and Copper)

What the concern is about

Last fall, the League first signaled concern regarding the preliminary federal drinking water regulations on lead contamination proposed by the U.S. Environmental Protection Agency. The League's concern stemmed from realization that nearly all city operated water systems would be required to install treatment facilities or take other steps to comply with the new rules. LMC published an article on the proposed NPDW lead contamination standards in the November, 1988 issue of Minnesota Cities (see page 33) and issued an Action Alert to member cities (October 17).

What is needed now

Letters of concern from Minnesota cities to members of the Minnesota Congressional Delegation with information on the results of analysis of the costs of the proposed monitoring, testing and treatment are important in underlining the need for EPA to redesign and modify the regulations before they become final.

What are the issues

Provisions of the 1986 Safe Drinking Water Act ban the use of lead in public water supplies and in residences connected to those systems. Enforcement of the ban took effect last June (1988).

City officials are concerned about the extent and complexity of local responsibility for stepped up testing and treatment procedures. The following information is provided to assist you in determining costs the city will be required to cover and the resulting impact on local water utility rates for local businesses and residents.

Concern about the proposed regulations is widespread. Your help is needed to convince members of congress to re-examine and modify the NPDW regulations for lead and pH corrosion levels. Efforts must be made to focus attention on the need to eliminate the most serious threats to public health. Cities must have flexibility to comply with federal drinking water lead contamination standards without being forced to increase local water user rates sharply in order to pay for stringent compliance procedures not reasonably related to the extent of the threat to health of local residents.

Please read the Action Alert published in the April 21 edition of Minnesota Cities Bulletin. There you will learn the major issues surrounding the pending regulations and the prospect for further congressional action on this matter.

HOW TO CALCULATE THE COSTS OF COMPLIANCE

The regulations require that treatment be applied to control corrosion in pipes and household plumbing if any "no action" lead levels are not achieved. The city must demonstrate that the water system provides drinking water with

- * lead levels are less than 10 ppb (parts per billion);
- * no more than 5 percent of the testing samples contain more than 1300 ppb of copper;
- * no more than 5 percent of the samples have a pH of less than 8.

If the local water system fails to meet any of the "no action" levels, the city must submit a treatment plan within one year outlining the steps the water utility will take and a schedule to provide corrosion-control treatment. (Systems that serve 3,300 or fewer persons may have the state provide them with a treatment plan.)

Systems serving 500 to 3,300 persons have an extra year to begin monitoring and required treatment once the EPA drinking water rules for lead contamination are final. Systems serving less than 500 people will be given two extra years before monitoring and treatment must begin. (But in each case, sampling and testing must go forward as required of all systems.)

Use the following information to calculate the cost of additional treatment for pH adjustment or corrosion inhibitors.

1. Use the figure of \$20 - \$50 per million gallons of water treated to determine the annual cost of applying corrosion inhibitor or chemicals required to make necessary pH adjustments.
2. Determine the cost of installation of equipment to feed chemicals to the city water system. If there is a well house available for each well in your system and there is sufficient space in the facility to install the chemical feed equipment, the capital costs for installation could be as low as \$2,000 per installation.

If there is no well house with sufficient space, the cost of providing the necessary structure and equipment could total \$14,000 or more per installation.

3. Calculate the additional cost of labor the city will need to obtain required numbers of first-draw testing samples.

City utility operators would be required to obtain samples from residences near the ends of the distribution system and from those that contain lead solder less than 5 years old

For water systems that serve less than 500 service connections, the proposed regulations require the city to obtain 10 samples the first year, with new samples required every 5 years thereafter once compliance has been established.

Cities serving 500-3,000 customers would have to conduct sampling every two years (of 10 samples). The number of samples required increases with the number of water utility service connections:

System Size	Number of samples required
3,300 - 10,000	20 per quarter/80 per year
10,000 - 100,000	30 per quarter/120 per year
over 100,000	50 per quarter/200 per year

The occurrence of lead in city drinking water

According to the December, 1986 EPA benefit analysis on reducing lead in drinking water, lead occurs as a corrosion by-product that is most often found in new housing or older housing with new plumbing where the use of lead solder is evident. Newly installed solder is particularly dangerous because it dissolves easily and places those using the plumbing at risk. EPA acknowledges, however, that "...lead concentrations in fully flushed water typical of distribution system water, even under corrosion conditions and with new solder, (my underlining) are generally below the currently permitted lead levels (50 parts per billion) and usually below 20 ppb."

EPA has determined that lead occurs as a corrosion by-product and exposure occurs from tap water that can contain significant amounts of lead. Data collected and analyzed from Culligan water-softening company tests formed the basis for EPA's estimates of occurrence.

Highest lead contamination levels occur with exposure to the newest solder. EPA also states that the risk to inhabitants of older housing indicates that 16 percent of such residents are at risk of exposure to high lead levels. EPA has acknowledged uncertainty about patterns of drinking water use and the extent of installation of plastic piping in new construction that would reduce these estimates

EPA has claimed that their studies indicate that benefits that could result from reducing exposure to lead in public water systems go beyond the actual health factors attributable to reducing the risk of lead contamination to the reduction in corrosion in service pipes and materials. A key point of the analysis, however, is the emphasis that the benefit EPA attributes to reduction of lead levels also assumes that EPA will reduce lead levels in tap water as well as monitor lead levels in the operation of water utilities.

EPA has acknowledged that water distributed from water treatment facilities is usually not contaminated by high lead levels, but lead levels at the user tap can be much greater due to pipe and solder corrosion. Use of lead service pipes and mains is not generally a practice for most water systems, but the use of solder and related materials is more common generally, according to EPA.

In fact, EPA has stated that "...lead concentrations in fully flushed water...even under corrosive conditions and with new solder, are generally below 50 ppb and usually below 20 ppb." In the same report, the agency declared that "...levels in fully flushed water (in community water supplies) and in distribution water are typically low." Further, EPA acknowledged that while corrosive waters have the highest levels of lead contamination, non-corrosive conditions can also have significant amounts of leaching of lead into the water supplies. The key factor in that phenomenon appears to be the presence of new solder. After 5 years, the levels decline and "...are generally not elevated beyond 5 years...", according to studies cited by EPA.

Another problem with the data that concerns numbers of people trying to understand the nature of the threat from lead in drinking water is the relationship between water lead levels and blood lead levels. Studies used by EPA assume that there is a direct relationship; other studies have even suggested a higher probability of damage from exposure than a simple linear relationship.

Since lead is not believed to have any beneficial effect on human health, elevated blood lead levels are viewed with particular concern. Even so, EPA acknowledged that there is still much uncertainty and lack of knowledge about lead health effects and agreed that other analyses of benefits of reducing lead levels in drinking water would be helpful in judging the reasonableness of the estimates developed by EPA.

In the meantime, however, the costs of implementing standards mandated by regulations such as those proposed by EPA for lead, copper and pH levels in drinking water must be of concern to every responsible city official.

Attachments

Attached please find a sample letter and council resolution regarding the proposed EPA rules on lead and copper. Alter the sample wording to illustrate your city's particular circumstances.

DRAFT

The Honorable -----
(Your representative's
name and address)

Dear Congressmen -----:

The USEPA has proposed new regulations for lead and copper in drinking water which are of great concern to our community. These rules provide for a monitoring scheme, "no-action" levels and public education requirements that are unworkable, unrealistic and are clearly an example of over-regulation. We believe the regulation of lead and copper must be focused so that the protection of public health is maximized without frittering away dollars for irrelevant and time-consuming tasks with little or no public health benefit. Also, the rules do not target limited resources to the protection of sensitive populations such as children.

We strongly recommend the following changes to the proposed EPA rules on lead and copper:

1. Eliminate the pH "no-action" level entirely. A pH reading by itself tells you virtually nothing about the water's corrosivity. Approximately 98% of the community water systems in Minnesota have a pH below 8.0 (the "no-action" level) and would be required to make a pH adjustment with virtually no possibility of reducing the lead concentrations within the residences served.

We estimate our community will be required to spend approximately \$_____ annually to meet the proposed regulations. Not only is this treatment unnecessary and costly but will likely result in scaling and deposits in our water system, problems we don't need!

Note: (See the attached information on calculating this cost. It is important to let your Congressman know the financial impact on your community.)

2. Monitoring Program

The selection process for sampling sites is overly complicated and will only frustrate cities like ourselves who attempt to follow the requirements.

We recommend this part of the regulation be simplified by listing the factors that make properties at higher risk to lead contamination and then let the community water system use the factors to select their own sampling sites. Also, sampling sites should not be restricted to single family residences but should include multiple family dwellings, schools, day-care centers and other buildings serving sensitive populations.

The proposed monitoring frequency is excessive and involves too many sites. The collection of "first flush" samples from private residences will be very difficult if not impossible, and there will be no way of determining if in fact the water has remained in the plumbing system for the required 8-18 hours.

We recommend the EPA review the monitoring requirements, recognize the difficulties and allow the primacy entity, in this case our State Health Department, the discretion to establish sampling criteria needed to get the job done efficiently and effectively.

3. Public Education Program

The requirements of this section are completely unrealistic and unachievable by a community like ours. If the EPA believes extensive public education is needed and would be productive, it should be carried out by the state or federal government, not by us. Our city is in the business of providing safe drinking water but is not qualified to be public education experts nor should we be. This section of the rule should be removed completely.

We are all in favor of and totally support the goals of the Safe Drinking Water program; however, the proposed new regulations for lead and copper are unworkable, unrealistic, and provide little if any public health benefit.

These proposed rules must be changed and we ask your help in getting this accomplished! It is our understanding that EPA is considering revisions to the proposed rules. We strongly request that any revisions to the proposed rules be again submitted for public comment before they are adopted.

Sincerely,

SAMPLE DRAFT OF A RESOLUTION OPPOSING
PROPOSED NEW EPA RULES FOR LEAD AND COPPER

WHEREAS, The City of _____, Mn. has a population of _____,

WHEREAS, The municipal water system is supplied by wells from the _____
aquifer

WHEREAS, The municipal water system meets all federal and state standards
for potable water,

WHEREAS, Proposed EPA rules mandate certain testing and pH requirements
in municipal water systems,

WHEREAS, The proposed rules will place an unnecessary financial burden
on the users of the system by requiring costly installation of a
treatment system,

WHEREAS, The chemical supply and maintenance of the required treatment
system will be a continuing financial burden,

WHEREAS, The required testing procedures are too complex,

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of _____
respectfully requests that the Congress of the United States ammend
the proposed rules requiring a pH factor of 8 or over and further
requests the sampling methods as required be changed to allow for
a less complex and simplified method of testing for lead in the
water system.

RESOLUTION NO. 89-
A RESOLUTION DIRECTING ESTABLISHMENT OF REFUSE
AND RECYCLING COLLECTION DISTRICTS

WHEREAS, the City of Crystal entered into a joint powers agreement with the Cities of New Hope and Brooklyn Center, forming the Hennepin Recycling Group (HRG), in order to contract for organized refuse and recycling collection services; and

WHEREAS, the HRG has been forbidden by a Temporary Restraining Order from organizing refuse collection to coordinate with recycling collection, and it has become necessary to find another means of offering Crystal resident's same-day refuse and recycling collection services; and

WHEREAS, the City of Crystal has approved Ordinance No. 89-____, which provides the authority to develop refuse and recycling collection districts within the City of Crystal.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Crystal, Minnesota directs the City Manager or his designee to develop geographical refuse and recycling districts which: 1) provides for same-day collection throughout the City, 2) designs districts of approximately 4000 - 4300 stops per district, 3) designs districts that have contiguous boundaries paying special attention to geographical boundaries and overlapping municipal boundaries if necessary, and 4) makes district borders as straight and simplified as possible.

Mayor

Date

Attest:

RESOLUTION NO. 89-
A RESOLUTION APPROVING REFUSE/RECYCLING
COLLECTION DISTRICTS AND DAYS OF COLLECTION AS
ESTABLISHED BY THE CITY MANAGER

WHEREAS, the Crystal City Council in Resolution 89 - _____ directed the City Manager to develop geographical refuse and recycling districts according to certain criteria for the purpose of providing same-day refuse and recycling collection in the City of Crystal; and

WHEREAS, the City Manager's Designee, the Hennepin Recycling group Administrator, has designed three geographical districts, which comply with the criteria established by the City Council, as follows:

Monday District: The area east of Douglas Drive or Lakeland Avenue.

Tuesday District: The area west of Douglas Drive and south of 42nd Avenue.

Wednesday District: The area west of Douglas Drive and north of 42nd Avenue.

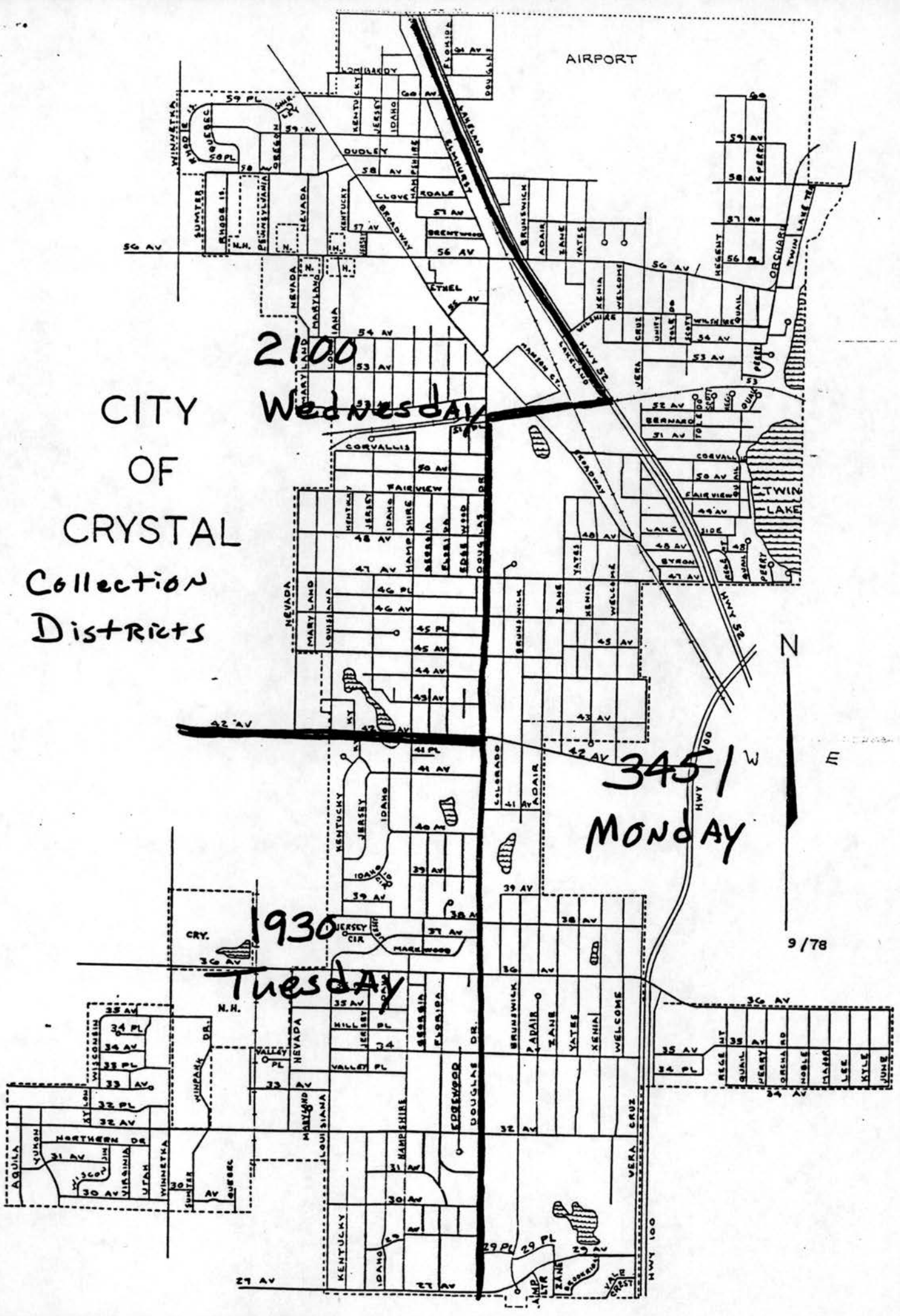
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Crystal, Minnesota approves the collection districts as established by the City Manager Designee, as described above and the days of collection as described above.

Mayor

Date

Attest:

CITY
OF
CRYSTAL
Collection
Districts



MEMORANDUM

DATE: April 25, 1989
TO: Jerry Dulgar, City Manager *JD*
FROM: Thomas Heenan, Supervising Sanitarian
SUBJECT: Refuse Haulers Pickup Times

At your direction, I have reviewed the noise and refuse ordinances regarding pickup times for commercial refuse. The ordinance only speaks to residential zoned areas for time limits.

It would appear from the ordinance that an amendment would be necessary to restrict commercial haulers to a 6:00 A.M. to 10:00 P.M. time frame. We have been able to obtain voluntary restraint on the part of those businesses directly abutting residential zoned property.

We can also direct a letter to the haulers informing them of problems and the potential for regulation if we receive particular complaints.

I have attached an example of such a letter to this memo.

TLH:jt

Encl: Ordinance Wording



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

HEALTH DEPARTMENT

M E M O R A N D U M

DATE: April 28, 1989
TO: ALL REFUSE HAULERS LICENSED IN CRYSTAL
FROM: Thomas L. Heenan, Supervising Sanitarian
SUBJECT: Hours of Pickup

Crystal City Ordinance limits pickup in residential districts to the hours of 6:00 A.M. - 10:00 P.M. on weekdays and between 6:00 A.M. - 9:00 P.M. on weekends.

The City Council has received numerous complaints from persons residing in areas directly adjacent to commercial districts objecting to collection of refuse before 6:00 A.M. If the council continues to receive complaints regarding commercial pickup, the ordinance may be changed to limit commercial pickup to the residential hours.

We are asking that your good judgment be used when you pickup in areas that may be close enough to residential dwelling that will cause noise problems. If we receive cooperation, it may not be necessary to amend the ordinance.

If you have any questions, please call me at 537-8421

TLH:jt

Subd. 6. Defective Vehicles or Excessive Loads. No person shall operate any vehicle in such a state of disrepair or overloaded so as to create loud and unnecessary grating, grinding, rattling, or other noise.

Subd. 7. Loading, Unloading, Unpacking. No person shall create loud and excessive noise in loading, unloading, or unpacking any vehicle.

Subd. 8. Radios, Phonographs, etc. No person shall use or operate any radio receiving set, musical instrument, phonograph, or other device for the production or reproduction of sound in such manner as to disturb the peace, quiet, and comfort of neighbors or others nearby. Operation of any such set, instrument, phonograph, machine or other device between the hours of 10 o'clock p.m. and 7 o'clock a.m. in such a manner as to be plainly audible at a property line or at 50 feet from a vehicle, structure or building in which it is located shall be prima facie evidence of a violation of this section.

Subd. 9. Loud Speakers, Amplifiers for Advertising, etc. No person shall use or operate or permit the use or operation of any loud speaker, sound amplifier, or other device for the production or reproduction of sound when the sound is cast upon a street or other public place for the purpose of commercial advertising or attracting the attention of the public to any commercial establishment or vehicle.

Subd. 10. Animals. No person shall keep any animal that disturbs the comfort or repose of persons in the vicinity by its frequent or long continued noise.

Subd. 11. Schools, Churches, Hospitals, etc. No person shall create any excessive noise on a street, alley, or public grounds adjacent to any school, institution of learning, church, or hospital when the noise unreasonably interferes with the working of the institution or disturbs or unduly annoys its occupants or residents.

645.05. Hourly Restriction on Certain Operations. Subdivision 1. Recreational Vehicles. No person shall, between the hours of 10 o'clock p.m. and 7 o'clock a.m., drive or operate any minibike, snowmobile or other recreational vehicle not licensed for travel on public highways.

Subd. 2. Outdoor Power Equipment. No person shall operate a power lawn mower, power hedge clippers, chain saw, or other outdoor property maintenance equipment except between the hours of 7 o'clock a.m. and 10 o'clock p.m. on any weekday or between the hours of 9 o'clock a.m. and 9 o'clock p.m. on Saturday, Sunday or holiday. This subdivision shall not apply to snow removal activities or to municipal or commercial outdoor property maintenance activities except that commercial activities shall not unreasonably disturb the peace, quiet, and comfort of nearby residents. In the case of emergencies resulting from unforeseen causes such as snow or wind storms this section shall not apply to reasonable and necessary remedial actions.

Subd. 3. Refuse Hauling. No person shall collect or remove garbage or refuse ~~in any residential district except~~ between the hours of 6 o'clock a.m. and 10 o'clock p.m. on any weekday or between the hours of 6 o'clock a.m. and 9 o'clock p.m. on any weekend or holiday.

M E M O R A N D U M

DATE: April 25, 1989
TO: Jerry Dulgar, City Manager *TJA*
FROM: Tom Heenan, Supervising Sanitarian
SUBJECT: Refuse Enclosures

You recently requested that I research the question of requiring refuse enclosures around dumpsters in commercial buildings.

It states, in the zoning code, that all exterior storage, including dumpsters, must be screened. This would cover all buildings constructed or substantially remodeled with site improvements since the enactment of the current zoning code, February 15, 1976.

I have discussed this with the City Engineer, Bill Monk, and he is requiring screening on all new construction. It appears, however, that prior to his arrival, this was not required as part of the planning process. It is possible to go back and require that all buildings constructed since the enactment of the ordinance construct enclosures around their garbage dumpsters. If we were to do this, I would suggest a 24 to 36 month phase-in period to allow the property owners sufficient time to construct the enclosures.

It would also be possible to ammend the refuse ordinance to require dumpster enclosures in certain types of occupancies, such as restaurants, or where they are within a certain distance from residential occupancy or the area fronts a street.

I have attached to this memo a suggested ordinance and the current provisions of the zoning code allowing for screening of all exterior uses.

TLH:jt
Encl.

Octave Band, Hertz	Sound Levels in Decibels		
	"R-1", "R-2", "R-3", "R-4", "R-0", "B-1a", "B-1"	"B-2", "B-3", "B-4", "I-1", "I-2"	
37.5 to 75	63	78	
75 to 150	59	74	
150 to 300	55	69	
300 to 600	51	66	
600 to 1200	45	60	
1200 to 2400	38	53	
2400 to 4800	31	46	
Over 4800	25	40	

- b) The standards as established in subsection 515.07, Subd. 14 a) of this Code shall be superseded upon enactment of noise control standards by the State of Minnesota.
- c) Exceptions to standards established in subsection 515.07, Subd. 14 a):
- 1) Noises not directly under the control of the property owner.
 - 2) Noises emanating from construction and maintenance activities between 7:00 a.m. and 9:00 p.m.
 - 3) The noise of safety signals, warning devices, and emergency pressure relief valves.
 - 4) Transient noise of moving sources such as automobiles, trucks, airplanes and railroads.
 - 5) The levels specified in Subd. a) above may be exceeded by ten decibels for a single period, no longer than 15 minutes in length, in any one day.

Subd. 15. Refuse. Passenger automobiles, station wagons and trucks not currently licensed by the state, or which are because of mechanical deficiency incapable of movement under their own power, parked or stored outside for a period in excess of 30 days, and all materials stored outside in violation of the City Code are considered refuse and shall be disposed of in accordance with pertinent provisions of the City Code.

Subd. 16. Exterior Storage. All materials and equipment except as provided for in subsections 515.19 through 515.47 of this Code shall be stored within a building or fully screened so as not to be visible from adjoining properties, except for the following:

- COVERS
Refuse
CONTAINERS
- a) Clothes line pole and wires.
 - b) Recreational equipment and vehicles as permitted by Section 1330 of the City Code.
 - c) Construction and landscaping material currently being used on the premises.
 - d) Off-street parking of passenger vehicles and trucks not exceeding a gross weight of 9,000 pounds.

515.09. Off-Street Parking Requirements. Subdivision 1. Purpose. The regulation of off-street parking spaces in this Zoning Code is to alleviate or prevent

INFORMATION SERVICE
League of Minnesota Cities
183 University Ave E.
St. Paul, MN 55101

Classification # 485 A
Municipality White Bear Lake
Date Jan. 12, 1988
Subject _____

CITY OF WHITE BEAR LAKE

ORDINANCE NO. 88-1-756 **1-A**
ORDINANCE AMENDING CHAPTER 501 OF
THE CITY'S ORDINANCE CODE RELATING
TO GARBAGE AND REFUSE BY REQUIRING
THE ENCLOSURE OF CONTAINERS

SECTION I. BE IT ORDAINED BY THE
CITY OF WHITE BEAR LAKE, MINNESOTA,
THAT CHAPTER 501 OF THE CITY'S ORDINANCE
CODE BE AMENDED BY ADDING
THE FOLLOWING SECTION.

§501.041. ENCLOSURE OF CONTAINERS.

All garbage or refuse containers exceeding
seventy-five (75) gallons in size and located
on property used for purposes other than
single family residential, shall be contained
within a building or within an area which has
an impermeable floor surface and is
enclosed and screened within a 90% or
greater opaque wooden or metal fence or
masonry wall not less than six (6) feet in
height having a gate or doorway which
remains closed except for access purposes.

In cases of special hardship, the applicant
may apply for a variance as provided for in
Section 1301.060, and the City Council may
grant a variance from the requirements of
this section and establishing special require-
ments necessitated by the variance.

SECTION II. EFFECTIVE DATE. This ordi-
nance shall be published on the earliest pos-
sible date and shall take effect June 1, 1988.

First Reading November 10, 1987.

Second Reading January 12, 1988.

Jerry Briggs, Mayor

ATTEST: **485 A**
Raymond R. Siebenaler
Published in the White Bear Press January
27, 1988.

This & the
Prior Lake
Ordinance
seem to respond
to your request
pretty well

INFORMATION SERVICE
League of Minnesota Cities
183 University Ave E.
St. Paul, MN 55101

City of Prior Lake

No. 8823 Official Publication

A-1

CITY OF PRIOR LAKE
ORDINANCE NO. 83-2

An ordinance amending Prior Lake City Code 8-1-4, paragraphs (C) and (D) specifying the garbage and refuse container requirements and container structure requirements for multiple residence buildings and commercial establishments.

The Council of the City of Prior Lake ordains:

Section 1: Purpose. The purpose of this ordinance is to amend the Prior Lake City Code Section 8-1-4, paragraphs (C) and (D) to specify the type of garbage and refuse container and enclosing structure required for multiple residence buildings and commercial establishments in the City of Prior Lake.

Section 2: Prior Lake City Code Section 8-1-4, paragraph (C) is amended to read as follows:

(C) Multiple Residence Buildings: Multiple residence buildings having more than three (3) family units having garbage and refuse pickup shall either be equipped with refuse containers and refuse pickup service as provided in this subsection or be equipped with a commercial incinerator complying with the requirements of the Minnesota Pollution Control Agency and licensed by the City as provided in this chapter. (See also sections 8-1-9 and 8-1-10 of the Prior Lake City Code). If refuse containers are provided as an alternative to or in addition to incineration and are one (1) cubic yard or larger in capacity, then they shall be conveniently located in relationship to the residence units for which they are provided, shall be watertight and rodent proof with lids and shall be kept in an enclosing structure concealing them from public view. (Contact your refuse hauler for detailed structure design). Such structure shall have a concrete floor with apron that drains which shall not be higher than three (3) inches above the natural grade of the surrounding area. Existing bituminous surfaces may be used as a floor for the enclosing structures until such time that the floor has deteriorated or five (5) years whichever occurs first, at which time the bituminous floor shall be replaced with a concrete floor. The enclosing structure shall be equipped with a gate large enough for a garbage truck to service the refuse container. The gate in the enclosing structure shall face in the direction which is most convenient for the approach of the garbage truck and shall be constructed with a latch which can secure the gate in an open and shut position. The enclosing structure shall have a minimum opening of thirty (30) inches. Such opening shall be constructed in such a manner so that the view to the interior of the enclosure is blocked when viewed from the outside of the enclosing structure. Such enclosing structure shall be kept in a state of good repair at all times. The refuse containers shall be located such that their contents are inaccessible to at least three (3) feet above the base of the enclosing structure. The owner or operator of such multiple residence property shall provide for garbage pickup from such containers. Refuse, debris, garbage, and other waste materials shall not be permitted to be accumulated in or near the enclosing structure unless placed in the refuse containers located within said structure with the watertight and rodent proof lids in place thereby sealing off the container. There shall be daily cleanup in and around each such enclosing structure.

Section 3: Prior Lake City Code Section 8-1-4, paragraph (D) is hereby amended to read as follows:

(D) Commercial Establishments/Volume Producers of Garbage or Refuse: The owner or occupant of any commercial establishment shall also comply with the provisions of the Prior Lake City Code Section 8-1-4 (C). The owner or occupant of any other property located in the City of Prior Lake producing a volume of garbage or refuse or both, the accumulation of which exceeds the garbage collection agreement for maximum amounts to be picked up and hauled on a weekly basis pursuant to the agreement in effect between the owner or occupant of the property and the garbage or refuse collector, shall also comply with the provisions of the Prior Lake City Code Section 8-1-4 (C).

Section 4: This ordinance amendment shall become effective from and after its passage and publication.

Passed by the Council this 28th day of February, 1983.

ATTEST:

/s/Michael A. McGulre
City Manager

/s/Walter A. Stock
Mayor

(Pub. Prior Lake American March 16, 1983).

Classification # 485A
Municipality, PRIOR LAKE
Date 3/16/83
Subject

INFORMATION SERVICE
League of Minnesota Cities
183 University Ave E.
St. Paul, MN 55101

Classification # 485A
Municipality White Bear Lake
Date Jan. 12, 1988
Subject _____

CITY OF WHITE BEAR LAKE

ORDINANCE NO. 88-1-756 **1-A**

ORDINANCE AMENDING CHAPTER 501 OF
THE CITY'S ORDINANCE CODE RELATING
TO GARBAGE AND REFUSE BY REQUIRING
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an impermeable floor surface and is
enclosed and screened within a 90% or
greater opaque wooden or metal fence or
masonry wall not less than six (6) feet in
height having a gate or doorway which
remains closed except for access purposes.

In cases of special hardship, the applicant
may apply for a variance as provided for in
Section 1301.060, and the City Council may
grant a variance from the requirements of
this section and establishing special require-
ments necessitated by the variance.

SECTION II. EFFECTIVE DATE. This ordi-
nance shall be published on the earliest pos-
sible date and shall take effect June 1, 1988.

First Reading November 10, 1987.

Second Reading January 12, 1988.

Jerry Briggs, Mayor

ATTEST:

485A
Raymond R. Siebenaler

Published in the White Bear Press January
27, 1988.

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Prior Lake
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seem to respond
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pretty well

INFORMATION SERVICE
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183 University Ave E.
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CITY OF PRIOR LAKE

No. 8823 Official Publication

A-1

CITY OF PRIOR LAKE
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Section 4: This ordinance amendment shall become effective from and after its passage and publication.

Passed by the Council this 28th day of February, 1983.

ATTEST:

/s/Michael A. McGuire
City Manager

/s/Walter A. Stock
Mayor

(Pub. Prior Lake American March 16, 1983).

Classification # YES A
Municipality PRIOR LAKE
Date 3/16/83
Subject _____

HUMAN RELATIONS COMMISSION

April 24, 1989

Members Present: Lois Ehret, Arlene West, Linda Museus, John Luzaich, Renee Werner.

Members Absent: Bruce Kleeberger, Barbara McMahon.

Council Liaison Present: Garry Grimes.

1. Minutes from March 27 were approved, moved, seconded and passed.
2. Linda distributed a memo regarding workers' compensation insurance for Crystal workers; commission members are covered while conducting City business.
3. Linda noted the Robbinsdale Commission invitation and encouraged everyone to attend on May 6 from 9:30 a.m. to 11 a.m.
4. A letter of resignation was received from James Darmer.
5. Brochure
 - a. Members reviewed the proof and compared it to three other commission brochures; some small changes noted.
 - b. Gary is checking on enclosing in City Newsletter; will confirm size, cut off date, for July newsletter and any other relative information.
 - c. Lois is making the changes in proof and bringing packet to Saturday meeting for possible input from other commissions.
 - 1) approve final proof at May 22 meeting
 - d. Our goal is to insert in the July City Newsletter.
6. Linda noted that if a member is unable to attend a meeting, a call to her will excuse the absence.
7. Lois noted she will be unable to attend the June and July meetings.
8. Lois move, John seconded, motion passed to recommend to City Council that Judy Rice be reimbursed \$100 for graphic work done to date on brochure.
9. Linda reminded everyone that next month is election of officers.
10. Gary asked what conditions warrant a closed meeting and will get an opinion from the City Attorney.
11. Members discussed the possible staff person assignment, the need is for an administrative person. Gary will discuss with Jerry Dulgar and advise.
12. Arlene moved, John seconded, motion passed to adjourn meeting.

Meeting adjourned at 8:10 p.m.

ORDINANCE NO. 89-_____

AN ORDINANCE RELATING TO PUBLIC
SAFETY; AMENDING CRYSTAL CITY CODE,
SECTION 960 BY ADDING A SUBSECTION.

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. Crystal City Code, Section 960 is amended by adding a subsection to read:

960.11. Community Service Officer. A person holding the position of Community Service Officer in the Police Department may, under the direction of the Chief of Police, issue citations in lieu of arrest.

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

Mayor

Attest:

City Clerk

CRYS4:0011OD03.F16

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
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
Mark J. Gergen
Julie A. Lawler
Janet J. Coleman
Stephen J. Bubul

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

May 10, 1989

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

Re: Resolution Regarding Investigation Fees

Dear Darlene:

Enclosed you will find a resolution establishing investigation fees. I prepared for liquor and beer as well as for pawnbrokers since the investigation fees do not appear in Chapter X.

We should probably talk one of these days about a Council resolution setting all fees so that we can strike that section from the ordinance code. You will recall that we discussed this earlier, and I think it might be a good idea to approach the matter that way.

Yours very truly,


David J. Kennedy

DJK:caw

Enclosure
cc: Jerry Dulgar

RESOLUTION NO. 89_____

RESOLUTION ESTABLISHING
INVESTIGATION FEES:
LIQUOR LICENSES AND
PAWNBROKER LICENSES

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

1. The City is authorized by law and ordinance to impose investigation fees for persons applying for liquor, beer, and pawnbroker licenses.
2. The investigation fees for liquor, beer, and pawnbroker licenses are established at \$200 per individual investigated if the applicant is a resident of the state and \$500 if the applicant has been a resident of the state for less than ten years.
3. The investigation fees are payable to the City Clerk at the time of making the application for license and are not refundable.

Mayor

Attest:

Clerk

LeFevere
Lefler
Kennedy
O'Brien &
Drawz

a Professional
Association

2000 First Bank Place West
Minneapolis
Minnesota 55402

May 11, 1989

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

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

Re: Economic Development Authority

Dear Jerry:

Enclosed find a draft of an enabling resolution which is required by law to establish an Economic Development Authority, together with a Notice of Public Hearing on the enabling resolution.

The statute requires that the Notice of Public Hearing contain a brief summary of the enabling resolution and I have prepared that. The membership of the EDA as described consists of the seven members of the City Council, but if the Council wishes to change that makeup in any way the notice will have to be amended. The notice also talks about the tax levy which, under the new system, works out to .617% of gross tax capacity which really doesn't mean much to anybody. (It used to be .75 mills times the assessed valuation.) It might be simply better to leave the percentages out and state that the City has authority to levy taxes for the support of the EDA, but that could be read as an unlimited tax authority. My suggestion is to leave the language as it is. The notice must be published twice in two consecutive weekly publications, the first not more than 30 days before the hearing. I think the Council talked about June 5th as the hearing date, and I think that is possible to meet assuming that works out on everybody's schedule.

As for the resolution itself, it is fairly straightforward but you will note in Section 2.03(b) that the EDA is prohibited from existing "municipal development district" powers under the Act. This is done intentionally so that there is no question that the City itself would be able to proceed with "housing" and "economic development" tax increment financing. There

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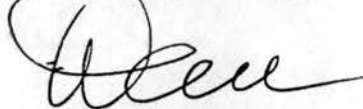
Mr. Jerry Dulgar
April 11, 1989
Page 2

is some question about that under the present law, although a bill in the legislature is designed to correct it. The enabling resolution can be changed at any time with the same notice and public hearing requirement as for the adoption of the initial resolution.

I should point out that if the enabling resolution is adopted the HRA will effectively cease to function but there will be a good deal of paperwork involved in transferring assets (land and funds) and obligations (tax increment agreements and development contracts) from the HRA to the EDA.

I think the action of the Council, if it desires to proceed, is to simply set the public hearing by motion once it has agreed on the exact content of both the notice and the resolution.

Yours very truly,

A handwritten signature in cursive script, appearing to read 'D. Kennedy', written in dark ink.

David J. Kennedy

DJK:caw

0011LT02.F16

(DRAFT)

RESOLUTION NO. ____

RESOLUTION ENABLING THE CREATION OF
AN ECONOMIC DEVELOPMENT AUTHORITY IN THE CITY
OF CRYSTAL, MINNESOTA

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

Section 1. Background: Findings.

1.01. The City is authorized by Minnesota Statutes, Chapter 469 (Act) to establish an Economic Development Authority (EDA) to coordinate and administer economic development and redevelopment plans and programs of the City.

1.02. The City has heretofore established the Bass Lake Road - Becker Park Redevelopment Project and is studying various programs for the economic development and redevelopment of the City.

1.03. It is found and determined by the City Council that the encouragement and financial support of economic development and redevelopment in the City is vital to the orderly development and financing of the City and in the best interests of the health, safety, prosperity and general welfare of the citizens of the City.

1.04. It is further found and determined that the economic development and redevelopment of the City can best be accomplished by the establishment of an EDA as authorized by the Act.

1.05. The City Council has in accordance with the Act conducted a public hearing on the establishment of an EDA at which all persons wishing to be heard expressed their views.

Sec. 2. Enabling Authority.

2.01. The Economic Development Authority of the City of Crystal (EDA) is established effective _____, 1989.

2.02. The EDA consists of a governing body of seven commissioners appointed by the Council all of whom are members of the city council and serve as Commissioners of the EDA for terms coinciding with their terms as members of the City Council. The EDA has the powers and duties given it by the Act and as limited by this resolution.

2.03. The following limits apply to the EDA and its operation:

- a) The EDA has and may exercise all of the powers conferred by the Act upon a Housing and Redevelopment Authority of the City.
- b) The EDA may not exercise any of the powers relating to Municipal Development Districts the Act as described in the Act.

- c) The sale of bonds or other obligations of the EDA must be approved by the City Council.
- d) The EDA must follow the budget process for City departments in accordance with City policy, ordinance, resolution and the City charter.
- e) Development and redevelopment actions of the EDA must be in conformance with the City comprehensive plan and official controls implementing the comprehensive plan.
- f) The EDA must submit its plans for development and redevelopment to the City Council for approval in accordance with City planning procedures and law.
- g) The administrative structure and management practices and policies of the EDA must be approved by the City Council.

2.04. As provided in the Act it is the intention of the City Council that nothing in this resolution nor any activities of the EDA are to be construed to impair the obligations of the City under any of its contracts or to affect in any detrimental manner the rights and privileges of a holder of a bond or other obligation heretofore issued by the City.

Sec. 3. Implementation.

3.01. The City Council will from time to time and at the appropriate time adopt such ordinances and resolutions as are required and permitted by the Act to give full effect to this resolution.

3.02. The Mayor, Manager, Clerk and City Attorney of the City are authorized and directed to take the actions and execute and deliver the documents necessary to give full effect to this resolution.

3.03. Nothing in this resolution is intended to prevent the City from modifying this enabling resolution to impose new or different limitations on the EDA as authorized by the Act.

Mayor

(SEAL)

Attest:

Clerk

C4:0011N089.F16

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the City Council of the City of Crystal will meet on Tuesday

_____, 1989

at 7:00 p.m. in the Council Chambers at City Hall, 4141 Douglas Drive North, Crystal, Minnesota, to conduct a public hearing on the question of adopting an enabling resolution for the creation of an Economic Development Authority (EDA) for the City pursuant to Minnesota Statutes, Chapter 469 (Act).

Summary of Enabling Resolution

The enabling resolution states that the Council has determined that it is in the best interests of the City to establish the EDA. The purpose of the EDA would be to coordinate all economic development and redevelopment activities of the City. The EDA would have the powers and duties given it by the Act which include, among other things, the authority to hire personnel and expend funds for economic development and redevelopment purposes, to acquire land and buildings for development and redevelopment, and to request the City to levy taxes not to exceed .617% of gross tax capacity annually for the support of those activities. The EDA would have all of the powers of a Housing and Redevelopment Authority under the Act but would not exercise any of the powers conferred by the Act relating to Municipal Development Districts. The Housing and Redevelopment Authority of the City of Crystal (HRA) would cease to function on the effective date of the enabling resolution and all of the assets and obligations of the HRA would be transferred to and assumed by the EDA. All EDA activities

would be subject to review and approval by the City Council. The EDA would be composed of seven members appointed by the Council who would in fact be the members of the City Council. The EDA would be established effective _____, 1989.

Hearing

At the public hearing any person wishing to express a view regarding the enabling resolution will be heard orally or in writing. At the conclusion of the hearing or any adjournment thereof the City Council will take whatever action it deems necessary with regard to the enabling resolution. A copy of the full text of the enabling resolution is on file for public inspection in the office of the City Clerk at City Hall during normal business hours.

BY ORDER OF THE CITY COUNCIL

/s/ Darlene George
City Clerk

Dated: _____, 1989

C4:0011N089.F16

EDA SURVEY DATA
MAY 1989

QUESTIONS	ROBBINSDALE	GOLDEN VALLEY	NEW HOPE	BROOKLYN CENTER	BROOKLYN PARK	PLYMOUTH	ST. LOUIS PARK
Does your city have an HRA?	YES	YES	YES	YES	YES	YES	YES
Does your city have an EDA?	IN PROCESS OF SETTING UP	NO	YES	YES	YES	NO, NOT CONSIDERING	YES
If you do have an EDA, a) when was it formed?	(PUBLIC HRG. MAY 16)	N/A	JAN. 1989 †	? 1988	JAN. 1989	N/A	OCT. 1988
b) do councilmembers serve as the EDA?	YES	N/A	YES	YES	YES	N/A	YES, MAYOR NOT CHAIR
c) was the EDA created to replace the HRA?	YES	N/A	NO	YES	NO	N/A	NO
d) do EDA members get paid?	THEY WILL HAVE A CHOICE	N/A	YES (\$25 PER DIEM)	NO	NO	N/A	YES
If you have both an HRA and EDA, a) what are the functions of the HRA?	N/A	COUNCIL IS HRA EXCEPT CHAIR IS NOT THE MAYOR (BUT ELECTED)	HANDICAPPED HSG. PROJECT. SECTION 8 CONTRACTS. (HOUSING FUNCTIONS)	THE HRA WILL REMAIN IN SHELL FORM IN CASE LEGIS- LATION CHANGES THAT PRO- HIBITS EDA ACTIVITIES.	REDEVELOPMENT. NOT INVOLVED IN HOUSING.	N/A	HOUSING FUNCTIONS.
b) what are the functions of the EDA?	SAME AS HRA W/REVOLVING LOANS PROGRAM.	N/A	TAKEN OVER REDEVELOPMENT TIF DISTRICTS.	SAME AS HRA'S FUNCTIONS WERE.	ECONOMIC DEVELOPMENT.	N/A	REDEVELOPMENT.
c) what was the reason for forming the EDA?	THOUGHT IF COUNCIL IS TAKING HEAT, THEN THEY WANT TO MAKE DECISIONS.	N/A	AN EDA CAN LEASE PROPERTY & BECOME LIMITED PARTNERS, WHERE AN HRA CANNOT.	SO THAT THE CITY COULD DEVELOP AND OPERATE EARL BROWN FARM.	WANTED MORE ECONOMIC DEVELOPMENT AUTHORITY AND ABILITY TO DO TIF WORK.	N/A	COUNCIL WANTED TO BE MORE INVOLVED.
d) do councilmembers serve as both authorities?	N/A	N/A	YES	YES	NO	N/A	NO

QUESTIONS	RICHFIELD	COLUMBIA HEIGHTS	FRIDLEY	N. ST. PAUL	S. ST. PAUL	W. ST. PAUL	ROSEVILLE
Does your city have an HRA?	YES	YES	YES	NO	YES	NO	NO
Does your city have an EDA?	NO	NO, ARE NOT PURSUING	NO, NOT CONSIDERING	NO	NO, BUT STUDYING	NO	NO
If you do have an EDA, a) when was it formed?	N/A	N/A	N/A	N/A	N/A	N/A	N/A
b) do councilmembers serve as the EDA?	N/A	N/A	N/A	N/A	N/A	N/A	N/A
c) was the EDA created to replace the HRA?	N/A	N/A	N/A	N/A	N/A	N/A	N/A
d) do EDA members get paid?	N/A	N/A	N/A	N/A	N/A	N/A	N/A
If you have both an HRA and EDA, a) what are the functions of the HRA?	N/A	N/A	N/A	N/A	N/A	N/A	N/A
b) what are the functions of the EDA?	N/A	N/A	N/A	N/A	N/A	N/A	N/A
c) what was the reason for forming the EDA?	N/A	N/A	N/A	N/A	COUNCIL WANTS TO BE MORE PROACTIVE THAN REACTIVE.	N/A	N/A
d) do councilmembers serve as both authorities?	N/A	N/A	N/A	N/A		N/A	N/A

QUESTIONS	MAPLEWOOD	ST. ANTHONY	MENDOTA HEIGHTS
Does your city have an HRA?	YES	YES	NO
Does your city have an EDA?	NO	NO	NO
If you do have an EDA, a) when was it formed?	N/A	N/A	N/A
b) do councilmembers serve as the EDA?	N/A	N/A	N/A
c) was the EDA created to replace the HRA?	N/A	N/A	N/A
d) do EDA members get paid?	N/A	N/A	N/A
If you have both an HRA and EDA, a) what are the functions of the HRA?	N/A	N/A	N/A
b) what are the functions of the EDA?	N/A	N/A	N/A
c) what was the reason for forming the EDA?	N/A	N/A	N/A
d) do councilmembers serve as both authorities?	N/A	N/A	N/A