



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

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Darlene

COUNCIL AGENDA

September 5, 1989

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on September 5, 1989, at 7:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota.

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

Councilmembers

P Moravec
P Grimes
P Rygg
P Carlson
P Herbes
P Smothers
P Langsdorf

Staff

P Dulgar
P Olson
P Kennedy
P Monk
P Barber
P George
P Brandeen
P Jones
P Johnson

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

The Mayor acknowledged a \$250 donation from Nicklow's for the Community Center.

1. The City Council considered the minutes of the Regular City Council meeting of August 15, 1989.

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

to) the minutes of the Regular City Council meeting of August 15, 1989.

Motion Carried.

CONSENT AGENDA

1. Set public hearing for October 10, 1989, with alternate date being October 17, 1989 regarding the proposed 1990 Operating Budget.
2. Set public hearing for October 3, 1989 to consider the 1989 assessments for Sealcoat Program, Project 89-2; Curb and gutter installation on Brunswick Avenue between 46th and 47th Avenues, Project 89-5; Concrete Alley Construction west of Welcome Avenue between 38th and 39th Avenues, Project 89-6; 1989 Sidewalk Replacement Program, Project 89-7; Delinquent Sewer, Water and Street Lighting; and Diseased Tree Removal and Weed Cutting.

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

Moved by Councilmember C and seconded by Councilmember M to
approve the Consent Agenda.

Motion Carried.

PUBLIC HEARINGS

1. It being 7:00 p.m., or as soon thereafter as the matter may be heard, Mayor Herbes declared this was the date and time as advertised for a public hearing to consider rezoning from R-1 District (Single Family Residential) to R-0 District (Residential-Office) and a conditional use permit to allow elderly housing in an R-0 District at 6203-13 - 36th Avenue North. Also to sit as a Board of Adjustments and Appeals to consider a variance for construction of a 62-unit senior citizen housing complex which will increase the density of the required 1500 square feet per unit. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. Those present and heard were:

Gerald Ruffy, attorney for developer

John Egan, 3555 Brunswick (read petition in opposition signed by 213 residents)

John Paulson, Developer

Conrad Pyne, 3712 Adair

Mike Kivell, 3510 Douglas

Hugh Linden, 6125-36th Ave. No.

Darryl Weber, 3711 Adair Av. N.

Robert Sussky, 3448 Adair

Audrey Irons, 6310 Markwood Dr.

Larry Wicklund, 3708 Adair

Tom Baettcher, 3451 Brunswick

Betty Anatho, 3833 Brunswick

Alvin Schempp, 6326-36th Ave. No.

Ray Narason, 3517 Brunswick

The Mayor closed the Public Hearing.

- A. Moved by Councilmember M and seconded by Councilmember L to ~~deny~~ ~~adopt the following ordinance:~~ rezoning and direct staff to prepare findings of fact based on discussion at this meeting.

~~ORDINANCE NO. 89-~~

Aye: M, G, C, H, L
No: S

Abstain: R

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

and further, that the second and final reading be held on September 19, 1989.

Motion Carried.

- B. Moved by Councilmember _____ and seconded by Councilmember _____ to (approve) (deny) (continue until _____ the discussion of) conditional use permit #88-59 to allow elderly housing in an R-0 Zoning zone (Section 515.27, Subd. 4 c), property located at 6203-13 - 36th Avenue North as requested by John R. Paulson of Cambridge Apts., Inc.

Motion Carried.

- C. Moved by Councilmember _____ and seconded by Councilmember _____ to (grant) (deny) (continue until _____ the discussion of) the authorization pursuant to Section 515.55 of the Crystal City Code to vary or modify the strict application of Section 515.15, Subd. 2 d) 4) iii) to vary 260 square feet per unit in the required 1500 square feet per unit for a 62 unit senior citizen housing complex at 6203-13 - 36th Avenue North as requested in application 89-22.

Motion Carried.

Gerald Ruffy asked for findings of fact at this time. The City Attorney advised that findings could be given but they should be put in resolution form and acted on by the City Council at the next meeting. No response was received.

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 consider vacation of the west 5' side utility and drainage easement and a variance of 2' of the required 3' side yard setback for construction of a 20' x 20' detached garage at 5408 Angeline Avenue North as requested by Charles Bagne. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. Those present and heard were:

Charles Bagne.

The Mayor closed the Public Hearing.

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

ORDINANCE NO. 89-

**AN ORDINANCE VACATING THE WEST 5'SIDE UTILITY
AND DRAINAGE EASEMENT AT 5408 ANGELINE AVENUE NORTH**

and further that the second and final reading be held on September 19, 1989.

Motion Carried.

- B. Moved by Councilmember M and seconded by Councilmember S to (grant) ~~((deny as recommended by and based on the findings of fact of the Planning Commission))~~ (continue until _____ the discussion of) the authorization pursuant to Section 515.55 of the Crystal City Code to vary or modify the strict application of Section 515.07, Subd. 5 c) 5) to vary 2' in the required 3' side yard setback for construction of a 20' x 20' detached garage at 5408 Angeline Avenue North.

*Councilmember Carlson was out of the room
at the time of the vote.*

Motion Carried. *Unanimously.*

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 request from Steven Hyser for a variance of 3' in the required 40' rear yard setback to build an 11'6" x 20' addition and 1200 square feet variance to the required 7500 square feet total area at 4748 Zane Avenue North. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. Those present and heard were: (5 votes needed for approval) *Steve Hyser*

The Mayor closed the Public Hearing.

Moved by Councilmember S and seconded by Councilmember C to (grant as recommended by and based on the findings of fact of the Planning Commission) (deny) (continue until the discussion of) the authorization pursuant to Section 515.55 of the Crystal City Code to vary or modify the strict application of Section 515.13, Subd. 4 a) and Section 515.15, Subdivision 2 c) 3) i) granting a variance of 3' in the required 40' rear yard setback and Section 515.15, Subdivision 2 c) 3) i) granting a variance of 1,200 sq. ft. in the required 7,500 sq. ft. lot area to allow an 11'6" x 20' kitchen addition on the existing house at 4748 Zane Avenue North.

Motion Carried.

The Mayor announced that the EDA meeting is scheduled for 9 p.m. but because of further business of the City Council, the EDA meeting will be held immediately following the Council meeting.

REGULAR AGENDA

1. The City Council considered the installation of a double flume waterslide at the Crystal Municipal Pool.

The Park + Rec. Director gave a report on information requested by the Council at its meeting of August 15, 1989.

*Those appearing and heard were: Jan Scofield, 3656 Colorado Av. No.
Mark Hoffman, Park + Rec. Adv. Comm.*

It was the Consensus of the Council that staff should obtain further information on liability insurance, both at the time of erection of the slide and during operation of the slide; financial aspect; figures from competitors; and options of slides, and bring back to the Council when all information is compiled.

2. The City Council discussed a survey of surrounding communities regarding charitable gambling. Those appearing and heard were: Jane Eelen, 5419 Maryland Ave. No.

M/G to direct staff to prepare an ordinance amendment deleting the 3% tax levied by the City to cover cost of regulation of lawful gambling.

Motion Carried

Ms. Eelen's recommendation to impose an investigation fee will be considered by staff.

3. The City Council considered grading permit and site improvement agreement for the parking lot reconstruction at 3245 Vera Cruz Avenue North.

Moved by Councilmember L and seconded by Councilmember S to (approve) (deny) (continue until _____ the discussion of) a grading permit and site improvement agreement as a guarantee of site work completion, and further that the Mayor and City Manager be authorized to sign such agreement.

Motion Carried.

4. The City Council considered the award of bid for bituminous overlay on Fairview Avenue between Douglas Drive and Nevada Avenue North.

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

RESOLUTION NO. 89-57 *C.S. McCrossan*

RESOLUTION AWARDING A BID

*Crystal's portion
\$ 55,243.68*

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

Motion carried, resolution declared adopted.

5. The City Council considered the CDBG Third Party Agreement with Hennepin County and Crystal Economic Development Authority.

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

RESOLUTION NO. 89- 58

RESOLUTION AUTHORIZING COMMUNITY DEVELOPMENT
BLOCK GRANT THIRD PARTY AGREEMENT WITH THE CRYSTAL
ECONOMIC DEVELOPMENT AUTHORITY

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

Motion carried, resolution declared adopted.

6. The City Council considered designating the tenth position on the Crystal Human Relations Commission for a student representative from the local high schools.

It was the consensus of the Council that students be considered for the Commission.

Moved by Councilmember _____ and seconded by Councilmember _____ to (approve) (deny) (continue until _____ the discussion of) designation of the tenth position on the Crystal Human Relations Commission for a student representative from the local high schools.

Motion Carried.

7. The City Council considered allocating \$50 to the Multicultural Advocacy and Action Committee (MAAC) t-shirt project.

Moved by Councilmember S and seconded by Councilmember G to (approve) (deny) (continue until _____ the discussion of) allocating \$50 to the Multicultural Advocacy and Action Committee (MAAC) t-shirt project.

Motion Carried.

8. The City Council considered the designation of election judges and polling locations for the November 7, 1989 General Municipal Election, with consideration of Brunswick United Methodist Church as the new polling location for Ward 2, Precinct 3.

Moved by Councilmember L and seconded by Councilmember G to designate election judges and polling locations for the November 7, 1989 General Municipal Election as recommended by the City Clerk, and further that Brunswick United Methodist Church be designated as the new polling location for Ward 2, Precinct 3.

Motion Carried.

9. The City Council discussed changing the date of the November 7, 1989 regular City Council meeting which falls on election day.

Moved by Councilmember S and seconded by Councilmember G to (approve) (deny) (continue until _____ the discussion of) changing the date of the November 7, 1989 regular City Council meeting to 7 p.m. on November 8, 1989.

Motion Carried.

10. The City Council discussed Hennepin Recycling Group (HRG) organized collection issues.

It was the consensus of the Council to pursue organized collection but take more time.

OPEN FORUM

INFORMAL DISCUSSION AND ANNOUNCEMENTS

4. The City Council discussed appropriating \$4500 for PRISM in the 1990 City of Crystal Budget.

1. * - The City Council discussed follow-up Goal Setting/Team Bldg. session with Don Salasda. A tentative date of Nov. 2nd was set, approximate time to be from 5-10 p.m.
2. The City Council discussed a salary adjustment for 3 interim Fire Chiefs. S/M to increase the salary of ^{interim fire chief} Kerry Anderson, Greg Artrium, and Steve Longacker, \$400 per month each effective June 29 through September 17, 1989.

Motion Carried.
Moved by Councilmember _____ and seconded by Councilmember _____ to (approve) (deny) (continue until _____ the discussion of) an appropriation of \$4500 for People Responding In Social Ministry (PRISM) in the 1990 City of Crystal Budget.
Motion Carried.

- City Mgr. gave update on dog pound to serve Crystal; Will be meeting with other cities to discuss a possible joint powers agreement for a facility to be built and operated on the Crystal Airport Property.
- Cmr. Smether requested that a copy of the Certificate of Commendation for Mayor's Challenge River Cleanup be sent to scout troops who participated.

Moved by Councilmember L and seconded by Councilmember R to approve the list of license applications.

Motion Carried.

Moved by Councilmember L and seconded by Councilmember S to adjourn the meeting.

Motion Carried.

Meeting adjourned at 10:00 p.m.

APPLICATIONS FOR LICENSE
SEPTEMBER 5, 1989

FOOD ESTABLISHMENT - Restaurant (\$150.00 with QA Plan)

Bock Woo dba Fortune House Restaurant, 5303 36th Ave. No.

SIGN HANGER LICENSE - \$66.00

Schmieg-Washburn Industries, Inc., 2887 Edgerton, St. Paul, MN 55117

Sign Service, Inc., 1016 N. 5th St., Minneapolis, MN 55411

GAS FITTER'S LICENSE - \$30.25

Key Metalcraft, 8600 Queen Ave. S., Bloomington, MN 55431

DelMar Furnace Exchange, 4080 83rd Ave. N., Brooklyn Park, MN 55443

PLUMBER'S LICENSE - \$30.25

Avoles Plumbing & Heating, 699 Arcade St., St. Paul, MN 55106

Kal's Plumbing, 7101 W. Palmer Lake Dr., Brooklyn Center, MN 55429

Westonka Mechanical Contractors, Inc., 6501 County Road 15, Mound, MN 55364

Bjorlin Plumbing, 10701 93rd Ave. N., Maple Grove, MN 55369

FOOD ESTABLISHMENT - Restaurant (\$220.00 without QA Plan)

Kentucky Fried Chicken, 6817 56th Avenue North

Sent with the Preliminary Agenda on September 1, 1989:

Copy of check from The Nicklow Corporation in the amount of \$250 for Crystal Community Center.

Copy of minutes of the August 15, 1989 Council mtg.

Memo from Finance Director & Asst. Finance Director dated 8-24-89 re: Setting Date For Budget Public Hearing.

Memo from City Engr. dated 8-29-89 re: Update On Elderly Housing Proposal at 6203/13 - 36th Ave. No.

Memo from Bldg. Inspector dated 8-29-89 re: Variance #89-25, 5408 Angeline Ave. No.

Memo from Bldg. Inspector dated 8-29-89 re: 4748 Zane Ave. No. variance #89-26.

Memo from Park & Rec. Director dated 8-29-89 re: Additional information on a proposed slide at the Crystal Municipal Pool.

Memo from Assistant Finance Director dated 8-24-89 re: Survey of Surrounding Communities Regarding Charitable Gambling.

Memo from City Engr. dated 8-29-89 re: Parking Lot Relocation at 3245 Vera Cruz Avenue North.

Memo from City Engr. dated 8-29-89 re: Fairview Ave. Overlay.

Memo from Community Development Coordinator dated 8-30-89 re: CDBG Third Party Agreement with Crystal EDA.

Memo from Admin. Secretary dated 8-29-89 re: Human Relations Commission.

Letter from Brunswick United Methodist Church dated 8-25-89 re: use of facility for polling place.

Memo from City Clerk dated 8-30-89 re: General Municipal Election-11-7-89 (judges and polling places).

Memo from City Clerk dated 8-25-89 re: Change In regularly scheduled City Council meeting of November 7, 1989.

Memo from HRG Administrator dated 8-9-89 re: Organized Collection Issues.

Letter from Henn. County Regional Railroad Authority dated 8-22-89 re: LRT stations.

Copy of Certificate of Commendation for Mayor's Challenge River Cleanup.

Letter from Rep. Lyndon Carlson dated 8-24-89 thanking for Resolution No. 89-55 regarding budgets and tax levies.

Notice of Public Hearing on request for Conditional Use Permit for 6800 - 56th Ave. N.

Letter to U.S. Army Corps of Engineers from City Engr. dated 8-28-89 re: Bassett Creek Flood Control Projects.

Memo from City Engr. dated 8-29-89 re: Retail Development at 36th & Winnetka Avenues.

Mn/DOT News Releas dated 8-28-89 re: 7 Major New Highway Improvements added to 90-95 West Metro Area Schedule.

Notice of Public Hearing, Planning Case 89-19, City of New Hope.

Letter from Calibre Chase, 6315 - 55th Ave. No. dated 7-24-89 re: crosswalk connecting Calibre Chase with Becker Park.

Human Relations Commission minutes from 7-24-89 meeting.

Letter to Mayor Herbes from Arthur Cunningham dated 8-30-89.

Park & Rec. Advisory Commission Agenda for the 9-6-89 meeting.

Included in packet on September 5, 1989:

Letter from PRISM dated 8-29-89 requesting increase in appropriation for the 1990 Budget to \$4500.

Letter from Chuck Bagne, 5408 Angeline Ave. No. dated 8-23-89.

Memo from Asst. Finance Director dated 9-5-89 re: Schedule For Budget Worksessions.

Marlene

Memorandum

DATE: September 1, 1989
TO: City of Crystal Councilmembers
FROM: Jerry Dulgar, City Manager
SUBJECT: Preliminary Agenda for the September 5, 1989 Council Meeting

Consent Agenda:

Item 1: Set public hearing for October 10, 1989 with alternate date of October 17, 1989 regarding the proposed 1990 Operating Budget. We are required by law to set a date for a public hearing and also an alternate date in a quarter page ad in a newspaper of daily circulation in the area. We have to put this quarter page ad in the Star & Tribune. There are requirements about how long before the hearing we have to publish the ad and the number of days after the ad before we have the hearing, so these dates are pretty well fixed. If we were to change them, we would have to publish a new ad so once we set the dates, based on the law, we are pretty well tied into those dates.

Item 2: Set public hearing for October 3, 1989 for assessments. Bill will have additional explanation regarding this. It'll be for non-payment of utility bills and for a couple of the small projects we've had this year.

Public Hearing:

Item 1: Public hearing to consider rezoning, conditional use permit, and density variance for elderly housing complex at 6203-6213 - 36th Avenue North. In the packet you have a considerable amount of material relative to this application. Just a couple of comments I'd like to make about the application. I think the developer is a good developer. He's proven that with other projects he has in our City and other places, however, I think this project is too much, too many units, too much density for the particular location in question. There needs to be more transition between this dense of a multiple project and single family and I think there also are some real questions with flood plan and traffic in the area.

Item 2: Public hearing to consider granting a vacation of the west 5' side utility and drainage easement and a variance of 2' of the required 3' side yard setback for construction of a 20' x 20' detached garage at 5408 Angeline. For those of you around when this was platted, you probably recall that these are very small lots and the others might observe the lots or area before the meeting. However, one thing that I think I should point out is that this garage can be built without any variance so I fail

to understand how it meets the state law requirements of hardship, uniqueness or whatever.

Item 3: Public hearing to consider a variance of 3' in the required 40' rear yard setback to build an 11'6" x 20' addition and 1200 square feet variance to the required 7500 square feet total area at 4748 Zane Avenue North. We've granted numerous of these variances and it is a small variance in a 40' rear yard setback. However, I think if we are going to continue seeing a lot of these that we should ask the Planning Commission to take a look at reducing the rear yard setback. It seems to me that the requirement is fairly meaningless if we are granting wholesale variances to the requirement.

Regular Agenda:

Item 1: Consideration of installing double slide at Municipal Pool. Attached you will find considerable information from Park & Recreation Director Ed Brandeen relative to this. I believe he has answered the questions which the Council asked at the first review of this. You'll note in the payback to the PIR Fund that it requires more income than Ed has projected in the first years which if the income is correct would stretch it out over ten years. If the income is estimated too high it could be considerably over ten years. So it is not a matter that we will pay off in just a few years. It's going to be ten years or more I would guess to pay it off if we decide to go ahead with it.

Item 2: Discussion of a survey of surrounding communities regarding charitable gambling. In your packet please find a memo from Jessie relative to charitable gambling. You'll notice that she indicates in here that we are the only city that does have the 3 percent gross receipts tax and also that it is very difficult to substantiate how much we do spend administering the charitable gambling licenses, enforcement, administration, etc. I should also indicate that I have surveyed some communities at an AMM Committee meeting that I was at and found that a couple of those communities didn't even license charitable gambling. Some of them restricted the licenses only to local organizations. One of them did have the 3 percent tax, however, that city had nobody that was licensed. I would recommend that we drop the 3 percent tax, go with the maximum investigation fee, but also require that some of the money like the 10 percent of net be spent in the City and if not they have to give 10 percent to the community for our spending in the community. If the Council desires any further information please let us know on Tuesday.

Item 5: Consideration of Community Development Block Grant Third Party Agreement with Hennepin County and Crystal Economic Development Authority. These are agreements that the County requires we approve for our various programs under the Community Development Block Grant Program.

Item 9: Discussion of changing the date of the November 7, 1989 regular City Council meeting which falls on election day. We'd recommend that we change this meeting to Wednesday, November 8. That allows us to canvass the election and have the Council meeting both on the same night rather than have a special meeting just for the few minutes that it takes to canvass the election.

Item 10: Discussion of HRG organized collection issues. In your packet you will find a memo from Tom Bublitz, Administrator of the HRG, relative to the organized collection issues that we have been discussing. The HRG Board has some real concerns about starting organized collection anytime except in the winter because of problems we might have with getting the system going. We don't want garbage not being picked up and being around during hot weather. In order to get everything done i.e. contract between the haulers, route changes, maps, etc. it's not possible for this year so we would be talking about next year. We also have real concerns about going into organized collection with all the other confusion going on in the garbage pickup and disposal system and also with the possibility that Hennepin County is going to continue raising their rate in the future. We're concerned that the rapidly increased pickup fees will be blamed on the organized hauling system and will lead to undue public resistance. I did want you to have a chance to discuss this though and review the issues that we have been talking about. I will be happy to discuss it with the Council and provide any additional information that you might desire.

All of you have a nice Labor Day weekend. I look forward to seeing you Tuesday evening.

JD/js

COUNCIL AGENDA - SUMMARY

COUNCIL MEETING OF
SEPTEMBER 5, 1989

Call to order

Roll call

Pledge of Allegiance to the Flag

Acknowledgement of a \$250 donation from Nicklow's for the Community Center.

Approval of the minutes of the regular meeting of August 15, 1989.

Consent Agenda Items

1. Set public hearing for October 10, 1989 with alternate date being October 17, 1989 regarding the proposed 1990 Operating Budget.
2. Set public hearing for October 3, 1989 as the date and time for a public hearing at which time the City Council will consider 1989 assessments for Sealcoat Program, Project 89-2; Curb and gutter installation on Brunswick Avenue between 46th and 47th Avenues, Project 89-5; Concrete Alley Construction west of Welcome Avenue between 38th and 39th Avenues, Project 89-6; 1989 Sidewalk Replacement Program, Project 89-7; Delinquent Sewer, Water and Street Lighting; and Diseased Tree Removal and Weed Cutting.

Public Hearings

1. Public hearing to consider rezoning, conditional use permit, and density variance for elderly housing complex at 6203-6213 - 36th Avenue North.
2. Public hearing to consider granting a vacation of the west 5' side utility and drainage easement and a variance of 2' of the required 3' side yard setback for construction of a 20' x 20' detached garage at 5408 Angeline Avenue North as requested by Charles Bagne.
3. Public hearing to consider a variance of 3' in the required 40' rear yard setback to build an 11'6" x 20' addition and 1200 square feet variance to the required 7500 square feet total area at 4748 Zane Avenue North as requested by Steven Hyser.

Regular Agenda Items

1. Consideration of installing double slide at Municipal Pool.
2. Discussion of a survey of surrounding communities regarding charitable gambling.
3. Consideration of grading permit and site improvement agreement for parking lot reconstruction at 3245 Vera Cruz Avenue North.
4. Consideration of award of bid for bituminous overlay on Fairview Avenue between Douglas Drive and Nevada Avenue.
- Start* 5. Consideration of CDBG Third Party Agreement with Hennepin County and Crystal Economic Development Authority.
6. Consideration of designating the tenth position on the Crystal Human Relations Commission for a student representative from the local high schools.
7. Consideration of allocating \$50 to the Multicultural Advocacy and Action Committee (MAAC) t-shirt project.
8. Consideration of election judges and polling locations for the November 7, 1989 General Municipal Election with consideration of Brunswick United Methodist Church as the new polling location for Ward 2, Precinct 3.
9. Discussion of changing the date of the November 7, 1989 regular City Council meeting which falls on election day.
10. Discussion of HRG organized collection issues.

Open Forum

Informal Discussion and Announcements

Licenses

Adjournment

APPLICATIONS FOR LICENSE
SEPTEMBER 5, 1989

FOOD ESTABLISHMENT - Restaurant (\$150.00 with QA Plan)

Bock Woo dba Fortune House Restaurant, 5303 36th Ave. No.

SIGN HANGER LICENSE - \$66.00

Schmieg-Washburn Industries, Inc., 2887 Edgerton, St. Paul, MN 55117

Sign Service, Inc., 1016 N. 5th St., Minneapolis, MN 55411

GAS FITTER'S LICENSE - \$30.25

Key Metalcraft, 8600 Queen Ave. S., Bloomington, MN 55431

DelMar Furnace Exchange, 4080 83rd Ave. N., Brooklyn Park, MN 55443

PLUMBER'S LICENSE - \$30.25

Avoles Plumbing & Heating, 699 Arcade St., St. Paul, MN 55106

Kal's Plumbing, 7101 W. Palmer Lake Dr., Brooklyn Center, MN 55429

Westonka Mechanical Contractors, Inc., 6501 County Road 15, Mound, MN 55364

Bjorlin Plumbing, 10701 93rd Ave. N., Maple Grove, MN 55369

FOOD ESTABLISHMENT - Restaurant (\$220.00 without QA Plan)

Kentucky Fried Chicken, 6817 56th Avenue North

THE NICKLOW CORPORATION

3516 NORTH LILAC DRIVE
CRYSTAL, MN 55422



CITIZENS STATE BANK OF ST. LOUIS PARK
MAIN OFFICE 900-6661, 1500 Excelsior Blvd., St. Louis Park, MN 55416
Minnetonka Blvd. Office 926-6521, 4201 Minnetonka Blvd., St. Louis Park, MN 55418
Robbinsdale Office 566-2716, 3700 West Broadway, Robbinsdale, MN 55422

17843

75-1656
910

THE SUM 250 DOLLARS

PAY

TO THE
ORDER
OF

City of Crystal
attn: Myles Johnson Finance Director
4141 N. Douglas DR.
Crystal, MN 55422

DATE
8-18-89

AMOUNT
250.00

[Signature]

DELUXE CHECK PRINTERS

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

THE NICKLOW CORPORATION

DELUXE - FORM TWC-3 V-5

DATE	DESCRIPTION	AMOUNT	DISTRIBUTIONS	
			ACCT. NO.	AMOUNT
8-18-89	donation for Crystal Community Center.			250.00

EMPLOYEE

PERIOD ENDING	TOTAL EARNINGS	DEDUCTIONS							TOTAL DEDUCTIONS	NET PAY
		F.I.C.A.	WITHHOLDING U.S. INC. TAX	STATE TAX						

V-58

Council
info

August 15, 1989

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Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on August 15, 1989 at 7:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota.

The Secretary of the Council called the roll and the following were present: Moravec, Grimes, 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, Building Inspector; Darlene George, City Clerk; Ed Brandeen, Park & Recreation Director.

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

Crystal Frolics Royalty appeared before the Council to thank them for their participation in the Crystal Frolics.

The Mayor presented flowers to Ginny Thom in appreciation for her efforts in the Crystal Frolics.

The Mayor presented plaques to the City Council, Police Reserves, and the Fire Department from the Frolics Committee in appreciation for their participation in the Crystal Frolics events held on July 28, 29, and 30, 1989.

Councilmember Moravec arrived at 7:03 p.m.

The Mayor acknowledged Police Officers Robin K. Erkenbrack, Lisa A. Vague, Ann M. Myers, and Stephen P. Holm for their efforts in the Drug Abuse Resistance Education (D.A.R.E.) Program.

Moved by Councilmember Langsdorf and seconded by Councilmember Carlson to adopt the following resolution:

RESOLUTION NO. 89-53

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

The City Council considered the minutes of the Regular City Council meeting of August 1, 1989.

Moved by Councilmember Rygg and seconded by Councilmember Smothers to approve the minutes of the Regular City Council meeting of August 1, 1989.

Motion Carried.

August 15, 1989

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The City Council considered the following Consent Agenda:

1. Set public hearing for September 5, 1989, to consider density variance for elderly housing complex at 6203-6213 - 36th Avenue North.
2. Set public hearing for September 5, 1989, to consider granting a vacation of the west 5' side utility and drainage easement and a variance of 2' of the required 3' side yard setback for construction of a 20' x 20' detached garage at 5408 Angeline Avenue North as requested by Charles Bagne.
3. Set public hearing for September 5, 1989, to consider a variance of 3' in the required 40' rear yard setback to build an 11'6" x 20' addition and 1200 square feet variance to the required 7500 square feet total area at 4748 Zane Avenue North as requested by Steven Hyser.
4. Consideration of a one-day temporary on-sale liquor license for Knights of Columbus, 4947 West Broadway, on September 13, 1989, for the Knights' Nite Dinner, and request for waiver of fee.
5. Consideration of an itinerant food license for Nicklows, 3516 Lilac Drive, on August 13 and 14, 1989. (received late)

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

Motion Carried.

The City Council considered the following Public Hearings:

1. It being 7:00 p.m., or as soon thereafter as the matter may be heard, Mayor Herbes declared this was the date and time as advertised for a public hearing at which time the City Council will consider Northern States Power Company Franchise Agreement. Staff advised that Northern States Power Company requested discussion of the franchise be continued to the September 19th City Council meeting.

Moved by Councilmember Smothers and seconded by Councilmember Langsdorf to continue to September 19, 1989, the discussion of the Northern States Power Company Franchise Agreement.

Motion Carried.

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

1. The City Council considered an application for appointment to the Environmental Quality Commission from Larry Lemanski, 5817 Quail Avenue North.

August 15, 1989

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Moved by Councilmember Smothers and seconded by Councilmember Grimes to appoint Larry Lemanski, 5817 Quail Avenue North, to the Environmental Quality Commission for a term expiring December 31, 1989.

Motion Carried.

2. The City Council considered the applications for appointment to the Human Relations Commission from Norman Eid, 8416 - 31st Avenue North, and Kathryn Huston, 6618 Fairview Avenue North.

Moved by Councilmember Smothers and seconded by Councilmember Grimes to appoint Norman Eid, 8416 - 31st Avenue North, to the Human Relations Commission for a term expiring December 31, 1989 and Kathryn Huston, 6618 Fairview Avenue North, for a term ending December 31, 1991.

Motion Carried.

3. The City Council considered the installation of a double flume waterslide at the Crystal Municipal Pool. Those present and heard were: Mark Hoffman, Liz Reid, Red Sochacki and Bill Gentry, all of the Park & Recreation Advisory Commission.

Moved by Councilmember Carlson and seconded by Councilmember Rygg to refer the item to staff for further study to include general liability, loan structure, single or double slide, timing of the project, etc., moving ahead as rapidly as possible.

Motion Carried.

4. The City Council considered a variance of 16.5' to the required 18' setback for a 9.5' x 14' free standing sign at 3516 Lilac Drive for Nicklow's Restaurant. Jack Lawrence of Signcrafters Outdoor Display appeared and was heard.

Moved by Councilmember Carlson and seconded by Councilmember Smothers to approve a variance of 16.5' to the required 18' setback for a 9.5' x 14' free standing sign at 3516 Lilac Drive for Nicklow's Restaurant.

Motion Carried.

5. The City Council considered authorization to issue a building permit to John Lambin Construction Company for remodeling into a Chinese restaurant, the building located at 5303 - 36th Avenue North. Tony Nicklow, shopping center owner, appeared and was heard.

Moved by Councilmember Moravec and seconded by Councilmember Smothers to approve issuance of a building permit for remodeling the building located at 5303 - 36th Avenue North into a Chinese restaurant subject to standard procedure, with site improvements to include only those relating to safety at this time, due to the fact the property may be affected by a highway or redevelopment project in the near future.

Motion Carried.

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6. The City Council considered authorization to issue a building permit to U.S. West Communications for a 71' x 158' addition on the existing building located at 4700 Welcome Avenue North. Howard Galtz, representing U.S. West Communications, appeared and was heard.

Moved by Councilmember Rygg and seconded by Councilmember Smothers to approve authorization of issuance of a building permit to U.S. West Communications for a 71' x 158' addition on the existing building located at 4700 Welcome Avenue North subject to standard procedure.

Motion Carried.

7. The City Council considered bids for utility maintenance garage expansion.

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

RESOLUTION NO. 89-54

RESOLUTION AWARDED A BID
TO COTTONWOOD CONSTRUCTION

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

8. The City Council considered the Second Reading of an Ordinance Revision of Section 5 of the Crystal City Code related to Planning Regulations.

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

ORDINANCE NO. 89-18

AN ORDINANCE RELATING TO LAND USE
REGULATION: AMENDING CRYSTAL CITY
CODE BY ADDING SECTIONS: REPEALING
CRYSTAL CITY CODE SECTIONS 500 AND 505

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

Motion Carried.

The Mayor called a recess at 8:28 p.m. and the Council meeting was reconvened at 8:43 p.m.

9. The City Council considered sending out request for proposals for legal services for all City of Crystal operations with the exception of criminal cases.

August 15, 1989

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Moved by Councilmember Smothers and seconded by Councilmember Rygg to approve sending out request for proposals for legal services for all City of Crystal operations with the exception of criminal cases, attorneys submitting proposals to be reviewed by a task force consisting of three Councilmembers and two staff members.

Motion Carried.

The Mayor appointed Councilmembers Grimes, Langsdorf and Herbes, with staff members to be appointed by the City Manager.

10. The City Council considered a resolution in opposition to tax levies.

Moved by Councilmember Smothers and seconded by Councilmember Moravec to adopt the following resolution:

RESOLUTION NO. 89-55

RESOLUTION RELATING TO STATE
LEGISLATURE REGARDING
BUDGETS AND TAX LEVIES

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

11. The City Council considered the Police Managers' Contract for 1989.

Moved by Councilmember Moravec and seconded by Councilmember Smothers to approve the Police Managers' Contract for 1989 as recommended by the City Manager and further that the Mayor and City Manager be authorized to sign such agreement.

Motion Carried.

12. The City Council considered Community Survey Proposals.

Moved by Councilmember Moravec and seconded by Councilmember Langsdorf to table until the 1990 Budget is set.

Motion Carried.

13. The City Council considered a Resolution Supporting Strong National Drug Policy.

Moved by Councilmember Langsdorf and seconded by Councilmember Carlson to adopt the following resolution:

RESOLUTION NO. 89-56

RESOLUTION SUPPORTING STRONG NATIONAL
DRUG POLICY

August 15, 1989

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

14. The City Council considered sharing the cost with the City of Brooklyn Center for the spraying of purple loosestrife (lythrum salicaria) in and around the upper and lower Twin Lakes area.

Moved by Councilmember Rygg and seconded by Councilmember Smothers to approve sharing the cost with the City of Brooklyn Center for the spraying of purple loosestrife (lythrum salicaria) in and around the upper and lower Twin Lakes area.
Motion Carried.

INFORMAL DISCUSSION AND ANNOUNCEMENTS:

1. The City Council set Special Work Sessions for discussion of the 1990 City of Crystal Budget for September 7 and September 18, both work sessions to be held at City Hall beginning at 6:30 p.m.
2. The City Council considered conducting monthly or bi-monthly work sessions.

Moved by Councilmember Rygg and seconded by Councilmember Smothers to conduct monthly or bi-monthly work sessions of the City Council.

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

Motion Carried.

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

Motion Carried.

Moved by Councilmember Grimes and seconded by Councilmember Carlson to adjourn the meeting.

Motion Carried.

Meeting adjourned at 9:30 p.m.

Mayor

August 15, 1989

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ATTEST:

City Clerk

MEMORANDUM

TO: Jerry Dulgar, City Manager

FROM: Miles Johnson, Finance Director/Treasurer
Jessie Hart, Assistant Finance Director

DATE: August 24, 1989

SUBJECT: Setting Date For Budget Public Hearing

This memo is to serve as confirmation to our discussion on August 24, 1989 regarding the setting of the public hearing on the Proposed 1990 Operating Budget.

It is requested that you have the Council set a date for the public hearing at their September 5, 1989 council meeting. It is recommended that the public hearing be set for Tuesday, October 10, 1989 with the alternate date being Tuesday, October 17, 1989.

This allows adequate time to notify the public of the hearing as well as to have additional worksessions, if necessary, due to a possible special legislative session which could significantly effect our proposed budget.

Dulgar
for next
agenda
16 copies
please
JD

DATE: August 29, 1989
TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
SUBJECT: Update on Elderly Housing Proposal at 6203/13 -
36th Avenue North

On August 14 the Planning Commission held a public hearing to consider the rezoning and conditional use issues noted in the attached staff report. The Commission acted to recommend denial of the proposal in finding the intended use inconsistent with 1) the City's Comprehensive Land Use Plan and 2) the scale of surrounding development.

In addition to the staff report, materials submitted at the Commission's meeting are attached in the Council's packet. Those additional materials include a memorandum from the developer's attorney, a petition from area home owners and a letter regarding valuation as submitted by an adjacent land owner.


WM:jrs

Encls

TO: Planning Commission
FROM: William Monk
DATE: July 28, 1989
SUBJECT: Elderly Housing Complex at 6203/13 - 36th Avenue.

The City Council recently approved an ordinance amendment eliminating a provision of City Code requiring public involvement in elderly housing projects. This amendment allows the City to administratively process the application for a privately owned and operated seniors complex as proposed at 6203/13 - 36th Avenue. It is important to note that the ordinance revision amended occupancy of elderly units as follows: Not more than 20 percent of the units are to be occupied by persons under 55 years of age. However only one person in each unit need be 55 years old or over to qualify.

The development proposal submitted by Cambridge Apartments, Inc. includes a three-story, 62-unit elderly complex with an underground parking level. The 1.765 acre site is presently zoned R-1, Single Family Residential, and is occupied by one single family residence.

Approval Process

In order to process the proposed elderly housing development, the following Code issues must be addressed:

- 1) Elderly housing is handled as a special use in the R-0, Residential Office District. The lots in question must be rezoned from R-1, Single Family, to R-0 in order to accommodate the intended use.
- 2) Further, elderly housing is a conditional use in the R-0 District, so a permit consistent with Section 515.27, Subd. 4c is required.
- 3) Section 515.15, Subd. 2d)4iii allows a density of 1 unit per 1500 square feet (recently amended from 1250 square feet). This density would allow for 51 units on the 36th Avenue site. Therefore, a variance of 11 units or 260 square feet per unit is needed.

Zoning and Land Use

As already noted, the two lot site is currently zoned R-1, Single Family Residential. Given the location of the existing house, one additional single family structure could be built under present circumstances.

The property to the west is zoned B-4, Community Commercial, while the land to the south is R-4, Multiple Residential. Parcels to the east and north are all zoned R-1 or R-2, Residential. A zoning map is attached to more clearly denote present zoning designations in the area.

Crystal's Land Use Plan designates this area as Single Family Residential. Therefore the proposal is inconsistent with the City's Land Use Plan and an amendment would be processed if the rezoning is approved. It should be remembered that the Plan is a development guide which was developed as a part of the Comprehensive Plan in 1980. A copy of the Plan is included in your packet.

Density

According to data presented with the site survey, the total area of the site measures 76,903 square feet. The proposal for 62 units therefore represents an overall density of 1 unit per 1,240 square feet. While this density is close to the allowance permitted when elderly housing required public involvement, the recently amended permitted density for elderly housing in an R-0 District is 1 unit per 1,500 square feet.

Site Plan

Review of the following site plan items assumes the site is properly zoned to accommodate the multiple building:

- Building setbacks of 30 foot front, 15 foot side and 40 foot rear as required in Section 515.13 of the Zoning Code are all met or exceeded.
- Parking requirements, Section 515.09, for elderly housing dictate initial development of one enclosed space per unit with a second space noted for future when or if needed. The inside parking stall must be made available to each tenant as a part of the basic rental and not as an extra charge. With the lower parking level and outside garage, the total parking requirements are met. Limited outside parking is also being made available as part of the initial construction.

Code also requires all adjacent residential property be screened from parking areas. As the treed area in the southeast corner of the site is cleared, solid fencing/screening will be required along a portion of the south and east property lines adjacent to the parking area.

- Section 515.09, Subd. 4h)8) requires a 40 foot separation between driveway openings. The proposed access from 36th Avenue is only 25 feet east of an entrance into a parking lot for the commercial complex to the west. The separation requirement will either need to be waived (if site plan is accepted as submitted) or the entrance realigned.
- Conditional use provisions (Section 515.27, Subd. 4c) dictate a loading space be provided. In past instances the City has accepted circular entry drives that allow truck access without blocking normal traffic movements into the site. The site plan must be modified to provide this site feature.

With ultimate development of the site, 35% green space is provided as compared to the 20% minimum requirement. Also, ready access to transit and commercial shopping is available.

- While no provisions for exterior trash container is shown, full screening consistent with current code requirements must be provided.
- A site improvement agreement will be required as a condition of the building permit. The agreement will contain provisions to guarantee installation of concrete curb, bituminous parking areas, landscaping and storm sewer. A setback of 5 feet between all property lines and blacktop/curb improvements is maintained as a part of this agreement.

Access & Traffic

With an average daily traffic (ADT) of 14,300, traffic on 36th in the area of Douglas Drive is a concern. Lack of right-of-way will probably prohibit any significant widening of 36th Avenue even as improvements to four lanes are made in the future. Signalization modifications represent the only viable traffic control type improvements since channelization is not an option.

The entrance drive as proposed is 140 feet east of the centerline of Douglas Drive. Difficulty with access to and from the westbound lanes at 36th Avenue cannot be avoided since the layout does not allow for relocation of the point of access.

It is estimated that the 62 elderly units will generate between 3 to 6 trip ends per day. On an average, the

proposed complex will add about 250 vehicle trip ends to the traffic stream.

Grading & Drainage

Although a final grading plan has not been submitted, the overall drainage pattern will be from north to south. The southern third of the site is in the floodplain and is adjacent to the North Branch of Bassett Creek. No filling will be permitted in this area and the Watershed District will need to approve the development plan including the potential expansion of the south parking area. Additionally, some storm sewer work will be required as part of the site improvement package.

Utilities

Municipal water and sanitary sewer facilities are available in sufficient capacity to service the site. Connections to these utility systems are the responsibility of the developer.

Elderly Housing

In checking with Robbinsdale, New Hope, Brooklyn Center and Golden Valley, it appears their elderly housing needs are well covered with a variety of occupancy types including cooperatives, low income and market rate. While all cities cited a soft market for cooperatives where purchase is involved, New Hope and Brooklyn Center did note experience with difficulty in renting market rate units.

Officials of the Metropolitan Council, who are involved in metro-area planning, cite an over abundance of market rate elderly rental units. However, they are quick to point out that local variables play an important part in market swings and occupancy rates.

Summary

In reviewing this proposal two separate issues must be considered. The first issue regards the rezoning of the property while the second involves the site plan. The site plan issues are readily evident and the merits and deficiencies of the proposal can be identified. While the basic site layout is sound, two deficiencies remain:

- 1) The only access to the site is on a steep slope section of a heavily traveled thru street where traffic control at the nearby intersection can only be minimally improved.

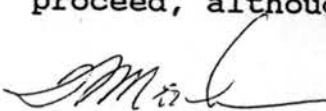
- 2) Secondary parking, which may well have to be developed at a future date, will extend into the floodplain and require the removal of a majority of the mature tree cover on the site.

The rezoning continues to represent the most significant part of the City's review. Before any of the site plan issues are even considered, the rezoning and land use issues must be addressed. This office acknowledges the integrity and quality product delivered by this particular developer. Additionally, this office believes south Crystal can readily support a limited number of market rate and/or subsidized elderly complexes. The question remains whether this site should be rezoned to accommodate high density residential.

In looking at the surrounding land uses, there are several duplexes adjacent to the commercial uses in the area. These are in addition to the townhouse complex to the south of the proposed development. These multi-family uses range in density between 1 unit per 6,000 to 10,000 square feet which is similar to standard single family density.

In terms of the commercial area along Douglas Drive, it must be noted that the complexes are small in scale and limited in scope of services. This is highlighted by the facts that the only restaurant is a take-out pizza establishment and the only grocery is a convenience outlet. Although a transition between commercial and single family is a well established land use concept, the scale of a three-story, 62 unit complex as a transition is questionable in that it dwarfs all surrounding development.

Given the current zoning and land use designations, the Commission's options are rather wide ranging. However, I would advise against dictating a number of units or density that the Commission finds acceptable. Instead, the plan as submitted should be reviewed and acted on. It should be noted that the variance represents the only part of the application where denial still allows the development to proceed, although at a lower density (51 units).


WM/mb

Encls

ORDINANCE NO. 89-11
AN ORDINANCE
RELATING TO ZONING:
AMENDING CRYSTAL CITY CODE
(APPENDIX I—ZONING) SUBSEC-
TIONS 515.031, SUBDIVISION 71,
515.15, SUBDIVISION 2 d)4)iii) and
515.27, SUBDIVISION 4 c)1) & 2)
THE CITY OF CRYSTAL DOES OR-
DAIN:

Section 1. Crystal City Code (Ap-
pendix I — Zoning) Subsection 515.03,
Subdivision 71, is amended to read:
Subd. 71. Elderly (Senior Citizen
Housing). A (public agency owned or
controlled) multiple dwelling building
with open occupancy limited to at
least one (persons) person (over 60)
55 years of age or older per dwelling
unit.

Section 2. Crystal City Code (Ap-
pendix I — Zoning) Subsection 515.15,
Subdivision 2 d)4)iii), is amended to
read:

iii) elderly (senior citizen
housing)

[1,250 square feet]
1,500 square feet

Sec. 3. Crystal City Code (Appendix
I—Zoning) Subsections 515.27, Sub-
division 4 c) 1) and 2) are amended to
read:

c) elderly (senior citizen) housing
provided that:

1) Not more than ten 20 percent of
the units are [occupants may
be] occupied by persons [60]
under 55 years of age [or under]
(spouse of a person [over]
under [60] 55 years of age or
caretakers, etc.)

2) To continue to qualify for the
elderly housing classification the
owner or agency shall annually
file with the City Clerk a cer-
tified copy of a monthly resume
of occupants of such a multiple
dwelling, listing the number of
tenants by age and clearly iden-
tifying and setting forth the rela-
tionship of each occupant [60] 55
years of age or under to qualified
tenants or to the building.

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

First Reading: May 16, 1989
Adopted by City Council: June 5, 1989

Mayor
Attest:

Clerk
(Published in the Crys-
tal-Robbinsdale PostNews June 14,
1989)

POST PUBLICATIONS AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA
COUNTY OF HENNEPIN

SS.

Walter D. Roach

being duly sworn on oath says that he is the publisher or authorized
agent and employee of the publisher of the newspaper known as the
and has full knowledge of the facts which are stated below:

Crystal-Robbinsdale

PostNews

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as
provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed Ordinance No. 89-11

which is attached was cut from the columns of said newspaper, and was printed and published once a week, for

1 successive weeks; it was first published on Wednesday, the 14th day of

June, 1989, and was thereafter printed and published on every

to and including the day of 19
and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as be-
ing the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY:

General Manager

TITLE:

Acknowledged before me on

this 15th day of June, 1989

Audrey Broda

Notary Public



AUDREY BRODA
NOTARY PUBLIC—MINNESOTA
HENNEPIN COUNTY
MY COM. EXPIRES 9-27-94

RATE INFORMATION

(1) Lowest classified rate paid by commercial users for com-
parable space.

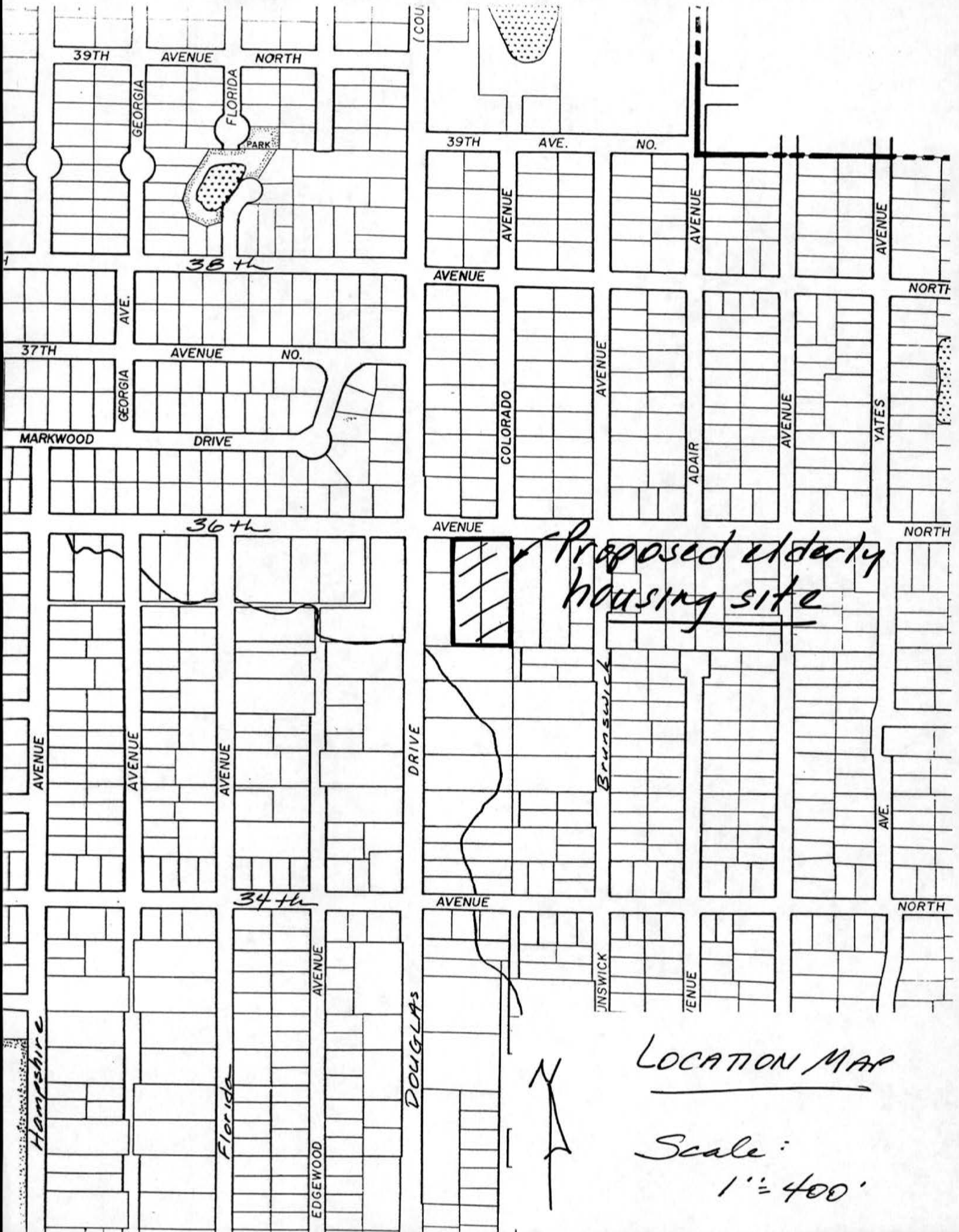
\$ 1.40
(Line)

(2) Maximum rate allowed by law for the above matter.

\$.45
(Line)

(3) Rate actually charged for the above matter.

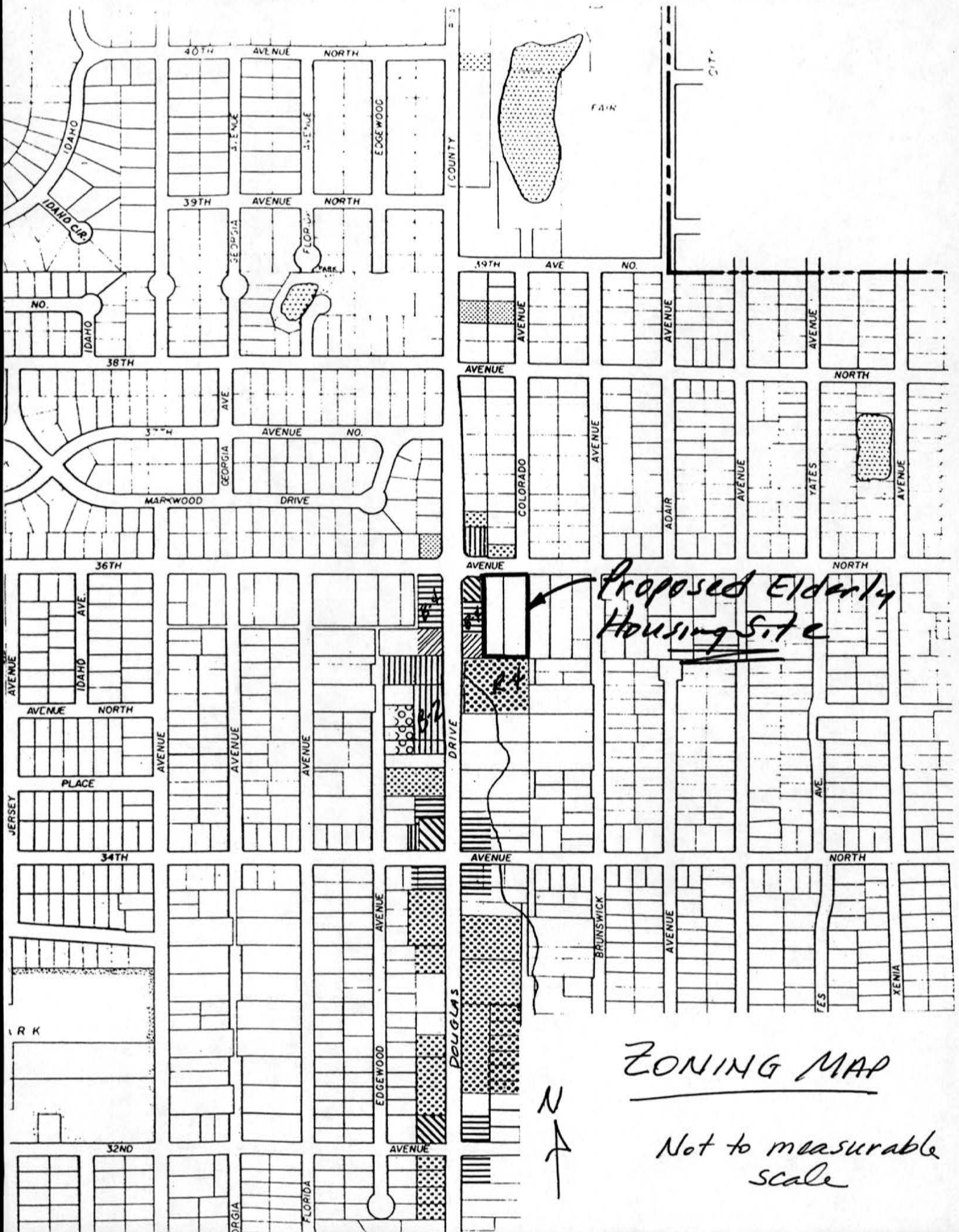
\$.45
(Line)



Proposed elderly housing site

LOCATION MAP

Scale:
1" = 400'



Proposed Elderly
Housing Site

ZONING MAP

Not to measurable
scale

Mixed Use Zones.
Redevelopment and
consolidation
encouraged.

- * Single-family Residential
- Multi-family Residential
- Multi-family/Resid.-office
- Parks
- Public and Semi Public
- Industrial
- Commercial

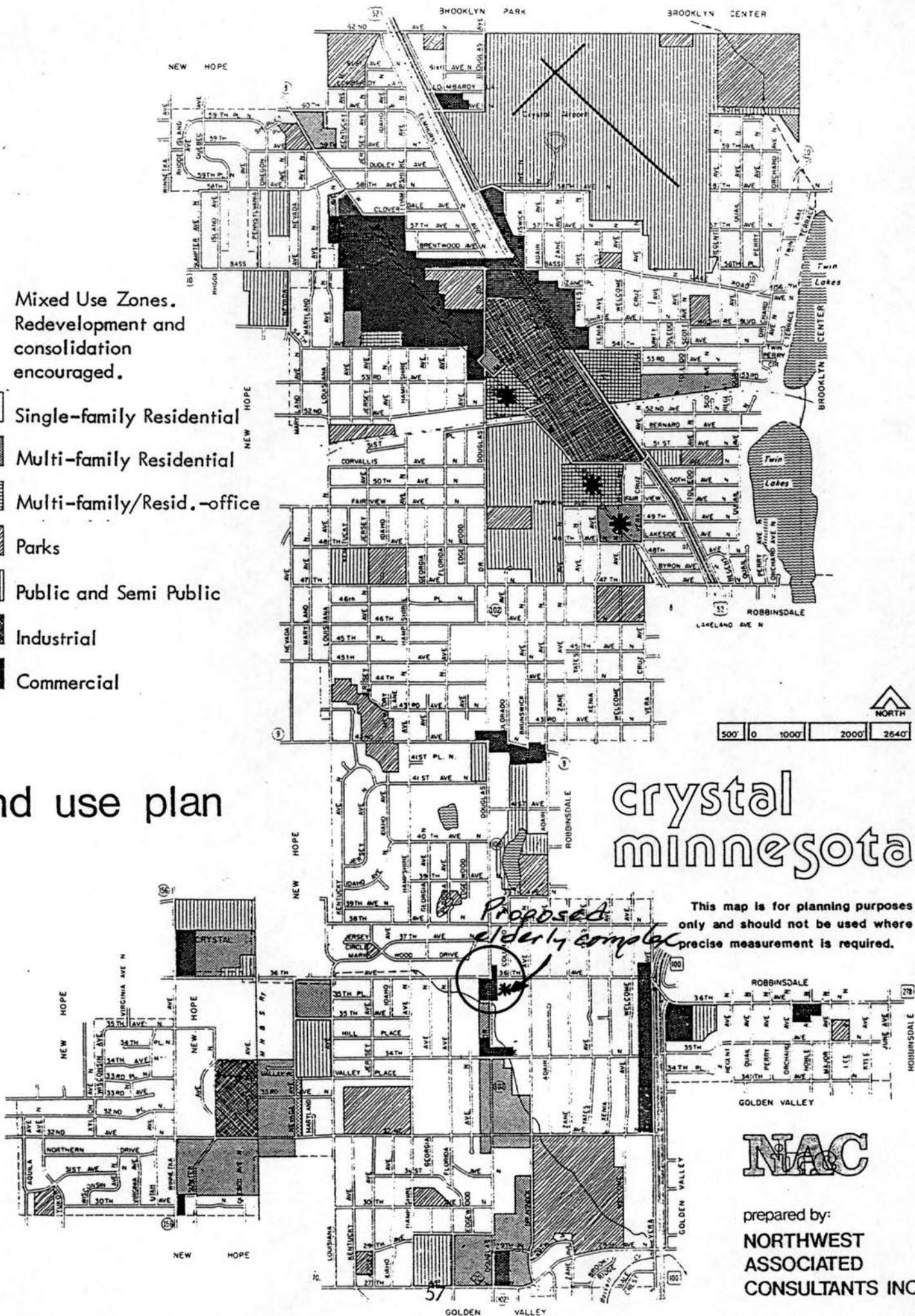
land use plan

crystal
minnesota

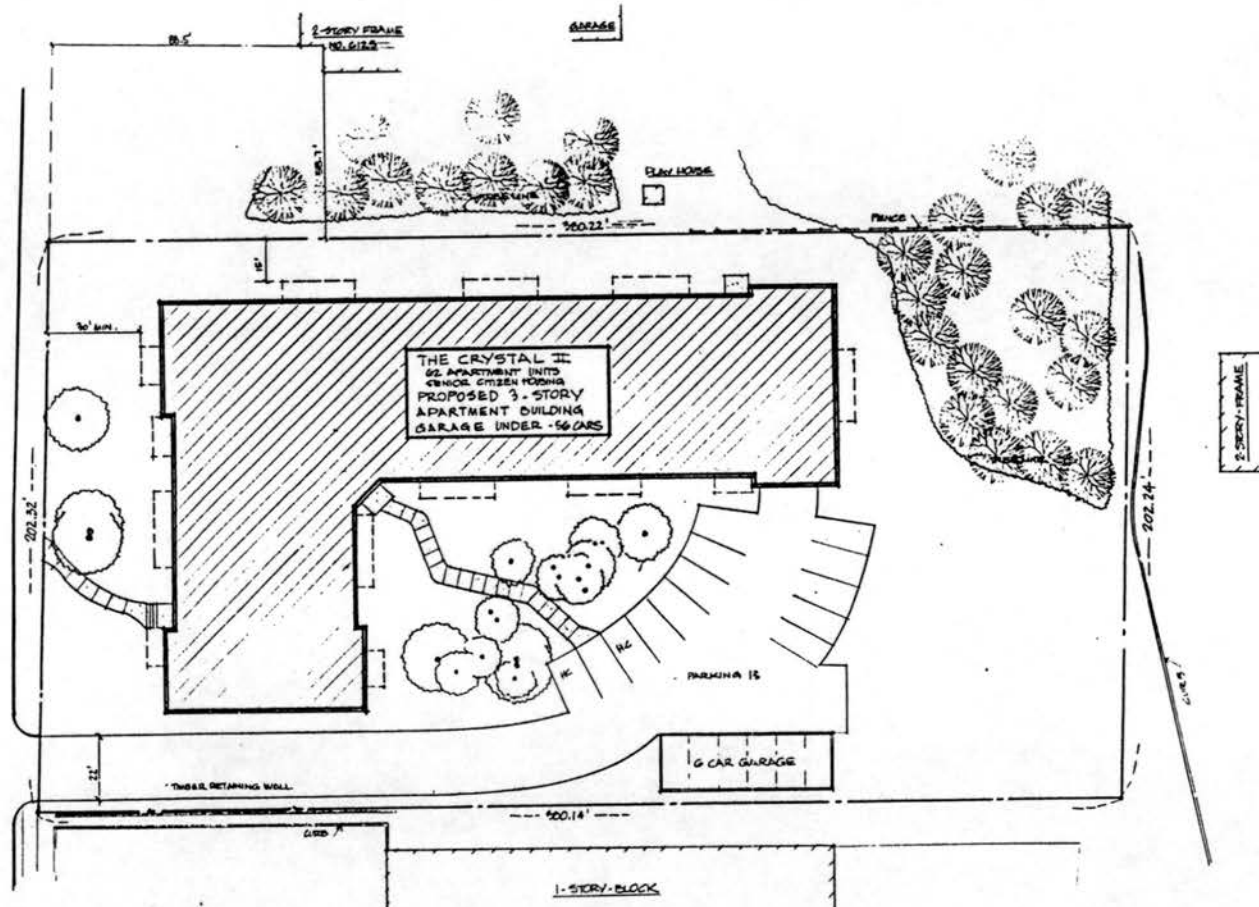
This map is for planning purposes
only and should not be used where
precise measurement is required.

NAC

prepared by:
NORTHWEST
ASSOCIATED
CONSULTANTS INC.



36TH AVENUE NO.



SITE PLAN

SCALE: 1" = 20'

NOTE:
INFORMATION FOR SITE
PLAN TAKEN FROM SURVEY
PREPARED BY LOT SURVEY
COMPANY INC. DATED NOV.
15, 1955

SITE AREA = 76,506 SQ. FT.
1.7655 AC.

DATE	11-2-55
BY	PL
CHECKED	PL
APPROVED	PL

DATE	11-2-55
BY	PL
CHECKED	PL
APPROVED	PL

DATE	11-2-55
BY	PL
CHECKED	PL
APPROVED	PL

DATE	11-2-55
BY	PL
CHECKED	PL
APPROVED	PL

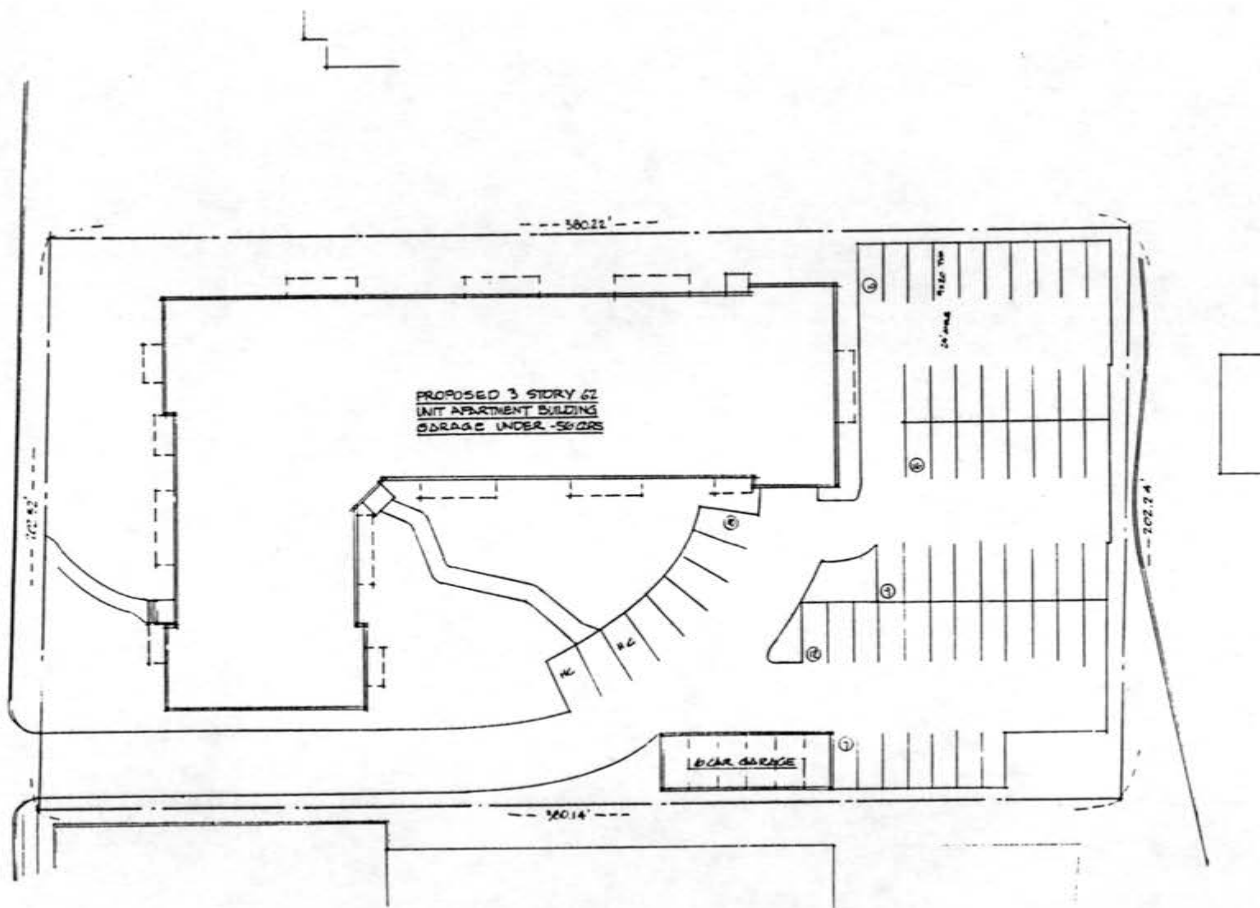
DATE	11-2-55
BY	PL
CHECKED	PL
APPROVED	PL



DATE	11-2-55
BY	PL
CHECKED	PL
APPROVED	PL

DATE	11-2-55
BY	PL
CHECKED	PL
APPROVED	PL

56TH AVENUE NO.



SITE PLAN
SCALE: 1" = 20'

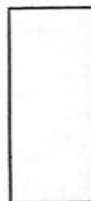
POTENTIAL PARKING
SPACES 62 CARS



PL 3



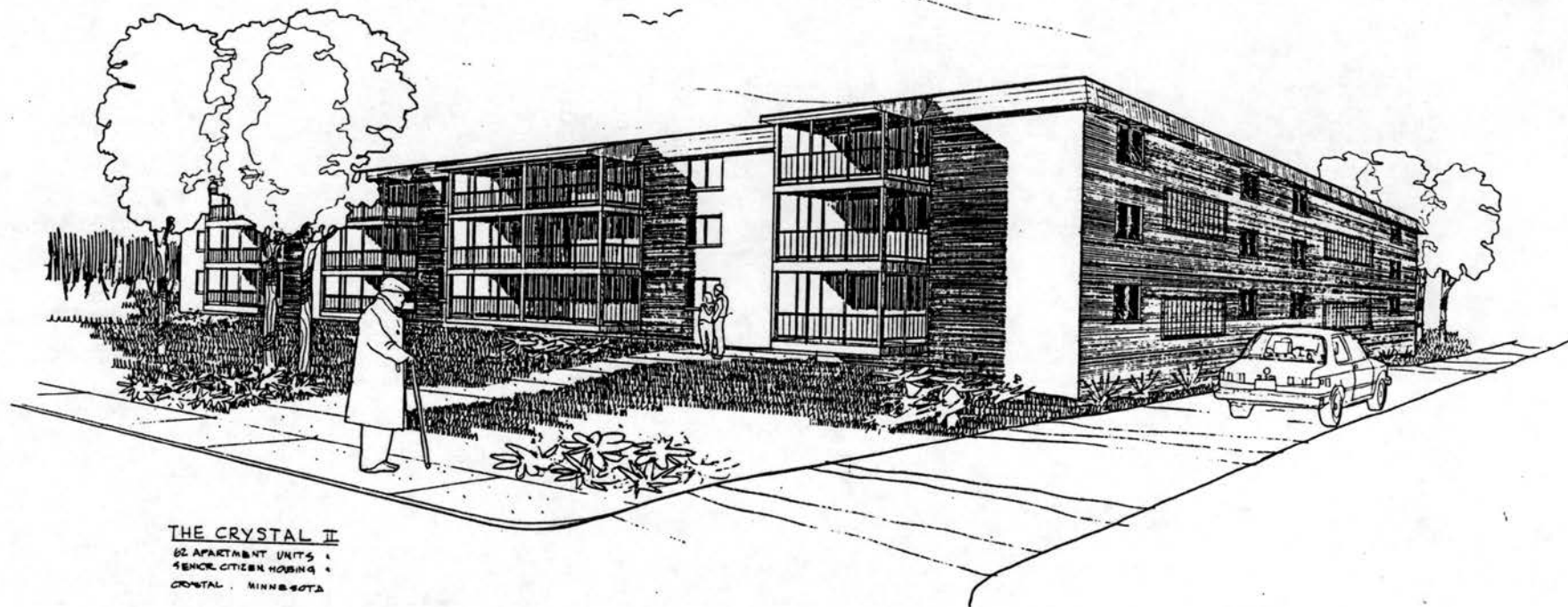
JAMES M. COOPERMAN
ARCHITECT
62 UNIT APARTMENT BUILDING
CRYSTAL, MN. * JOHN PAULSON



DATE	REVISION

DATE	REVISION

DATE	REVISION



THE CRYSTAL II
60 APARTMENT UNITS
SENIOR CITIZEN HOUSING
CRYSTAL, MINNESOTA

NO. 88-57

CITY OF CRYSTAL

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

Date: Nov 15 1988

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

Street Location of Property: 6203-13-36TH AVE. N.

Legal Description of Property: Lots 4 and 5, Block 4,
Rosedale Acres

Property Identification Number: 21-118-21-22-0069

Owner: LAURENCE & DORIS DUENOW
(Print Name)

6203 - 36TH AVE. N.
(Address)

(Phone No.)

Applicant: Cambridge Apartments Inc
(Print Name)

320 Edgewood Ave, MPLS, MN
(Address)

544-1368
(Phone No.)

DESCRIPTION OF REQUEST: Rezone property from
R-1, Single Family Residential, to R-O,
Residential Office.

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

See attached details

NOTE: Attach plan or survey of proposal.

THIS PROPERTY IS:

TORRENS / ABSTRACT
(Circle one)

Cambridge Apts Inc

John R Paulson Pres.
(Applicant's Signature)

Laurence & Doris Duenow
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: 11-15-88 RECEIPT # 43227

(Approved) (Denied) - Planning Commission

(Date)

(Approved) (Denied) - City Council

(Date)

CITY OF CRYSTAL

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

Date: Dec 2-1988

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

Street Location of Property: 6203/13 - 36th AvenueLegal Description of Property: Lots 4 & 5, Block 4,
Rosedale AcresProperty Identification Number: 21-118-21-22-0069Owner: Laurence and Doris Duenow
(Print Name)6203-36th Avenue, Crystal

(Address)

(Phone No.)

Applicant: Cambridge Apartments Inc.
(Print Name)320 Edgewood Ave. Mpls, MN
(Address) 55427544.1368
(Phone No.)

DESCRIPTION OF REQUEST: Conditional Use permit to allow
elderly housing in an R-O Zoning District as
per provisions of Section 515.27, Subd. 4C of
City Code

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

See attached sheet listing details

NOTE: Attach plan or survey of proposal.

THIS PROPERTY IS:

TORRENS / ABSTRACT
 (Circle one)

John M. Paulson Pres
 (Applicant's Signature)

(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: 12/7/88 RECEIPT # 43450

(Approved) (Denied) - Planning Commission

(Date)

(Approved) (Denied) - City Council

(Date)

The site is ideally located in South Crystal and can be developed with aesthetic appeal of mature oak trees and landscaping buffered by commercial to the west, double bungalow to the north, town houses to the south, and an over-sized residential lot to the east.

Advantages to senior citizens would be: a reasonably quiet safe neighborhood with the benefit of a small shopping center (Tom Thumb, Pizza Parlor, Hardware, Printer, Barber Shop, Beauty Shop, Dentist, Liquor Store, and a half block to a Medical Clinic); one-fourth block to bus with controlled intersection.

Advantage to the city: proven developer since 1965 who has developed, owns, & manages 125 apartment units in Crystal including "The Crystal" seniors building with 39 units at 5755 West Broadway.

Property would generate a strong tax revenue without a burden to the City and School District with no tax write down or government assistance needed. Builder has a history with Community involvement, history of quality building, and a history of quality management.

The demand for senior housing by Crystal residents cannot be overstated in that we have no facilities in the south half of Crystal to meet their need in retirement years without relegating them to other communities.

Strictly Senior Citizen project guaranteed by builder, owner, and manager.

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

No. 89-22

Date: _____

APPEAL FOR A VARIANCE TO THE ZONING ORDINANCE

Street Location of Property: 6203 and 6213 - 36th Avenue

Legal Description of Property: Lots 4 and 5, Block 4, Rosedale Acres

Property Identification Number: 21-118-21-22-0069

Applicant: CAMBRIDGE APARTMENTS, INC.

(Print Name)

320 EDGEWOOD AVE. N.

544 - 1368

(Address)

(Phone No.)

Owner: LAWRENCE & DONIS DUENOW

(Print Name)

6203 - 36th ave N

CRYSTAL

533 - 7013

(Address)

(Phone No.)

REQUEST: Applicant requests a variance on the above-described property from Section 515.15, Subd. 2d) 4iii of the Zoning Ordinance, as amended, which requires a lot density of one unit per 1,500 square feet of area. A variance of 11 units is proposed.

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

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

1. That the strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships (other than economic) inconsistent with its general purpose and intent. My Time & Expense to attack Crystal's dire Senior Housing began on Orig. Application date of NOV 15, 1988 - When overflow Applicants to Public-Calibre Chase again emphasized the great need & demand for larger numbers of units to play "catch-up"-NOW! Consistant to our neighboring City's allowances - 62 Units on 76,903 Sq.ft. is more the average than the exception....

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

See Attachment 1

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

See Attachment 2

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

THIS PROPERTY IS:

TORRENS / ABSTRACT

(Circle one)

John Paulson Pres.
(Applicant's Signature)

Lawrence & Donis C. Duenow
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: 8/1/89 RECEIPT # 46737

(Approved) (Denied) - Planning Commission

(Date)

(Approved) (Denied) - City Council

(Date)

362 X 362
(1.966 ACRES)

ATTACHMENT 1

2. The applicant does not believe a variance is required in this instance. However, to expedite the process we will apply for a variance but reserve our right to claim we do not need one.

In this case there are exceptional circumstances which apply. The applicant initially approached the City to propose an apartment complex for the elderly under the City's R0 Zone. That zoning classification would allow 62 units on this site. City staff worked with the applicant to develop a plan for 62 units. A plan was prepared, all of the necessary drawings were completed and presented to the City. Just prior to the first hearing the City told the applicant that the R0 zone only applies to publicly developed elderly housing not to a private development. The site can easily support a 62 unit building. All of the plans for a 62 unit building have been completed.

ATTACHMENT 2

3. The plans that were developed with City staff participation are for 62 units. The plans include substantial landscaping and on site attention to aesthetics which will benefit the property and complement the surrounding neighborhood. The cost for these benefits can be absorbed in a 62 unit building. If fewer units are actually built some of the costs cannot be absorbed and the site improvements may have to be downscaled.

MEMORANDUM

TO: City of Crystal Planning Commission Members

FROM: Gerald S. Duffy and Anthony J. Gleekel
Attorneys for John Paulson

DATE: August 14, 1989

RE: John Paulson; Elderly Housing Complex at
6203/13 - 36th Avenue

INTRODUCTION

The applicant, John Paulson (the Developer), has been developing property for over 20 years. He is developer with a proven record in the City of Crystal. He has developed (owns and manages) 125 apartment units and three (3) commercial buildings. The apartment units include 39 units for elderly residents.

The proposed project will be built, owned and managed by Mr. Paulson. The proposed project is a 62-unit elderly housing complex which will be located at 6203/13 - 36th Avenue North (the "Property"). The developer has requested that the Planning Commission recommend the following:

- a) Rezoning from R-1 (single family residential) to R-0 (residential office);
- b) Issuing a conditional use permit for elderly housing within an R-0 zone; and
- c) Issuing a variance from the newly amended Sub-Section 515.15 Subd. 2(d)(4)(iii), Subd. 71, of the Crystal City Code for 62 units.

CONSIDERATIONS FOR CONDITIONAL USE PERMIT AND REZONING

1. Relationship to Municipal Comprehensive Plan.

The City of Crystal Housing Plan, and the Comprehensive Plan Update (1980) call for providing mid and high housing of sufficient size and quality for all segments of the population, specifically the elderly. At this time, only 2 apartment complexes for the elderly exist which contain a total of 118 units. The "Crystal," located at 5755 West Broadway, is a 39 unit building built, owned and managed by the developer. The Crystal is 100% occupied with the average age of the residents being 69 years old. The other 79 units are in an HRA building. The applicant gets constant inquiries from prospective renters concerning vacancies at the Crystal. It would further the goals of the Comprehensive Plan to recommend approval of this project.

2. The Geographical Area Involved.

The proposed site is on 36th Avenue North just east of Douglas Drive. All of the property adjacent to or near the Property has been developed. The site and the surrounding will be complemented by the project.

3. Whether Such Use Will Tend To or Actually Depreciate the Area in Which it is Proposed.

The proposed development will increase the value of the adjacent commercial property to the north and west. Moreover, there is no evidence that the proposed development

will depreciate the value of single family residential units to the north and east or the Townhomes to the south. See Exhibit A attached.

4. The Character of the Surrounding Area.

A review of the zoning map illustrates that the proposed development is surrounded by B-4 (commercial) to the west, R-1 (single family residence) to the northeast and east, and R-4 (high density residence) to the south. It must be noted that there are plans to upgrade 36th Avenue North (north of the Property) to four lanes from County Road 18 to the Terrace Shopping Center. Accordingly, 36th Avenue North will become the neighborhood connector to the regional roads.

The development is three stories, but because of the topography of the Property, the height of the building will be no more than a normal two-story building. Moreover, the building will be an earth tone blend, of wood and quality brick. Finally, most of the mature trees on the property will remain, leaving a buffer between the property on the east as well as the south.

5. The Demonstrated Need for Such Use.

As stated above, there are only 118 elderly units for the City of Crystal.

6. The Effect Upon Traffic Into and From the Premises or On Any Adjoining Roads.

There is a minimal effect upon the traffic on 36th Avenue North. The City has raised questions in its Staff Report, dated July 28, 1989, regarding access and traffic hazards that may be caused by the proposed development.

The development will not produce 250 trips per day. That figure is based on the number of bedrooms assuming a normal multifamily complex. This project will house the elderly. They do not make as many daily trips as other types of residents. Our experience in the Crystal demonstrates that many of our residents do not have cars. Moreover, the time of day that these trips are made is not during the "peak" rush hours of the day, so any effect on existing traffic patterns will be minimal.

The City Planning Staff has also raised a question over the access from the development on to 36th Avenue North. In order to comply with Section 515.09, Subd. 4(8) of the City Code. The Developer will shift the access 15 feet east so that there is a 40-foot separation between the Property's driveway opening and the driveway opening for the commercial complex to the west. Accordingly, the access on 36th Avenue will be at least 155 feet east of the center line of Douglas Drive, thus alleviating access problems to and from the west bound lanes of 36th Avenue.

Additionally, the applicant has negotiated an easement with the owner of the commercial complex to the west allowing an access to be constructed at the southeast corner of the property, to Douglas Drive. This will further alleviate any access or traffic problems which may be created from residents seeking access to Douglas Drive via 36th Avenue North.

OTHER CONSIDERATIONS

1. The property is ideally located for a aesthetically pleasing 3-story elderly apartment building that will not change the compensation of the neighborhood. The proposed development will provide an effective buffer between R-1 and B-4 districts without destroying a mature grove of oak trees. The one single family home adjacent to the proposed development is on an over-sized lot which will be approximately 70-75 feet from the proposed building itself. An elderly apartment building would also help support the commercial establishments close by.

2. The proposed development would generate a greatly increased tax revenue from residents that do not demand costly services (i.e., schools). Currently, the property is generating taxes of approximately \$420 per year. If built as proposed, the City would receive approximately \$72,000 in tax revenue.

VARIANCE

The applicant is seeking a variance to place 62 units on the property (1.765 acre site). When this proposal was brought to the planning staff, the Developer was told that he could have 62 units under the City Code. However, the City has recently amended the ordinance to (1) allow both public and private developers to develop elderly housing; and (2) to change the lot area per unit from 1,250 square feet to 1,500 square feet. The Developer seeks a variance from the amendment to obtain the 62 units previously allowed under Section 515.15 Subd. 2(a)(4)(iii) of the City Code. The property can easily support 62 units and the plans were prepared with 62 units, in cooperation with the City's planning staffs.

A variance will promote the availability of affordable housing for the elderly. 62 units in the proposed development will allow the Developer to charge less rent per unit. Prior to its amendment, the City Code allowed only public sector developers to build elderly housing at one unit per 1,500 square feet. The reason that public sector developers were allowed such density was to provide more economically viable housing for an elderly tenant. The same logic applies to Mr. Paulson's variance application.

If there was a rational basis for one unit per 1,500 square feet for public sector housing that same rationale applies to private developers. A variance in this case will promote better quality, more affordable rental units as well as benefit the City with a higher tax base from residents who demand few services.

Finally, a variance will not:

- (1) Impair an adequate supply of light and air adjacent to the property;
- (2) Unreasonably increase the congestion in the public street;
- (3) Increase danger of fire or endanger the public safety; or
- (4) Unreasonably diminish or impair property values within the neighborhood or in any other way be contrary to the intent of the City Code.

MEMORANDUM

EXHIBIT A

TO: City Manager
FROM: Director of Community Development
SUBJECT: The Effect of Multiple Dwellings on Adjacent Single-Dwelling Home Values
DATE: February 7, 1985

Whenever a hearing for a multiple dwelling adjacent to single dwellings is held, neighbors always argue that their property values will depreciate. To question this belief is like arguing against motherhood or apple pie. In order to separate fact from myth, I have done some research. The following is a list of the only studies I could find in the metro area:

1. The City of Coon Rapids (1978-81 data)--city assessor

This study compares the sales ratio (assessor's value/average actual sales price) of single dwellings over the whole city versus single dwellings adjacent to apartments, double dwellings and home occupations. The result is that there was no significant difference in the value of homes.

2. The City of Brooklyn Center (1982-83 data)--city assessor

This is a similar study to that done in Coon Rapids. This study also found no significant difference in the value of single dwellings adjacent to multiple dwellings versus the average value of single dwellings city-wide. It is interesting to note that parks had a slightly negative effect on adjacent home values.

3. A study by the Bosclair Corporation for the City of Bloomington (1960-70 sales data from Bloomington, New Hope, St. Louis Park and Edina)

This study shows that homes adjacent to multiple dwellings had a slightly higher value

4. A study by North Star Appraisal for the City of Savage (1980 sales data from Apple Valley and Burnsville)

This study was based on the effect of quad developments on adjacent single dwellings. This study also found that there was no adverse effect on the property values of adjacent homes. There was also no increase in marketing time. A survey of adjacent homeowners found a positive attitude toward the quads. Homeowners did not feel the projects reduced their property values, polluted their vision or increased the number of undesirables in the neighborhood.

5. A study by Lafayette and Pierce, Inc.--real estate appraisers for Castle Design and Development Co. (1984)

This study is based on a proposed eight-building, 64-unit apartment development in Maplewood called Sterling Glen. This study found that the apartments would not be a deterrent to the overall marketability or value of adjacent homes.

Conclusion

Council should not base denial of a multiple dwelling project on the negative effect on adjacent property values, unless there is something specific about a project that differentiates it from multiple dwellings in general. Available studies do not show a negative effect on property values or marketing time of adjacent homes.

cc: Council
Planning commission
HRA
CDRB
Associate planners

PETITION

To: City of Crystal, Mayors Office, City Council, City Planning Commission, City Engineering Department and to whom it may concern

From: Citizens of the City of Crystal Minnesota

Re: Rezoning of the two lots located at 6203 36th Avenue North from single family status to multiple dwelling or commercial status for the purpose of developing the property at said location to multiple dwellings, i.e., apartments, town homes, condominiums, double bungalows, duplexes, or any form of commercial enterprise.

We the concerned citizens of the City of Crystal Minnesota, signed hereafter, feel any change in zoning will have a detrimental effect on the city and/or neighborhood. We are adamantly opposed to any such change or development which would create anything other than what existing zoning now allows.

* Total - ~~208~~ signatures
213

PETITION SIGNATURES

	NAME	ADDRESS
1)	Jackie Clausen	6526 36 th Ave No.
2)	Robert T. Monte	6526 36 th Ave No. Crystal
3)	Ken Hansen	3532 Georgia Ave No. Crystal
4)	Ellen Hansen	3532 Georgia Ave No. Crystal
5)	Sue Dorf	3454 Georgia Ave. N. Crystal
6)	Roger Dorf	3454 Georgia Ave. N. Crystal
7)	Mark Short	3448 Georgia Ave N
8)	John Short	3448 Georgia Ave N. Crystal
9)	Rich McDonald	3448 Georgia Ave N. Crystal
10)	Buddy Oles	
11)	Jan & Brent Alger	3448 Georgia Ave N Crystal
12)	Brent N. Alger	3436 Georgia No. Crystal
13)	Dave Grand	3436 Georgia No Crystal
14)	Ki Wood	3431 Georgia Ave No Crystal
15)	Clair Wooley	3424 GEORGIA AVE N CRYSTAL
16)	Bob Ensminger Bob Ensminger	3424 Georgia Ave N Crystal
17)	Marilyn Ensminger	3418 Georgia Ave. No.
18)	James Hansen	3412 Georgia Ave North
19)	Heimer & Mueller	6516 34 th Ave N.
20)	M & Mrs. Louis Purvile	6512 - 34 th Ave No.
21)	Jan H. Hill	6500 34 th Ave N.
22)	Peg Whelan	3419 Florida Ave. No.
23)	Angie Whelan	3419 Florida Ave No
24)	David Nemitz	3425 Florida Ave. N.
25)	Nancy Voorster	3455 Florida No

PETITION SIGNATURES

	NAME	ADDRESS
1)	Frank R. Werly	3512 BRUNSWICK AVENUE CRYSTAL
2)	Walter J. Hyder	3518 Brunswick Ave. Crystal
3)	Dorothy Hyatt	3528 Brunswick St
4)	Lisle Kiel	3538 Brunswick W
5)	Jefferson	3548 Brunswick Ave
6)	Pam Johnson	3548 Brunswick Ave No.
7)	Bob Johnson	3549 Douglas Drive
8)	Joe Rogers	3620 Douglas Dr.
9)	Niedel Wollert	3632 Douglas Dr.
10)	Barbara Grant	3640 Douglas Dr.
11)	Dani M. Nelson	3640 Douglas Dr.
12)	Bernard Tabery	3715 Douglas Drive
13)	Daphne Tabery	3715 Douglas Drive
14)	Belen & Ken Greening	3703 - Douglas Drive
15)	Lu Shields	3641 - Douglas Dr.
16)	Ken Olsen	3633 Douglas Dr.
17)	Deane Olsen	3633 Douglas Dr.
18)	Joseph Barrett	3625 Douglas Dr.
19)	Carl Olson	6100 38th Ave NW Crystal Lake
20)	Ken Norton	6402 - 36th Ave NW
21)	Dennis Burman	Mr & Mrs Treutler
22)	M. Burmann	4410 - 36th Ave NW
23)	Angela Martin	6302 36th Ave NW
24)		6426 - 36th Ave NW
25)	Myrtle Olson	6518 - 36th Ave NW

PETITION SIGNATURES

NAME	ADDRESS
1) Mr + Mrs David Laughlin	
2) James & Mary	3658 Colorado Ave N.
3) Kenneth Davenport	366 Colorado Ave
4) James & Mary	3624 Colorado Ave N.
5) James & Mary	3624 Colorado Ave N.
6) Mark E. Scofield	3656 Colorado Ave. N. Crystal
7) Janice R. Scofield	3656 Colorado Ave N. Crystal
8) Julie A. Scofield	3656 Colorado Ave N Crystal
9) Lorraine Nash	3704 Colorado Ave
10) Margaret Clyde	6119 - 38 Ave N. Crystal
11) Elmer Schwanz	3703 Colorado ave. No. Crystal
12) Pam Johannes	3657 Colorado Ave No Crystal
13) David Passer	3649 Colorado av. No. Crystal
14) James Jepsen	3641 Colorado Ave
15) Jim Lelli	3633 COLORADO AVE. NO CRYSTAL
16) Jim Lelli	3625 " " "
17) Tony Remiarz	3617 " " "
18) Marilyn Furdson	3609 Colorado Av. N. Crystal
19) Camina Kulsen	3603 Colorado
20) Mary Russell	3601 Colorado
21) Bernadette Larson	3601 Colorado
22) Joseph A. Berke	3601 Douglas Dr.
23) Alvin Schenck	6326 - 36 Ave. N.
24) Virginia Schenck	6326 - 36 Ave. N.
25) Richard Linn	6403 - 36 Ave No.

PETITION SIGNATURES

NAME	ADDRESS
1) Maite Jensen	6023-36 th Ave. N.
2) Dan Newman	6003 36th Ave N.
3) Loren Larson (Dulme Larson)	6002 "
4) Linda Moen	6012- 36th Ave No
5) Janet Otness	6028 36 th ave No.
6) Janet Otness	" " "
7) Vera Lennink	3616 Brunswick Ave N.
8) Ann Ekstrom	3640 Brunswick Ave No.
9) Don Bakke	3658 " " "
10) Arnold Z. Breen	3711 Brunswick " "
11) Not Newman	3632 BRUNSWICK AV NO.
12) Joe Dermit	3633 Brunswick
13) Ed McDaniel	3625 BRUNSWICK
14) Gary Gifford	3617 Brunswick ave. N.
15) Douglas J. Tindler	6125 36 th Ave No
16) Karen Snyder	6125 36 th Ave No.
17) Michel Vaughn	3504 Douglas Dr.
18) Robin Vaughan	3504 Douglas Dr. Crystal.
19) Michelle Beck	3512 Douglas Dr. Crystal
20) Robert Johnst	3514 Douglas Dr Crystal
21) Jan Goodman	3516 Douglas Dr Crystal
22) David L. Laughlin	6115 36 th AVE N
23) Jan Jelen	6621 44 th Ave. No. Crystal
24) Doug Lane	6623 36 th AVE N. CRYSTAL
25) Betty Jensen	6023-36 th Ave No

PETITION SIGNATURES

	NAME	ADDRESS
1)	Miss Betty Lund	6403 36 th Ave No
2)	Mary J Egan	3555 Brunswick Ave N.
3)	John A. Egan	3555 Brunswick Ave. N.
4)	Judy Narveson	3517 Brunswick Ave N
5)	Ray Narveson	3517 Brunswick Ave No.
6)	Don Camp	3513 Brunswick No.
7)	Mike Wille	3505 Brunswick Ave N.
8)	Tom Boettcher	Crystal Inn 55422 3451 Brunswick Ave N.
9)	Susan Boettcher	3451 Brunswick Avenue North
10)	Robert Ed King	3510 Douglas Dr. No.
11)	Colate Ruel	3510 Douglas Dr. No.
12)	Arthur Jensen	6023 36 th AVE No.
13)	Eleanor Jones	3433 Brunswick Ave. No.
14)	Cliff Jones	3433 Brunswick Ave No.
15)	Jaron Johnson	3425 Brunswick Ave. No.
16)	Beggy Bennett	3419 Brunswick Ave. N.
17)	Kelly Bennett	3419 Brunswick Ave. N.
18)	Velen Santo	3401 - Brunswick Ave No
19)	Art Santo	3401 - Brunswick Ave No.
20)	Lexana Quam	3413 Brunswick Av. N
21)	Paul Jensen	3400 Brunswick N.
22)	Carol Rusinko	3418 Brunswick Ave. N.
23)	Andrew Rusinko	3418 Brunswick Ave N.
24)	Scott Jensen	3454 Brunswick Ave No.
25)	Mabel Thomsen	3504 Brunswick

PETITION SIGNATURES

	NAME	ADDRESS
1)	Mrs. Davenport	3616 Colorado No
2)	J.A. Nelson	3632 Colorado No
3)	Beatrice Braun	3640 Colorado Dr. N.
4)	[REDACTED]	[REDACTED]
5)	Robert W. Clyde	6119 38th Ave N.
6)	Brad Hildebrand	6201 38th Ave N.
7)	Marcia Hildebrand	6201 38th Ave N.
8)	Warren Dorant	3816 Colorado Ave N.
9)	Darl Brecksen	3829 Colorado Ave N.
10)	Val Fraehly	3817 Colorado Ave No
11)	Pam Johannes	3657 Colorado Ave N.
12)	Mus Johannes	3657 Colorado Ave N.
13)	Laurie Stevens	6118-38th Ave N.
14)	Mark R. Stevens	6118-38th Ave N.
15)	Peg Welik	3648 Colorado Ave N.
16)	Jo O. Lakeh.	3633 Colorado Ave N.
17)	Car. Perry	3617 Colorado Ave No
18)	Carl Perry	3617 Colorado Ave No
19)	Diane Park	3608 Colorado N.
20)	Megay Haik	3608 Colorado Ave No.
21)	Joe Perry	3624 Douglas Dr.
22)	Ruth Hildus Hopko	3648 Douglas Drive No
23)	Larae Anderson	3648 Douglas Drive.
24)	Pauline Hopko	3648 Douglas Dr.
25)	Joey Hopko	3648 Douglas Dr.

PETITION SIGNATURES

NAME	ADDRESS
1) Thomas C. Offian	6400 34 th Ave N.
2) J. P. K. Kirk	3443 FLORIDA AVE N. CRYSTAL
3) Christine Kirk	3443 Florida Ave N. Crystal
4) Dorothy Ollankott	3304 Florida Av. No. Crystal, Mn.
5) Paul R. Ollankott	3304 " " " "
6) Jean Low	3340 Florida No. Crystal
7) Betty Ziminske	3341 Florida No Crystal.
8) Kurt V. Ziminske	3348 FLORIDA No CRYSTAL
9) Robert D. Allen	3349 Edgewood Ave. No. CRYSTAL
10) John Allen	3349 Edgewood No.
11) Pauline Nyström	3341 Edgewood Ave No.
12) Otto Lundström	3333 Edgewood No. Crystal
13) Evelyn Fredrickson	3333 Edgewood No. Crystal
14) Linda Schue	3325 Edgewood Ave. No.
15) Charlotte Kuehle	3306 Edgewood Ave No Crystal
16) Donna Louise Koop	3326 Edgewood No Crystal
17) Bruce K. Koop	" " "
18) Emalyn Ophaver	3334 Edgewood No. Crystal
19) Justa H. Prisker	3352 Edgewood N. Crystal
20)	
21)	
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PETITION SIGNATURES

NAME	ADDRESS
1) Gary Horn	3455 Florida Ave No.
2) Ruby L. Reine	3501 Florida
3) Raymond T. Reine	3501 Florida
4) W. T. Smith	3525 Florida
5) Phyllis Nordley	3533 Florida
6) Donald Vaneff	3437 Florida
7) Don Vaneff	3528 Florida N
8) Jimmie M. W. L.	3528 Florida
9) Stanley	3516 Florida
10) Patti Thompson	3430 Florida
11) John Thurnish	3430 Florida
12) W. B. Northfield	3418 Florida Ave N.
13) Milton E. Halsey	6408 34th Ave. N.
14) Jane Hallberg	6408 - 34th Ave. N.
15) Sophia Perlich	3100 - Edgewood Ave. No.
16) Tom Hase	3535 BRUNSWICK AVE. NO.
17) John Egan	3555 Brunswick Ave. No.
18)	
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PETITION SIGNATURES

	NAME	ADDRESS
1)	Alice Loddigs	6109 34 th Ave N 55422
2)	Brenda Peete	6010-34 th Ave N 55422
3)	Carolyn Hase	5923-34 th Ave. No. 55422
4)	Bruce Lindner	3242 BRUNSWICK AVE
5)	Jackie Murto Jackie Murto	5923 34 th Ave. No
6)	Bradley L. Hase	5923 - 34 th AVE No. 55422
7)	Marlene Hase	5923-34 th Ave. No. Crystal, 55422
8)	Judy Eisenrich	3343 Brunswick ave. N. Crystal 55422
9)	Barbara Hall	3332 Brunswick Ave. N. Crystal
10)	Cathy Wasley	3344 Brunswick Ave. N. Crystal 55422
11)	Doug nm	3338 Brunswick Crystal 55422
12)	Richard T. Hase	5923-34 th AVE. No
13)	Chester Melbeck	3763 Brunswick ave No.
14)	Guadalupe Swanson	3456 Adair Ave No
15)	Bonnie Swanson	3456 Adair N.
16)	Joan Braaten - Dussoky	3448 Adair Ave. No.
17)	Robert Dussoky	3448 Adair Ave. No.
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PETITION SIGNATURES

	NAME	ADDRESS
1)	Charlotte K. Mellon	3508 Douglas Dr. No. Crystal
2)	Nora M. Dobrenski	3518 Douglas Dr N - Crystal
3)	Meredith J. Smith	3514 Douglas Dr. No. Crystal
4)	Bernard R. Brand	3578 DOUGLAS DR N. CRYSTAL
5)	James	3528 Douglas Dr N Crystal
6)	W. Klinkner	3506 Douglas Dr. N. - Crystal
7)	Ken Larson	3506 DOUGLAS DR. N. - CRYSTAL
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PETITION SIGNATURES

	NAME	ADDRESS
1)	Jerna Linnik	3616 Brunswick Ave N.
2)	Don Bahke	3658 Brunswick N.
3)	R. E. Rice	6014 - 38 TH Ave No.
4)	Er McDaniel	3625 Brunswick Ave N.
5)	Don Scott	3601 Brunswick Ave No
6)	Mary Bates	3601 Brunswick Ave No
7)	John Jones	3548 Brunswick Ave N.
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PETITION SIGNATURES

	NAME	ADDRESS
1)	Michael E. Wiggins	6219 38TH AVE. NO. Crystal
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JOHN T. PAPPAS, SRA

SENIOR RESIDENTIAL APPRAISER

4845 JAMES AVE. SO., MINNEAPOLIS, MN 55409

(612) 929-8147

Mr Greg Lundeen
6125 36th Ave North
Crystal, Minn

12/30/88

Dear Sir:

On March 7, 1988 we appraised the residence at 6125 36th Ave North in Crystal and arrived at an estimate of value in accordance with Market conditions at that time, of \$119,300.00. In review, and with respect to similar conditions as of today, we reaffirm our estimate of market value to be as originally appraised.

This appraised value assumes adjacent improvements and zoning restrictions as originally included within that appraisal of 3/7/88. We have become aware that there is the possibility that a high density, multi level apartment complex will be built next to the subject property. In our opinion, and with respect to other similar formerly appraised residences with subsequent higher density zoning changes in our experience, such an addition if made adjacent or near the subject property, will have a dramatic and negative effect on its market value.

Although we have not made a specific analysis of the subject's particular situation, our experience with similar situations as mentioned, have shown market value estimate's drop as much as 20 to 40%, even prior to construction. The estimate is based on reviews of sold comparables of properties before and after dramatic adjacency or zoning changes.

Again, without further and more specific analysis for the given situation we cannot be more precise. We are, however comfortable in an estimate of depreciation of between 20 and 40% against the property in question under the assumed conditions of change.

Sincerely,

John T. Pappas, SRA

TO: Jerry Dulgar, City Manger
FROM: Bill Barber, Building Inspector
DATE: August 29, 1989
SUBJECT: Variance #89-25, 5408 Angeline Ave. North

Charles Bagne is requesting a variance of 2 feet in the 3 foot side yard setback to build a 20 foot by 20 foot detached garage. This variance request is subject to the 5 foot utility and drainage easement being vacated. If the variance is approved, the west wall of the garage will be required to be a 1-hour wall.

Bill Monk will have a map showing the easement and will answer any questions relating to it. I will have a transparency showing where Mr. Bagne proposes to build the new garage.

UPDATE

8/14/89 Planning Commission recommended to Council to vacate the 5' easement along the side property line but recommended denial of the 2' variance. They felt that there was still some room to get a garage in and use it with a 3' setback from side property line. Others have met the 3 foot setback as required by zoning.

BB/kk

Date: 8/7/89

APPEAL FOR A VARIANCE TO THE ZONING ORDINANCE

Street Location of Property: 5408 Angeline Avenue North

Legal Description of Property: Lot 6 Rolling Greens of Crystal

Property Identification Number: 09-118-21-12-0118

Applicant: Charles Jay Bague
(Print Name)

5408 Angeline Avenue N, Crystal 55429
(Address)

535-9393
(Phone No.)

Owner: Same as above
(Print Name)

(Address)

(Phone No.)

REQUEST: Applicant requests a variance on the above-described property from Section 515.07 SUBD 65(C)5 of the Zoning Ordinance, as amended, which requires 3' SIDE YARD SETBACK TO PROPERTY LINE. REQUESTING 2' VARIANCE FOR A 1' SETBACK FROM SIDE PROPERTY LINE. REQUESTING VARIATION OF 5' SIDE UTILITY + DRAINAGE EASEMENT (WEST LINE)
State exactly what is intended to be done on, or with the property which does not conform with the Zoning Ordinance. A plot plan drawn to scale showing the proposal must be submitted with the application.

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

1. That the strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships (other than economic) inconsistent with its general purpose and intent.
Locating the proposed 20'x20' garage 5 feet off property lines
would make it extremely difficult if not impossible to get a
car into the right side of the garage.
2. That there are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.
Out of 28 properties on this block there are only 3 properties that
do not have garages. One is a corner property and does not face the same
problems of an under-sized lot with limited access to the backyard.
3. That the granting of a variance will not be materially detrimental to the public welfare or injurious to the property or improvement in such zone or neighborhood in which the property is located.
A garage located in the right place on the lot will improved the value
of this property, allow easy access to both sides of the garage and
also not impair the neighbors view of this and surrounding properties.

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

THIS PROPERTY IS:

TORRENS / ABSTRACT

(Circle one)

Charles Jay Bague
(Applicant's Signature)

Charles Jay Bague
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00

DATE RECEIVED: 8/7/89

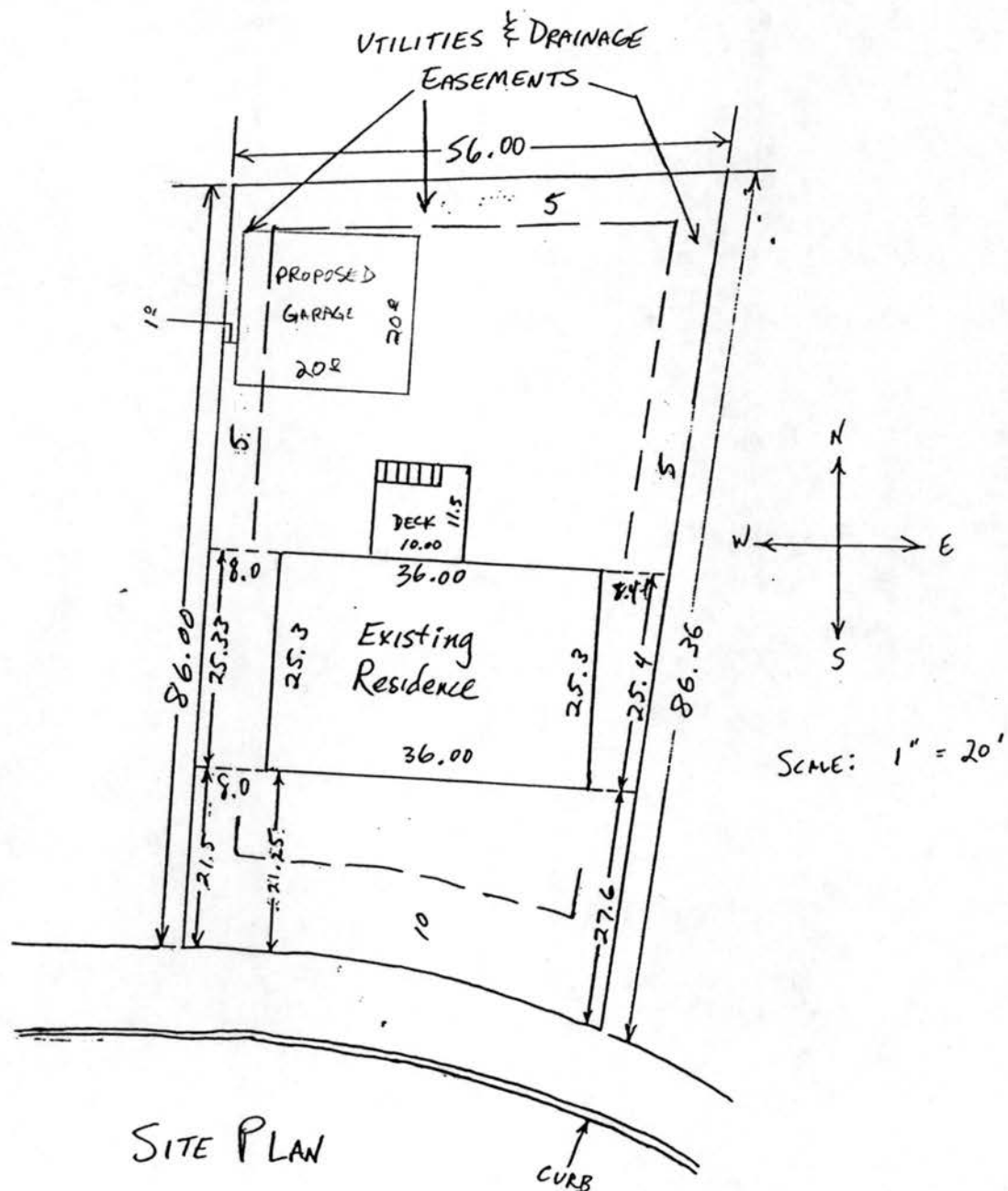
RECEIPT # 46807

(Approved) (Denied) - Planning Commission

(Date)

(Approved) (Denied) - City Council

(Date)



SITE PLAN
5408 ANGELINE AV N
CRYSTAL

CHUCK BAGNE
5408 ANGELINE AVENUE NORTH
CRYSTAL, MN 55429
AUGUST 7, 1989

CITY OF CRYSTAL
4141 DOUGLAS DRIVE NORTH
CRYSTAL, MN 55422

TO THE CITY OF CRYSTAL:

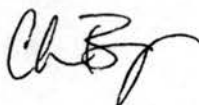
I AM WRITING THIS LETTER TO REQUEST THE CITY OF CRYSTAL TO PLEASE VACATE A DRAINAGE EASEMENT LOCATED ON THE WEST SIDE PROPERTY LINE OF 5408 ANGELINE AVENUE NORTH. THE LEGAL DESCRIPTION OF THIS PROPERTY IS LOT 6 OF THE ROLLING GREENS DEVELOPMENT OF CRYSTAL.

I HAVE BEEN TRYING TO PUT TOGETHER PLANS TO BUILD A GARAGE ON THE PROPERTY AND HAVE HAD GREAT DIFFICULTY IN LOCATING THE GARAGE ON THE LOT AND STILL ALLOW FOR THE WEST SIDE DRAINAGE EASEMENT AND THE NORTH SIDE UTILITY EASEMENT. WHEN THE GARAGE IS LOCATED FIVE FEET OFF BOTH PROPERTY LINES FOR THESE EASEMENTS, IT MAKES IT NEARLY IMPOSSIBLE TO GET A CAR INTO THE EAST SIDE OF THE GARAGE DUE TO THERE BEING ONLY 14 FEET BETWEEN THE PROPOSED GARAGE AND THE EXISTING HOUSE. PLACING THE PROPOSED GARAGE AT THAT LOCATION WOULD ALSO EFFECTIVELY CUT THE BACKYARD IN HALF AND SIGNIFICANTLY IMPAIR THE NEIGHBORS CURRENT LINE OF SIGHT.

I AM A FIRST TIME HOME BUYER WHO BOUGHT A HUD FORCLOSURE AND I AM TRYING DESPERATELY TO MAKE THE PROPERTY A CREDIT NOT ONLY TO THE NEIGHBORHOOD, BUT ALSO TO THE CITY OF CRYSTAL. THERE IS ALREADY A PARKING SLAB WHERE THE GARAGE WOULD BE BUILT, SO ERECTING THE GARAGE ON THE WEST SIDE DRAINAGE EASEMENT SHOULD HAVE NO EFFECT ON THE DRAINAGE OF THIS PROPERTY AND THE PROPERTY NEXT DOOR. I ALSO WOULD BE WILLING TO INSTALL DRAIN TILE ALONG THE EDGE OF THE PROPERTY IF NECESSARY.

DUE TO THE ABOVE STATED CONCERNS I WOULD HEREBY LIKE TO REQUEST THE CITY OF CRYSTAL TO VACATE THE WEST DRAINAGE EASEMENT SO I CAN OBTAIN A VARIANCE TO BUILD THE PROPOSED GARAGE ON A LOCATION ON MY PROPERTY AS TO LEAVE IT FUNCTIONALLY INTACT, ENHANCE THE VALUE OF THE PROPERTY BY PRESERVING THE BACKYARD AND KEEP THE NEIGHBORS HAPPY BY NOT OBSTRUCTING THEIR CURRENT VIEW OF THIS AND THE OTHER SURROUNDING PROPERTIES. THANK YOU.

SINCERELY,



CHUCK BAGNE

Chuck Bagne
5408 Angeline Avenue North
Crystal, MN 55429
August 23, 1989

Betty Herbes
5336 Idaho Avenue North
Crystal, MN 55428

Dear Betty:

I am writing you this letter to inform you of the upcoming meeting I have with the Crystal City Council. Since you are a member of the City Council I would like to introduce myself and the case I will present to you on Tuesday, September 5, 1989, and possibly talk about this so I may answer any questions or concerns that may arise beforehand.

My name is Chuck Bagne and I live at 5408 Angeline Avenue North in Crystal. I am presently putting together plans to build a two-car garage on this property and have ran into extreme difficulties in locating the garage in a place that will leave it functional, preserve my backyard and keep the garage from significantly obstructing the neighbors' view of this and other surrounding properties.

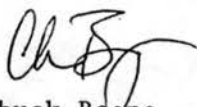
When the proposed garage is set back to allow for the five foot drainage and utility easements on the west and north sides of the lot, the garage is, in effect, tucked in behind the house. With only 14 feet between the house and the garage it not only makes it nearly impossible to access the east side of the garage, but it would also create a situation that could cause damage to the garage, the vehicles using the garage, the house, and even the neighbor's fence which runs fairly close to the driveway. Even if the west side easement were vacated, giving me another two feet, it would still be very tight to squeeze a vehicle in the east side of the proposed garage, leaving me with the same problems previously stated.

Therefore, I have asked the City of Crystal to vacate the west easement, which is not in use and has no plans for future use, and also requested a variance to build the garage one foot from the west property line. I know that there are a few houses in this area that have a situation similar to mine, however in my case we are talking of a matter of two feet. Two feet makes the difference between a garage that is usable or a garage that is hard to use and has the potential to create a situation for unnecessary damage to occur.

I feel I have satisfied the three conditions needed to grant a variance and that the granting of a variance in this case would not create a huge influx of variance requests since this problem is not generally found in the neighborhood or zone. Further, a garage strategically located on the property would also dramatically increase the value of the property and at the same time increase the taxes the City of Crystal could collect.

I would greatly appreciate any support you can give me on this issue. If you have any questions or concerns, or would just like to talk about this letter, please feel free to call me at 559-1800 ext 220 during the day, or 535-9393 at night. Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Chuck Bagne', with a stylized flourish at the end.

Chuck Bagne

DATE: August 29, 1989
TO: Jerry Dulgar, City Manager
FROM: Bill Barber, Building Inspector
RE: 4748 Zane Ave. N.
Variance #89-26

Steve Hyser is requesting a variance to build a 11'6" x 20'0" addition to the rear of his home. He is requesting a 3' variance in the required 40 foot rear yard. In addition the lot is under the 7500 square feet minimum lot size. Existing lot is 6300 square feet.

This request is consistent with his neighbors to the south who have requested variances in the past to build on additions and garages.

UPDATE

8/14/89 The Planning Commission has recommended to Council to approve the variance as there are others on the same block with like setbacks. They felt that this was a very nominal variance request.

BB/kk

APPEAL FOR A VARIANCE TO THE ZONING ORDINANCE

Street Location of Property: 4748 Zane Ave. N., Crystal, MN. 55429
Legal Description of Property: Lot 19, Block 4, West Lilac Terrace,
4th Unit

Property Identification Number: _____

Applicant: Steven M. Hyser

(Print Name)

4748 Zane Ave. N., Crystal, MN. 55429

(Address)

536-8045

(Phone No.)

Owner: Same As Above

(Print Name)

(Address)

(Phone No.)

REQUEST: Applicant requests a variance on the above-described property from Section 515.13
SUBD 4(a) + 515.15 of the Zoning Ordinance, as amended, which requires REAR SETBACK 40'
SUBD. 2(a) 31
REAR YARD SETBACK + 7500 SQ FT LOT. REQUESTING 3'
VARIANCE IN SETBACK + VARIANCE TO LOT 50 FOOTAGE

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

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

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

I like living in Crystal, my home is small so I need
to add on to the kitchen area. The 3 homes next to
me all have similar additions.

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

I have a 60' x 105' Platted lot which was
previously approved by the city.

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

I do not feel an addition would be detrimental, because
3 homes next to mine have similar additions. It would
also increase the value of my home & property.

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

THIS PROPERTY IS:

TORRENS / ABSTRACT

(Circle one)

Steven M. Hyser
(Applicant's Signature)

Steven M. Hyser
(Owner's Signature)

(Office Use Only)

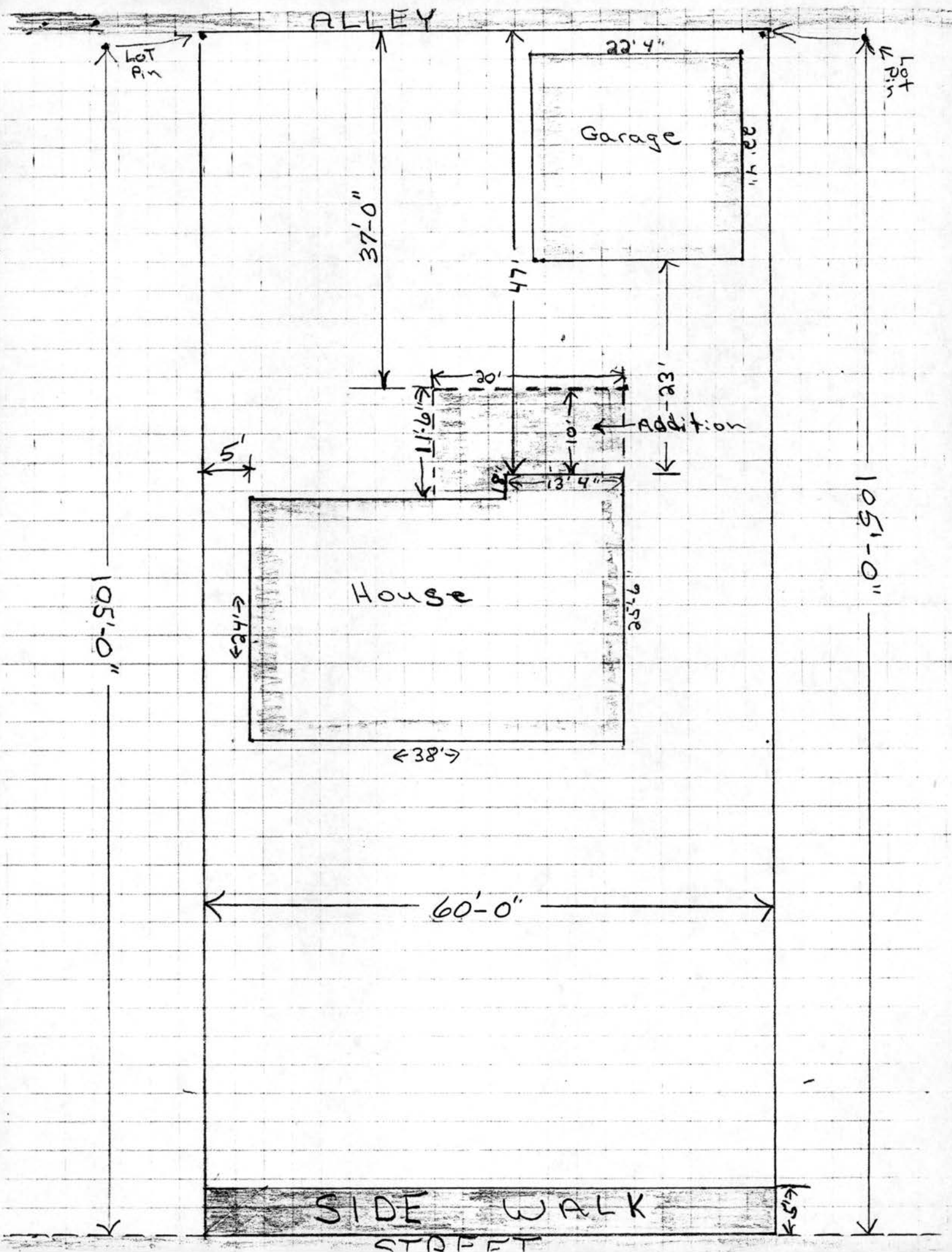
FEE: \$ 75.00 DATE RECEIVED: _____ RECEIPT # _____

(Approved) (Denied) - Planning Commission

(Date)

(Approved) (Denied) - City Council

(Date)



DATE: August 29, 1989

MEMO TO: Jerry Dulgar, City Manager

FROM: Edward C. Brandeen, Park & Recreation Director *E.C.B.*

SUBJ: Additional Information on a Proposed Slide at the Crystal Municipal Pool.

For your information, the following additional items were requested by the City Council regarding the proposed water slide at the municipal pool.

1. Estimated maintenance costs:
 - a. Shakopee stated costs were as follows:
Waxing 2 times yearly plus labor - approximately - \$340
 - b. Austin stated maintenance costs to be:
Cleaning and waxing - \$300-\$400 per year
2. Number of slides and length of each:
The proposed slide would be two separate slides on one platform. One slide would be 198' and the other 207'.
3. Delivery and erection time:
Delivery time - 30 to 60 days
* Installation time - 4 to 5 weeks (slide company crew)
4. Double or single slide cost:
The recommendation is for a double slide or two slides on one tower. Cost estimated at \$175,000-\$180,000.
5. Insurance costs:
See attached copy. Austin, Shakopee and Winona insured by North Star Risk Services.
6. Life expectancy:
Normal life expectancy is 25 years or more with proper maintenance.
7. Specifications:
See attached copy. City Engineer reviewed attached specifications. He indicated they would be usable although we have to trust the manufacturer to a large extent. It will take us a couple of weeks, minimum, to prepare final documents, once authorized to proceed.

8. Staffing:
Slide will be staffed at the top and bottom of slide area.
Slides will exit in roped off area of main pool.
9. PIR Loan for financing of slide - see attached.
10. Proposed budget - see attached.
11. Similar type slides which are in use. See Attached.

* Skills and Equipment Needed for Installation: Carpenters, iron workers, and laborers. Equipment needed: 18 ton crane with 80' boom for 10-15 days usage, scaffolding, carpenters, tools and slings, impact wrench, saws, sanders, etc. I would not recommend that the city crew assist with the slide installation.

Memorandum

DATE: August 30, 1989
TO: Jerry Dulgar, City Manager
FROM: Nancy Gohman, Administrative Assistant
SUBJECT: Liability/Risk - Proposed Waterslide

Attached is a report from Dave Drugg, League of Minnesota Insurance Trust (our insurance carrier), regarding proposed waterslide for the City of Crystal.

I request this memo be forwarded to the Council for their review. In general, the document states the following:

1. Insurance premium for the waterslide would be approximately \$3,000.
2. Maintenance staff must be trained on how to properly maintain, upkeep and care for such slide as per manufacturer's requirements.
3. Additional trained supervisory personnel (persons trained in a program such as the Red Cross's lifeguard training course) should be hired at entry and exit points of the slide during all hours of operation.
4. It's recommended that the exit area for the slide into the water should be an area of the pool segregated from other swimming activities. The slide facility can normally not be just added to an existing pool if that pool does not have sufficient space to allow for such segregation.
5. Additional fencing maybe required to increase security in the area because the slide is an "attractive nuisance".
6. Review of agreements and contracts with purchasers and installers of the equipment so the City can be properly protected in risk for such things as product liability.

In general, all the above costs and liability situations must be taken into consideration in the City Council's analysis of whether or not the purchase of a waterslide would be a revenue producer for the City of Crystal.

FACSIMILE COVER PAGE

TO: CARY SHAICH

COMPANY: TOWLE AGENCY, INC.

CITY/STATE: MINNEAPOLIS, MN.

FROM: JOHN HYSKA

North Star Risk Services, Inc.
1401 West 76th Street - Suite 550
Minneapolis, MN 55423
Phone: 612-861-8600
Facs: 612-861-8643

DATE: 8-25-89

SUBJECT: CITY OF CRYSTAL


TOTAL PAGES INCLUDING COVER PAGE 5

SPECIAL INSTRUCTIONS:

CARY, THE PREMIUM FOR THE PROPERTY
COVERAGE ON THE WATERSLIDE WOULD
BE ABOUT \$3,000.

CONCERNING THE LIABILITY COVERAGE,
WE WOULD PREFER NOT TO GET INVOLVED
IN VIEW OF THE FACT THAT THE VENDOR-
INSTALLER DOES NOT CARRY ANY INSURANCE.

M E M O R A N D U M

DATE: August 25, 1989
TO: John Hyska
FROM: Dave Drugg 
SUBJECT: City of Crystal - Waterslide Considerations

John:

This memo will serve to provide you with my comments concerning loss control and risk management considerations relative to the City of Crystal's plans to install waterslide facilities at the municipal pool.

I should probably begin my comments with an observation. It seems that more and more cities are becoming concerned about the deficit operations that most of them are seeing with their municipal pool facilities. Quite frankly, I think we're going to see a steadily increasing number of inquiries into waterslide facilities because they seem to be relatively good revenue producers in conjunction with popular city pools, and where there is not a lot of immediate area competition from the private sector.

Waterslides and related facilities can pose a significant, ongoing risk management problem for cities if certain problem areas are not addressed and a solid commitment is not given by the city to maintain loss control and risk management parameters in place -- on a long-term basis.

My observations up to this point have been that commercially manufactured waterslides (I believe this one is to be provided by Miracle) have generally tended to be adequately engineered and designed with safety of the user in mind. However, once the slide has been installed, the owner of the slide (the city in this case) is going to be responsible for its long-term maintenance and upkeep, as well as adequate supervision. In a nutshell, the immediate maintenance after the unit has been installed will probably be minimal. This will include monitoring of pumping equipment to make sure that an adequate water flow is maintained in the flume and that such things as waxing the fiberglass surface is done as per manufacturer's recommendations.

John Hyska
August 25, 1989
Page Two

After that, the most important aspect of operating such a facility is the supervision aspect. It is imperative that the facility be designed so that the exit from the bottom of the flume is in a water depth as per manufacturer's recommendations. Generally, this is in the vicinity of three to four feet. We also recommend that there be trained supervisory personnel in place at the entry and exit points of the slide. This is to assist in controlling the proper use of the slide so that persons are not going down head first, in trains, too close to other sliders, etc. This also assists in turning away people from use of the slide if they are wearing inappropriate attire, such as cut-off jeans which may have rivets in the back which would wreak havoc with the slide flume surface.

It should be noted that these persons would need to be trained in the same manner as the swimming pool's lifeguard personnel. We recommend that the Red Cross's lifeguard training course, or its equivalent, be utilized.

It is also important to recognize that the exit area for the slide needs to be in an area of the pool segregated from other swimming activities. These facilities can normally not be just added onto an existing pool if that pool does not have sufficient space to allow for this segregation. Again, this needs to be looked at because it may introduce a new cost feature above and beyond the basic slide facility that the city may not have recognized.

Other areas of concern include:

- A. Potential need to increase levels of testing and treatment for the water because of potential changes in water quality;
- B. Potential need to increase security fencing in the area because of the increased "attractive nuisance" exposure;
- C. Review of agreements and contracts with purchasers and installers of the equipment so that the city can be properly protected and do appropriate transfer of risk for such things as product liability. An interesting note here: Historically, Miracle Equipment Company and similar companies have not been in a position to provide certificates of commercial insurance indicating coverage for product liability. They simply indicate that they would "endeavor to be financially responsible" for product liability-related claims. I'm not sure that this is acceptable and the city may want to pursue requiring something like a letter of credit or other financial responsibility indicator from equipment providers and installers. Naming the city as an additional insured would be an added benefit.

Mr. John Hyska
August 25, 1989
Page Three

It does seem that these facilities have been somewhat of more popularity in the lower Midwestern area (Indiana, Illinois, Michigan, Missouri, etc.) where more moderate climates may allow for a longer usage season and where there may not be immediate competition from the private sector.

To summarize, I view the city's long-term commitment to maintaining and supervising the facility as probably of utmost importance in the long-term success of the facility from a loss control and risk management standpoint.

You also inquired briefly about the potential for the City of Crystal to install a skateboarding facility. We have had a lot of questions and comments in this area, but it all seems to boil down to the fact that a relatively few vocal members of the community who are interested in skateboarding are pressing communities for these facilities. However, the facilities are extremely difficult to control, and incidents and injuries are numerous for the facilities that I have viewed. Because many of these injuries are related to broken bones, head injuries and other severe injuries, and the fact that youth are primarily involved, there seems to be a very significant long-term severity potential for loss with these facilities with a distinct lack of ability on the operator's (city's) part to supervise and secure these types of facilities adequately. If the city wants to pursue this type of facility, I would be happy to discuss some considerations and concerns that they would need to have from a loss control and risk management standpoint, but I would highly discourage them from considering such a facility at this time. I would also add the comment that, unless they would construct a facility of such significant size and challenge to attract significant numbers of users, they probably will not impact on any other problems they might have with skateboard users on public ways. Again, it seems to be a vocal few who are promoting their desires on the majority -- the taxpayers who must pay the loss.

SELECTION I - INTRODUCTION

A stairway and pathway which wraps the tower, stairs not less than 36" wide and no more than 8 risers before a landing, and stair treads and decking materials of maintenance free aluminum planking. Galvanized steel, wood or fiberglass stair treads or decking material will not be accepted. Aluminum planking may be colored and protected by powder coating. Handrails, guardrails and trim shall all be high grade Wolmanized Lumber equal to Grade D, and structurally designed with heavy duty wood members.

(Attachment)

*RB6-92405 is a two flume waterslide configuration.

Flume A shall be not less than 190' nor more than 200' in length and shall be arranged so that not less than 6 curves causeny a change of direction which shall create the ride pattern.

Flume B shall be not less than 200' nor more than 210' in length and shall be arranged so that not less than 6 curves causeny a change of direction which shall create the ride pattern.

Both flume sections shall commence for a combination Tower not more than 28' tall and terminate within a space not more than 24' in width.

The arrangement of the ride shall use the least number of foundations possible.

Hardware for the tower, pathway, and trim must be stainless steel. Zinc plated or galvanized hardware will not be accepted. Structural steel shall be powder coated. Field painting other than touch-up will not be permitted.

Fiberglass sections shall be "U" barrel shaped. Radius sections shall be continuous high profile flume sections with not less than 230 degree protection. Attachment splash guards will not be permitted. Transition sections from high profile radius sections to "U" barrel shall be used on all in and out of curve locations.

Hardware for fiberglass sections shall be stainless steel. Zinc plated or galvanized hardware will not be acceptable.

Color selection must be coordinated. The owner prefers the earthtone colors. Fiberglass sections shall be colored beige. Structural steel materials shall be bronze tone. Trim material shall be natural.

SECTION II - DETAILED SPECIFICATIONS FOR THE DESIGN, CONSTRUCTION AND INSTALLATION

1. Foundations

- (a) Design conditions - tower, pathway, fiberglass flume and understructure and all foundations shall be designed to meet industry guidelines for the design and installation of waterslides with a minimum wind load design of 90 mph.
- (b) Unless otherwise specified, all foundations shall be on a suitable soil with bearing capacity of not less than 2000 PSF. (Type 2 soil)

2. Concrete

- (a) Construction shall conform to ACI-318.
- (b) Concrete strength shall be 4000 PSI @ 28 days.
- (c) Reinforcing steel shall conform to ASTM A-615, Grade 60.
- (d) Welded fabric shall have a minimum lap of 3" on sides and 6" on ends.

3. Concrete Placement

Concrete shall be placed upon undisturbed soil or compacted granular fill to 90% of ASTM D 1557 density. The backfill around the concrete piers should also be 90% density.

4. Backfill

Backfill shall be compacted with excavated or granular fill materials.

5. Structural Steel

- (a) Design, detailing, fabrication, and erection shall conform to AISC, 8th Edition.
- (b) All structural shapes shall be A36 unless otherwise specified.
- (c) Welding shall conform to AWS standards.
- (d) Welding rods shall be E-70XX.
- (e) Shop connections shall be welded.
- (f) Field connections shall be bolted.

6. Specific Structural Steel

(a) Tower Support System

- (1) Legs shall be TS 6 x 6 x 3/16", A36.
- (2) Frame shall be MC 10 x 8.4 with C6 x 8.2 joists.

(b) Pathway and Stairs

- (1) Stringer shall be MC 10 x 8.4.
- (2) Tread brackets 2 x 2 x 1/4
- (3) Stair width 36" unless otherwise specified.
- (4) 7-1/4" riser, 10-1/2" tread, not more than 8 risers per section.
- (5) Rail height shall be 44".
- (6) Picket spacing maximum 6" center to center.
- (7) Stair treads and decking to be 6063-T6 extruded aluminum board.

(c) Flume Support System

- (1) "C" columns, structural Grade A-500 Gr. B steel tube, or structural grade pipe Grade A53B of the size shown.

Flume Support System - continued

- (2) "A" columns, structural Grade A535 steel pipe of the size shown.
- (3) Support Arm, TS 6 x 3, 3/16" thick, A-500 Gr. B
- (4) Plate and miscellaneous steel grade A-36 of size shown.

(d) Hardware

Non-stainless fasteners and connectors shall be structural Grade A325 galvanized. Stainless steel fastener and connectors shall be type 304/316.

(7) Handrails, Decking and Trim Wood Materials

- (a) Unless otherwise specified, all wood trim, pickets, and rails shall be #1 dense, SYP, treated .40CCA kiln dried after treatment.
- (b) Rail height shall be 48" wide on tower unless otherwise specified with maximum 6" picket spacing.
- (c) Legs shall be zinc plated. All other fasteners shall be stainless steel.

(8) Paint, Stain and Sealers

Steel shall be cleaned, primed, and painted with two coats of acrylic polyurethane, color shall be brown, unless otherwise indicated.

(9) Flume Sections

- (a) Rainbow Bend flume sections shall conform to design dimension of Rainbow Bend DT-6 specifications.

(b) Flume Dimensions

All sections shall be 36" wide, with barrel depth of 28" on all straights, with 230 degree High Profile Flume on all curve sections. Standard radius shall be 6', 10' and 16' sections. Barrel shall be 3/16" thick, weight 1.5# per sq. ft. Flanges shall be 3/8" thick, "L" type.

(c) Ride Configurations

All ride configurations shall be constructed from Rainbow Bend standard sections consisting of:

Entry tub
Accelerators
Transition Sections
Right Radius Sections
Left Radius Sections
Straights
Terminus Section

(d) Fiberglass Laminate Materials

Gelcoat: Cooks or equal, NPG (Neopentyl-Glycol) with UV prohibitors. 18 to 20 mils thick ride surface. Beige in color unless otherwise specified, 10 mils exterior coating.

Resins: As manufactured by General Fiberglass or equal. Isophthalic with 2:1 ratio with layers of chop and 18 oz. Mat.

Reinforcement: As manufactured by General Fiberglass or equal, chop and woven roving.

Undercoating: Cooks or equal coating, color to match gelcoat.

(e) Flange Joints

(1) Flume to flume joints shall be fastened with 3/8" stainless steel bolts, nuts, washers, and lock-washers.

(2) Flume to steel supports shall be fastened with stainless steel hardware.

(10) Pump and Plumbing

The pump requirements are approximately 2500 gallons per minute. The installation contractors shall furnish and install a Horizontal Centrifical pump and motor, ~~centrifugal pump~~ to provide the volume flow at low operation costs, along with a butterfly valve on the discharge side of the pump, and foot valve or check valve to maintain a primed condition.

A PVC Piping System ~~and~~ pipe should be laid out with a minimum number of angle fittings from an inlet near the slide exit and pool wall to run as concealed as possible with the slide.

SAFETY BROCHURE 100

GENERAL SAFETY, INSTALLATION, AND MAINTENANCE RECOMMENDATIONS APPLY TO PLAYGROUND, ATHLETIC, RECREATION AND SIMILAR EQUIPMENT SUPPLIED BY MIRACLE RECREATION EQUIPMENT COMPANY.

I. SURFACES

ALL EQUIPMENT MUST BE INSTALLED OVER A MATERIAL THAT HAS "CUSHIONING POTENTIAL." THE CUSHIONING MATERIAL MUST EXTEND EIGHT (8) FEET BEYOND ANY PART OF THE EQUIPMENT WITH A MINIMUM DEPTH OF TWELVE (12) INCHES.

SUCH SURFACES INCLUDE:

*A. INORGANIC

1. PEA GRAVEL
2. SHREDDED TIRES
- **3. SAND

*B. ORGANIC

1. PINE BARK HUGGETS
2. PINE BARK MULCH
3. SHREDDED HARDWOOD BARK

* REFERENCE - UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION, VOLUME 1 - GENERAL GUIDELINES FOR NEW AND EXISTING PLAYGROUNDS, BE SURE TO UNDERSTAND, APPLY, AND UTILIZE THE "GUIDELINE."

** IF SAND IS USED, RAKING AND FILLING MUST BE DONE DURING "REGULAR MAINTENANCE INSPECTIONS" TO PREVENT COMPACTING OF SAND.

ALL OF THE SURFACING LISTED ABOVE MUST BE RAKED AND/OR FILLED DURING "REGULAR MAINTENANCE INSPECTIONS" TO PREVENT COMPACTING AND/OR HOLES. THIS MAINTENANCE MUST BE PERFORMED UNDER ANY CONDITION THAT RESULTS IN A "CUSHIONING POTENTIAL" LAYER OF PROPER SURFACING LESS THAN 12" IN THICKNESS.

II. UNACCEPTABLE SURFACES

TURF, UNDISTURBED NATURAL GROUND, UNDISTURBED COMPACTED SAND, DECOMPOSED GRANITE, BLACK TOP, CONCRETE, OR ANY OTHER HARD SURFACING IS A MAJOR CONTRIBUTOR TO PLAYGROUND INJURIES BECAUSE OF HARD, UNYIELDING CHARACTERISTICS.

III. REGULAR MAINTENANCE INSPECTIONS

DURING THE COURSE OF PLAY (PARTICULARLY WITH NEW EQUIPMENT, WHICH IS HEAVILY USED THE FIRST FEW WEEKS) IT IS COMMON THAT HOLES AND TRENCHES DEVELOP IN THE PROTECTIVE SURFACING. ESPECIALLY UNDER SWINGS, AROUND SLIDES, (EXIT, ENTRY, SIDES,) AROUND WHIRLS, AROUND AND UNDER CLIMBERS AND SEE SAWS, ETC.

THESE AREAS MUST BE MAINTAINED TO A DEPTH OF TWELVE (12) INCHES BY PROVIDING A "REGULAR MAINTENANCE INSPECTION" SCHEDULE. DURING "REGULAR MAINTENANCE INSPECTIONS", CARE SHOULD BE TAKEN TO SEE:

- A. THAT THERE ARE NO EXPOSED CONCRETE FOOTINGS TO TRIP OVER OR FALL ON TO.
- B. THAT ALL BOLT THREADS PROTRUDING BEYOND THE NUT ARE CUT AND PEENED (SMOOTH TO THE TOUCH.) SHARP EDGES AND/OR POINTS OF ANY KIND MUST BE ELIMINATED.
- C. THAT ALL BOLTS, FASTENERS, SET SCREWS, ETC., ARE TIGHTENED SECURELY.

SAFETY BROCHURE 100 (CONT.)

- D. THAT ALL "S" HOOKS AND CLEVISSES ARE FREE OF ANY WEAR. WITH ALL "S" HOOKS CLOSED METAL TO METAL AND ALL CLEVISSES AND SUPPORTING HARDWARE SECURELY ATTACHED. USE ONLY ORIGINAL REPLACEMENT PARTS FROM MIRACLE RECREATION EQUIPMENT COMPANY. SEE SPECIFICATIONS AND INSTALLATION INSTRUCTIONS FOR REPLACEMENT PARTS LISTED IN BILL OF MATERIAL OR PARTS CARTON.
- E. THAT ALL TYPES OF SWING SEATS/SWING RIDERS ARE IN EXCELLENT CONDITION.

SOME EXAMPLES OF WHAT TO LOOK FOR INDICATING POOR SWING SEAT/SWING RIDER CONDITION:

RUSTING, WARPING, COMPLETE BREAKAGE, VISIBLE CRACKS, SPLINTERING, DETERIORATED WOOD, LOOSE SEATS, HEAVY SEATS WITH SHARP EDGES OR CORNERS, LOOSE BOLTS AND NUTS, EXPOSED AND/OR PROTRUDING PARTS, PINCH AND/OR CRUSH POINTS, IMPROPER LUBRICATION AND VANDALISM. PLEASE SEE PART III, D. ABOVE FOR "S" HOOK MAINTENANCE.

BE SURE THAT THE SEAT GROMMET IS IN GOOD CONDITION AND THAT ONLY THE LARGE "S" HOOK IS WHAT PASSES THROUGH THE SWING SEAT GROMMET.

- F. THAT ALL TYPES OF CHAIN, RODS, ROPE OR CABLES, ARE IN EXCELLENT CONDITION.

SOME EXAMPLES OF WHAT TO LOOK FOR INDICATING POOR SWING SEAT/SWING RIDER CONDITION:

CRACKING, RUSTING, COMPLETE BREAKAGE, BENDING, WARPING, FRAYED ROPE AND/OR CABLE, DEFORMATION, WORN, LOOSE OR SHARP EDGES, EXPOSED ENDS, PROTRUSIONS AND VANDALISM.

- G. THAT ANYTHING SHOWING ANY SIGN OF WEAR, FATIGUE, OR OTHERWISE PRESENTING AN UNSAFE CONDITION, IS IMMEDIATELY REPLACED. IF NOT IMMEDIATELY REPLACED, THE UNIT MUST BE MADE IMMOBILE OR COMPLETELY USELESS UNTIL SUCH REPAIRS CAN BE MADE. BE SURE TO UNDERSTAND, APPLY, AND UTILIZE VOLUME I OF THE CONSUMER PRODUCT SAFETY COMMISSION GUIDELINES.

IV. MISUSE

ANY ATTEMPT TO ALTER, ADAPT, CHANGE, ATTACH TO, OR ASSEMBLE THE PRODUCT FOR ANYTHING OTHER THAN ITS INTENDED USE, AS STATED IN THE SPECIFICATION/INSTALLATION INSTRUCTIONS, IS STRICTLY PROHIBITED.

MIRACLE'S PLAYGROUND EQUIPMENT, BY DESIGN, HAS AN INTENDED SPECIFIC USE. LACK OF MAINTENANCE AND/OR PARTICIPANT USAGE OF THIS PIECE, IN A MANNER OTHER THAN THE INTENDED USE IT WAS DESIGNED FOR, CAN RESULT IN SERIOUS INJURY.

FOR SPECIFIC STEP BY STEP INSTRUCTIONS, SEE THE SPECIFICATIONS AND INSTALLATION INSTRUCTIONS WITH EACH UNIT. IF THERE ARE ANY QUESTIONS REGARDING INSTALLATION OR INSTRUCTIONS, WRITE OR CALL:

MIRACLE RECREATION EQUIPMENT COMPANY
P.O. BOX 420
HIGHWAY 60 AND BRIDLE LANE
MONETT, MISSOURI 65708-0420
(417) 235-6917 OR (800) 523-4202

JANUARY 1987

Loan from PIR - Pool Waterslide

Sample Cost \$200,000

Assumed Interest Rate 8%

Approximate Life 10 yr.

	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
1st Year Payback	\$20,000	\$16,000	\$36,000
2nd Year Payback	20,000	14,400	34,400
3rd Year Payback	20,000	12,800	32,800
4th Year Payback	20,000	11,200	31,200
5th Year Payback	20,000	9,600	29,600
6th Year Payback	20,000	8,000	28,000
7th Year Payback	20,000	6,400	26,400
8th Year Payback	20,000	4,800	24,800
9th Year Payback	20,000	3,200	23,200
10th Year Payback	20,000	1,600	21,600

If any year was short in revenue, the interest would be paid first. Any unpaid principal would be carried forward to the subsequent year.

The revenue would have to be pledged for the repayment of the PIR loan so other uses of operating profit would be curtailed.

CRYSTAL WATER SLIDE PROJECTED INCOME & EXPENSES

*INCOME

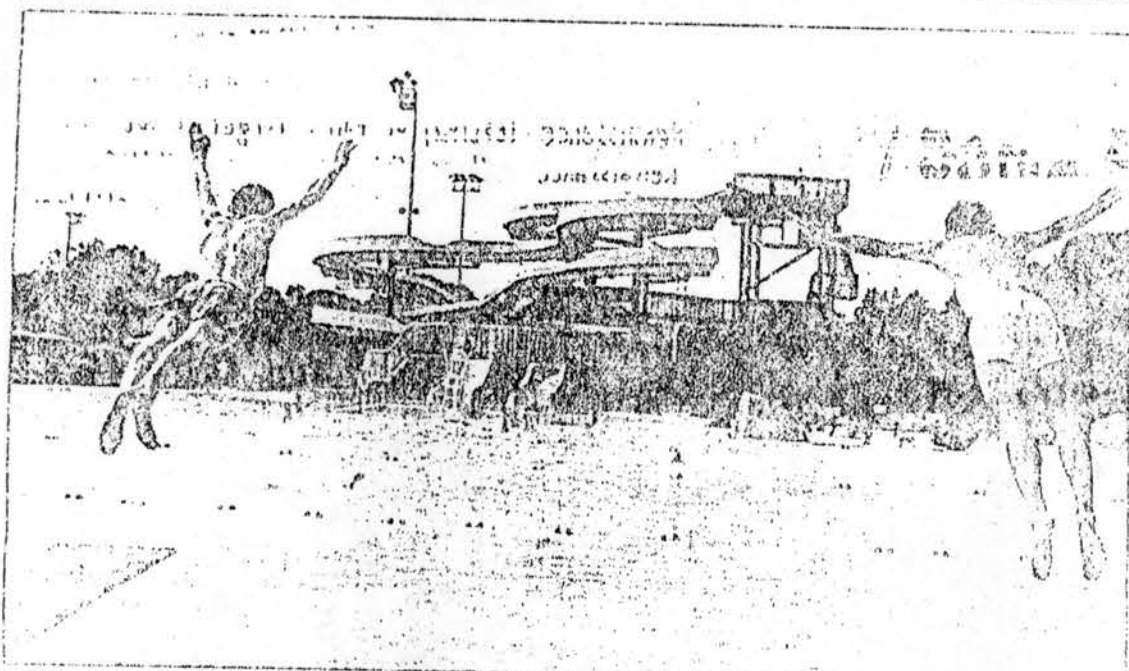
Slide Tickets	300 per day @ \$1/60 days	\$18,000
Add. Concession Income	\$100/day - 60 days	6,000
Add. Daily Admissions	100 @ \$2/day - 60 days	<u>12,000</u>
		\$36,000

*EXPENSES

Additional Lifeguard	5 hrs./day @ \$6	\$ 1,740
Additional Attendant	8 hrs./day @ \$4.50	2,080
Additional Hours/Concession Attendant - 3 @ \$5		870
Electricity (approximate)		1,000
Pool Tags		800
Concession Supplies		1,000
Misc.		1,000
Insurance		3,000
		<u>\$11,490</u>

Projected Net Annual Income \$24,510

* Does not include increase in season ticket sales.



The Rand Park Pool in Des Plaines has two 800-foot slides.

Slip sliding away

How to get everyone into the pool

By David McCracken

In retrospect, few things in one's young life could approach the boredom, even depression, of the local municipal pool, a teeny and stupid concrete hole in the ground filled with tepid water and a serious algae toupee. No wonder the nation's youth took to slam-dancing and swallowing goldfish, sometimes simultaneously.

"Aww, Mom, I don't wanna go to the pool. That's for babies. Whitey and Gilbert'll drum me out of the Mutual Assured Destruction Computer Club!"

How many times have we heard that lament?

Well, it's a New Age, as sun-bronzed, lightheaded Californians have been mumbling for years, except that they ain't got what

we in the Chicago area got: water slides, scores of them, nuclear family fun at the ol' municipal pool that would make Norman Rockwell weep with gratitude.

"What's happened in a nutshell is this—and the Chicago area is unique in the U.S. in this regard: The municipal tax-funded water facilities have basically become commercial water parks," said Mike Schram, himself responsible in part as a sales rep for slide manufacturer Miracle Recreation.

"This whole movement has been created to change the face of the municipal swimming pool into a family recreation complex. In virtually all of these cases, not only will you see a water slide but you'll see sodded sunbathing hills, you'll see sand volleyball, playgrounds, the works."

What you'll see, mainly, are whole sodden families hydroplaning down a constant 6 to 8 degree slope up to 400 feet long, wailing around banked hairpin turns, riding more than 800-plus gallons per minute of water flow, intense G-forces ghoulishly stretching faces like taffy until

everybody from Junior to Dad looks like Dr. Sardonius when they hit the pool at close to Mach 3.

Okay, so we're exaggerating about the G-forces, and maybe, no matter how skilled or mature they are, exceeds 2,200 mph. That's not to say you can't try, though. Schram knows something about this.

"The slides allow you to ride several ways," he said. "If you ride them sitting up, you're going to go slow; if you ride them lying down, you're going to go a little faster, and if you ride them lying down and arching your back, riding on your heels and shoulder blades, you're going to fly."

"The kids figure that out very quickly," Schram added. But how does he know about this sort of lightsome arcana? Certainly not firsthand experimentation.

"Oh, sure," he said. "I've been on every one we've sold. I don't know if I'm a connoisseur, but I certainly understand the intricacies of the design and use."

Not to mention the business

See Water slides, pg. 17

Water slides

Continued from page 7

intricacies, which must add up a pretty sterling success story. Since 1982, when Des Plaines became the first suburb to take the plunge, as it were, on a water slide, some two dozen municipalities have followed suit, with Schram's company providing the vast majority of fiber-glass slides and steel support structures.

Success isn't limited to all people who make the turn, though. Water slides have been a boon to the city's economy, with many of them, running day and night, used as a source of revenue for the city.

Mark Farrell, director of parks and recreation for the City of Palos Heights, noted that the city's water slides have been a big success story. The city's water slides have been a big success story. The city's water slides have been a big success story.

The same story is repeated elsewhere. Bloomington, Ill., on the South Side, reflected back over nine years with a pool in 1981 after a pool contractor defaulted on its real estate loan. Said township supervisor Paul S. "The next year, I'm looking at water slides. I estimated some of the local pool to put their money into a purchase one over a five-year period, and we erected a slide about 200 feet.

"That's completely complemented our swimming pool operation, and we were able to pay the thing off in only 30 years. Last year, we had more than 60,000 people, in a township of maybe 110,000, either use the slides, swimming pool or picnic area."

Still, many municipalities don't have the resources or the want to get into the swim of things. And few that do boast truly dazzling slide lengths. For those jaded sliders tired of a mere 100 or 200-foot slop into the pool, there are the bona fide thrilling water parks, such as Roaring Rapids in Oakbrook Terrace and Magic Waters in Rockford.

This is where you'll find the really big ones, such as Magic Waters' three 400-foot slide with three speeds, Roaring Rapids' Cannonball Loops—tossing the slider into the air before impact—plus inner-tube slides and wave pools.

And if all this excitement sounds a little too bone-jarring, a little dangerous for you water oldsters, rest assured that most park districts these days are more than adequately secured. Not that you'll need it, according to Magic Waters manager John Hladik, who has been around and down water slides for years.

"In my experience, the injuries from slides tend to be minimal," he assured us. "Scrapes and bruises from the bottom of the pool now and again. But they're very minimal."

In other words, fly your locs free without delay.

Splash down at these slides

Here is a selective list of area water slides:

*Calumet City: Finneron Park Pool, Linden and Freeland Streets; 455-9396. One 135-foot slide.

*Crestwood: Thunder Mountain Rapids Water Slide, 131st Street and Cicero Avenue; 371-2222. Two 805-foot-long slides with flumes averaging 40 feet in width.

*Des Plaines: Rand Park Pool, 2025 Main St.; 699-6120. Two 300-foot slides with tower, walkway and crossover bridge.

*East Dundee: Racing Rapids Action Park, Ill. Hwy. 25, two miles north of Int. Hwy. 90; 426-6751. Three slides with the longest at 400 feet, plus inner-tube ride and mini-slides.

*Elk Grove Village: Rainbow Falls Pool, Elk Grove Boulevard and Lions Drive; 437-5048. Three slides of 108, 101 and 66 feet, with tower and crossover bridge.

*Franklin Park: Franklin Park Pool,

9715 Pacific Ave.; 455-2852. One 155-foot slide.

*Glenview: Flick Pool, 3716 Lindenwood St.; 724-9509. One 133-foot slide.

Glenwood: Skyline Pool, 191st and Halsted Streets; 755-2114. One 197-foot slide and splashdown pool.

*Gurnee: Gurnee Park District Pool, at Gurnee Memorial Beach, McClure Road near intersection of O'Plains Road and Ill. Hwy. 132; 623-4669. One 187-foot slide with splashdown pool.

*Harvey: Harvey Park District Pool, 149th Street and Broadway; 331-3857. Two slides of 140 and 150 feet and splashdown pool.

*Hazel Crest: Hazel Crest Park District Pool, 17001 Holmes St.; 335-1120. One 118-foot slide.

*Hoffman Estates: Hoffman Estates Park District Pool, 975 Grand Canyon Rd.; 885-7500. One 114-foot slide.

*Lisle: Sea Lion Aquatic Park, 1825 Short St.; 964-3410. Two slides totaling 200 feet.

*Lombard: Lombard Park District Pool, 433 E. St. Charles St.; 627-1261. Two slides totaling 420 feet with splashdown pool.

*Melrose Park: Govin Park Pool, Scott and Fullerton Streets; 451-9393. One

200-foot slide.

*Morton Grove: Harrer Pool, 6250 Dempster St.; 935-1623. One 130-foot slide.

*Northbrook: Meadow Hill Aquatic Center, 1500 Maple St.; 291-2997. One 100-foot slide.

Oakbrook Terrace: Roaring Rapids Water Park, Ill. Hwy. 60 and Roosevelt Road; 941-1630. Two 600-foot inner tube slides as well as two Cannonball Loops and five Speed Slides of 300 feet each, plus smaller versions for younger kids.

*Palos Heights: Palos Heights Recreation Department Pool, 120th Street and 76th Avenue; 410-7707. One 154-foot slide.

Rockford: Magic Waters Water Theme Park, Int. Hwy. 90 and U.S. Hwy. 20; 615-332-3250. Three water slides of up to 400 feet, plus inner-tube slides and other water attractions.

*Rolling Meadows: Rolling Meadows Park District Pool, 3900 Oak Dr.; 619-3216. One 147-foot slide.

*Skokie: Skokie Water Playground, Oakton Street and Skokie Boulevard; 674-7998. One 165-foot slide.

*Wheaton: Rice Pool, 1777 Broadway St.; 652-8995. Two slides totaling 425 feet and one 219-foot slide.

*Slides sold by Miracle Recreation Equip. Company

MEMORANDUM

TO: Jerry Dulgar, City Manager

FROM: Jessie Hart, Assistant Finance Director *Jessie*

DATE: August 24, 1989

SUBJECT: SURVEY OF SURROUNDING COMMUNITIES REGARDING
CHARITABLE GAMBLING

Per the Councils request, I have surveyed six of the surrounding communities regarding their Charitable Gambling Ordinances and how they are regulated.

The cities I surveyed consisted of Brooklyn Center, Brooklyn Park, Golden Valley, New Hope, Plymouth and Robbinsdale. Of these six cities, only three have established Gambling Ordinances and two follow strictly the State Guidelines.

CHARITABLE GAMBLING SUREVEY RESULTS:

The allowable City tax, which can be levied as up to three percent of the "gross receipts" is charged by only the City of Crystal. No other city of the six surveyed, imposes any type of charge which would be considered a city levied tax.

Two of the cities, as well as Crystal, have provisions in the ordinances that require a certain percentage of "net receipts" be expended within the community for lawful purposes. Two examples of penalties that are imposed for non-compliance with this provision are requiring the non-profit organization to "donate" 10% of its "net receipts" to the city or the city not granting a new charitable gambling license to the organization.

Two of the communities in the survey charge an investigation fee on the initial license application in which one case this fee can be requested to be waived. One of the communities will charge an investigation fee on a re-application if it is felt that public interest necessitates.

CITY OF CRYSTAL CHARITABLE GAMBLING ORDINANCE:

Crystal's ordinance has provisions for the city levied tax of up to 3% of "gross receipts", a penalty of 10% of its "net receipts" if at least 10% of the organizations "net profits" have not been expended in the community for lawful purposes, and does not impose an investigation fee upon initial application.

I have been able to review those organizations that have submitted monthly gambling reports to determine what amount is owed to the city based on the city levied tax of 3% on "gross receipts" and what has actually been paid.

At this date, only two organizations have made any type of payment towards this tax. The Cystic Fibrosis Foundation has paid 100% of the tax due and the Church of All Saints has paid a part each month (does not calculate to 3% based on their monthly gambling reports). No other organization has paid any amount towards this tax.

The basis for the 3% of "gross receipts" levied as a tax on the organization is to cover the city's cost of regulation of lawful gambling within the community. These monies can be used for nothing other than to support and defray the cost of regulating lawful gambling.

There does not appear to be any records that substantiate how the 3% was derived as what the city was going to levy as a tax and at this point it is difficult to establish the cost of regulating lawful gambling within the city.

The costs that need to be tracked include not only the time the City Clerk spends on license applications, but also includes investigation time, any increased duties on the Police Department for patrol and enforcement on site during normal gambling hours, and the time involved for the Finance Department to administer the ordinance provisions and keep track on compliance with these provisions by each individual organization.

The tracking of the actual costs had been attempted to be reconstructed in the past but due to the manner in which time was recorded, it was difficult to track what time had actually been attributable to charitable gambling. This tracking will need to begin immediately in order to establish what it actually is costing the city to regulate the lawful gambling. Based on the fact the we DO NOT know what it actually costs, the 3% currently has no basis and would be difficult to enforce and impose on those organizations who have not paid any part of the tax.

I have also made an attempt to review the organizational reports for compliance with the provision that requires 10% of the organizations "net profits" be spent within the community for lawful purposes. This has been difficult due to the fact that not all of the organizations have remitted copies of the Schedule C which is part of the monthly gambling report and details the lawful purpose expenditures each month.

Of the organizations I have had the opportunity to review, it appears that the Elks Lodge, Knights of Columbus and

possibly the Lions Club have complied with this provision while it appears the Church of All Saints, Celebrity Bowl and the Cystic Fibrosis Foundation have not. The other organizations have not filed the Schedule C with the detail to determine compliance with this provision.

This 10 % penalty appears to be one method of keeping local organizations contributing in and supporting the local community and to have outside organizations benefit the community through direct contributions within the community or through the penalty assessed by the City, thus each organization is being treated equally.

Based on this information derived from the survey and the review of some of the organizational reports, I feel it should be recommended to the City Council that the 3% city levied tax be suspended until an actual basis for the charge can be estimated and that the 10% of "net profits" penalty remain intact and be enforced.

In circumstances where certain organizations have already paid the 3% tax, this amount should be refunded to the extent that the organization has been and are currently in compliance with the 10% provision. If not in compliance, the monies already collected would be applied as satisfaction of the 10% penalty to the extent needed, with any balance refunded.

I have attached a copy of the survey results as well as a sample letter that we might send out to the various organizations pertaining to the provisions and what steps they must take to comply.

CITY NAME: Brooklyn Center, Brooklyn Park, Golden Valley,
New Hope, Plymouth, Robbinsdale, Crystal

CITY OF CRYSTAL
CHARITABLE GAMBLING SURVEY

Please answer the following questions in as much detail as possible and return in the enclosed, postage paid return envelope by Thursday, August 10, 1989. Thank you for your assistance and cooperation.

1. Does your City have a Charitable Gambling Ordinance?

YES Brooklyn Center Brooklyn Park Crystal NO Golden Valley (St. Guidelines) Plymouth (St. Guidelines) Robbinsdale

If yes, or if in the process of establishing, who within your organization administers and enforces the ordinance?

City Clerks, Police Department, City Manager / Finance Director

If no, there is no need to complete the rest of this survey, but please return for inclusion in our survey results. Thank you for your cooperation.

2. Does your ordinance require a specified percentage on "net profits" as defined in Minnesota Statutes, Section 349.12, Subdivision 11(a)(b) and (c) be expended within the City for lawful purposes?

YES Brooklyn Center Brooklyn Park NO New Hope

If yes, what is the specified percentage and what recourse is taken or penalty imposed for non-compliance? _____ %

Recourse or penalty for non-compliance: _____

B.C. - 10% within city over 3 years or no new licenses granted.

B.P. - 10% of net profits of pull-tops sold goes to City.

Crystal - 10% of net profits within city OR 10% goes to City.

3. Does your City levy a tax of up to three percent (3%) on the "gross receipts" of an organization conducting lawful gambling in the City, pursuant to the authority granted by Minnesota Statutes, Section 349.212, Subdivision 5?

YES Crystal NO Brooklyn Center Brooklyn Park New Hope

If yes: (a) What is the percent levied and how is it calculated? (e.g. What types of charges are included to derive)

Crystal - 3% of gross receipts to cover regulation of charitable gambling

(b) What is the percentage of organizations which pay the City imposed tax? Crystal - 25 %

CITY NAME: Brooklyn Center Brooklyn Park, Golden Valley,
New Hope, Plymouth, Robbinsdale, Crystal

CHARITABLE GAMBLING SURVEY
 (Continued)

3. (cont.)

If no, does your City impose any other type of "administrative charge" on the organization for operating within the City?

YES New Hope

NO Brooklyn Center
Brooklyn Park
Crystal

If yes, what is the charge and how is it calculated? _____

N.H. - Investigation Fee (Fee can be waived)

4. What types of information are required to be filed with the gambling ordinance administrator in your City and what is the frequency of those filings and payment of charges or taxes imposed by the City?

Brooklyn Center - monthly gambling reports, License

New Hope - License, lease agreement, written accounting controls

Crystal - License, monthly gambling report including Schedule C

5. How many organizations does your City have which hold current gambling licenses and are covered by the rules within the City's Charitable Gambling Ordinance? Crystal - 8

Brooklyn Center - 1 (3 locations)

Brooklyn Park - 9

New Hope - 4

6. Would you be willing to include a copy of your City's Charitable Gambling Ordinance with the return of this survey?

YES _____

NO _____

If yes, please attach and return with this survey.

THANK YOU FOR YOUR ASSISTANCE AND COOPERATION IN COMPLETING THIS SURVEY.

Dear Charitable Gambling Licensee:

The Crystal City Council is currently in the process of reviewing the existing provisions of the Charitable Gambling Ordinance. One of the items to be discussed will be the suspension of the three percent (3%) tax as levied under the Crystal City Code 1100.19, Subdivision 11a.

All non-profit organizations holding a charitable gambling license in the City of Crystal would still be responsible for complying with Subdivision 8 of the Charitable Gambling Code which states that ten percent (10%) of "net profits" shall be pledged and annually contributed to the City prior to December unless the organization certifies to the City that at least ten percent (10%) of its "net profits" have been expended in the City for lawful purposes.

Each non-profit organization shall submit to the City Clerk, on a monthly basis, a copy of the charitable gambling report submitted to the Gambling Control Board. This copy should also contain the Schedule C which will substantiate where the lawful purpose expenditures have been made.

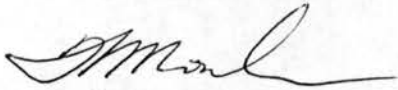
You are welcome to attend the Council meeting that this item will again be discussed. The meeting will be held Tuesday, _____, _____ at _____ p.m. in the Crystal Council Chambers.

Sincerely,
CITY OF CRYSTAL

Darlene George
Crystal City Clerk

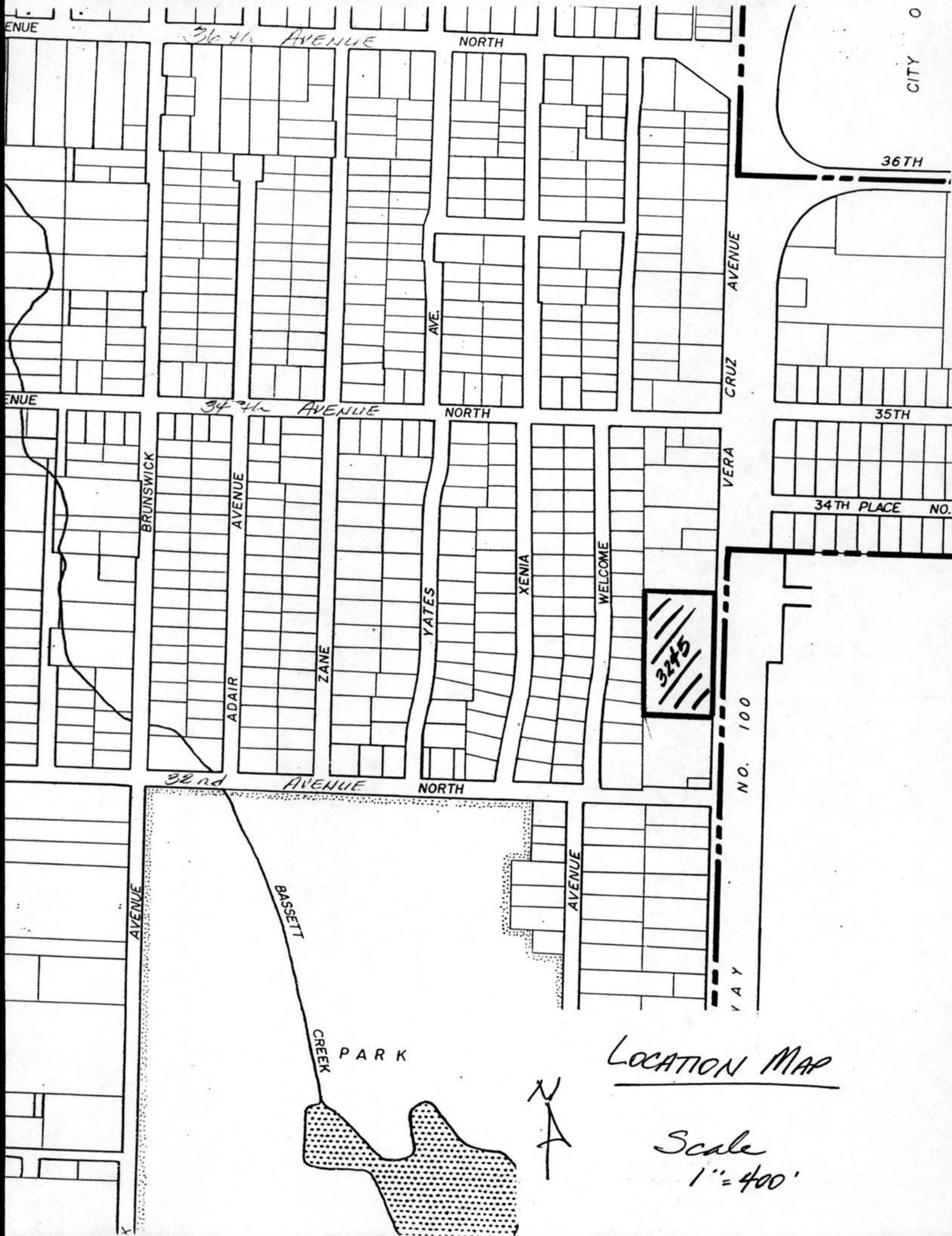
DATE: August 29, 1989
TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
SUBJECT: Parking Lot Relocation at 3245 Vera Cruz Ave. N.

The Crystal Care Center at 3245 Vera Cruz Ave. N. proposes to relocate its south parking lot to allow development of a resident park adjacent to the building. Since no changes are proposed to the building, this work is being processed as a grading permit. As a condition of grading permit approval, the site improvement agreement as attached is required as a guarantee of site work completion. Approval of the grading permit and site improvement agreement is recommended.



WM:jrs

Encls



CITY 0

36TH

35TH

34TH PLACE NO.

NO. 100

3245

LOCATION MAP

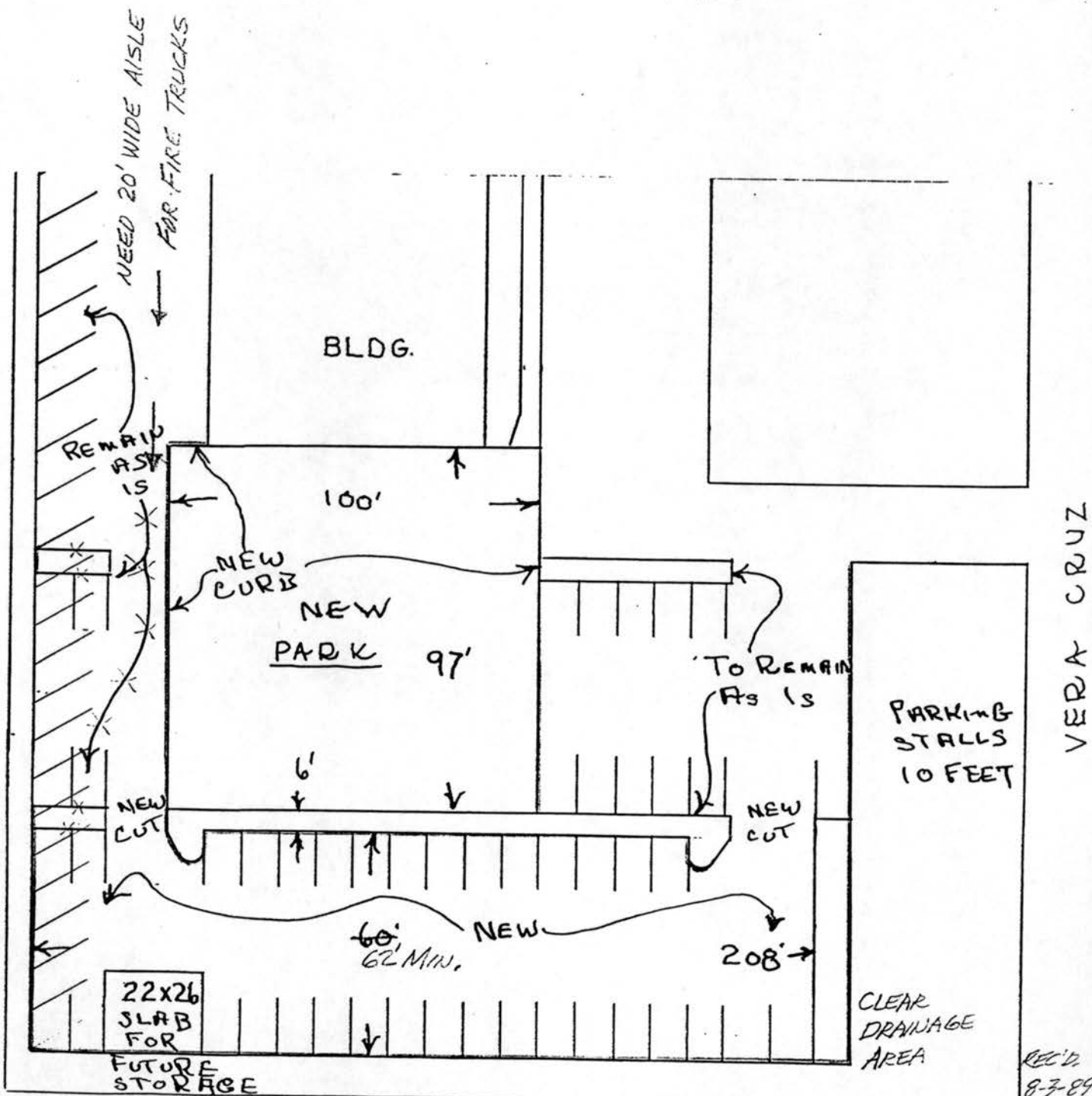
Scale
1" = 400'



CRYSTAL CARE CENTER



CONCRETE BARRIER CURB —
PARKING — 6" BASE, 2" BITUMINOUS
STRIPE PARKING STALLS
3 HANDICAP PARKING SIGNS
DRAINAGE
LANDSCAPE
LOT IRON



REC'D
8-7-89

EXHIBIT "A"

A G R E E M E N T

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

WHEREAS, second party has requested that the City Council approve the issuance of a grading permit for the purpose of relocating the existing parking lot to provide a park area adjacent to the south end of the building.

WHEREAS, as a prerequisite to the approval of said permit, the City Council requires that certain conditions of construction be adhered to for orderly development of property known as Crystal Care Center, 3245 Vera Cruz Avenue North.

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

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

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

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

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

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

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

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

That surety be deposited with the City in the amount of \$25,000 to insure the faithful performance of the above construction work and requirements, said surety to be in the form and manner as prescribed by law.

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

SEAL

CITY OF CRYSTAL

ATTEST:

MAYOR

CITY CLERK

CITY MANAGER

IN THE PRESENCE OF:

SECOND PARTY

SECOND PARTY

DATE: August 29, 1989
TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
SUBJECT: Fairview Avenue Overlay

In April of this year, the City Council authorized construction of a bituminous overlay on Fairview Avenue between Nevada Avenue and Douglas Drive. The project was established as a State Aid/Infrastructure combination in terms of funding and constructed as a part of a large New Hope street improvement package so Crystal could take advantage of the lower unit prices.

New Hope has now received bids for their street work. Those bids are tabulated as follows:

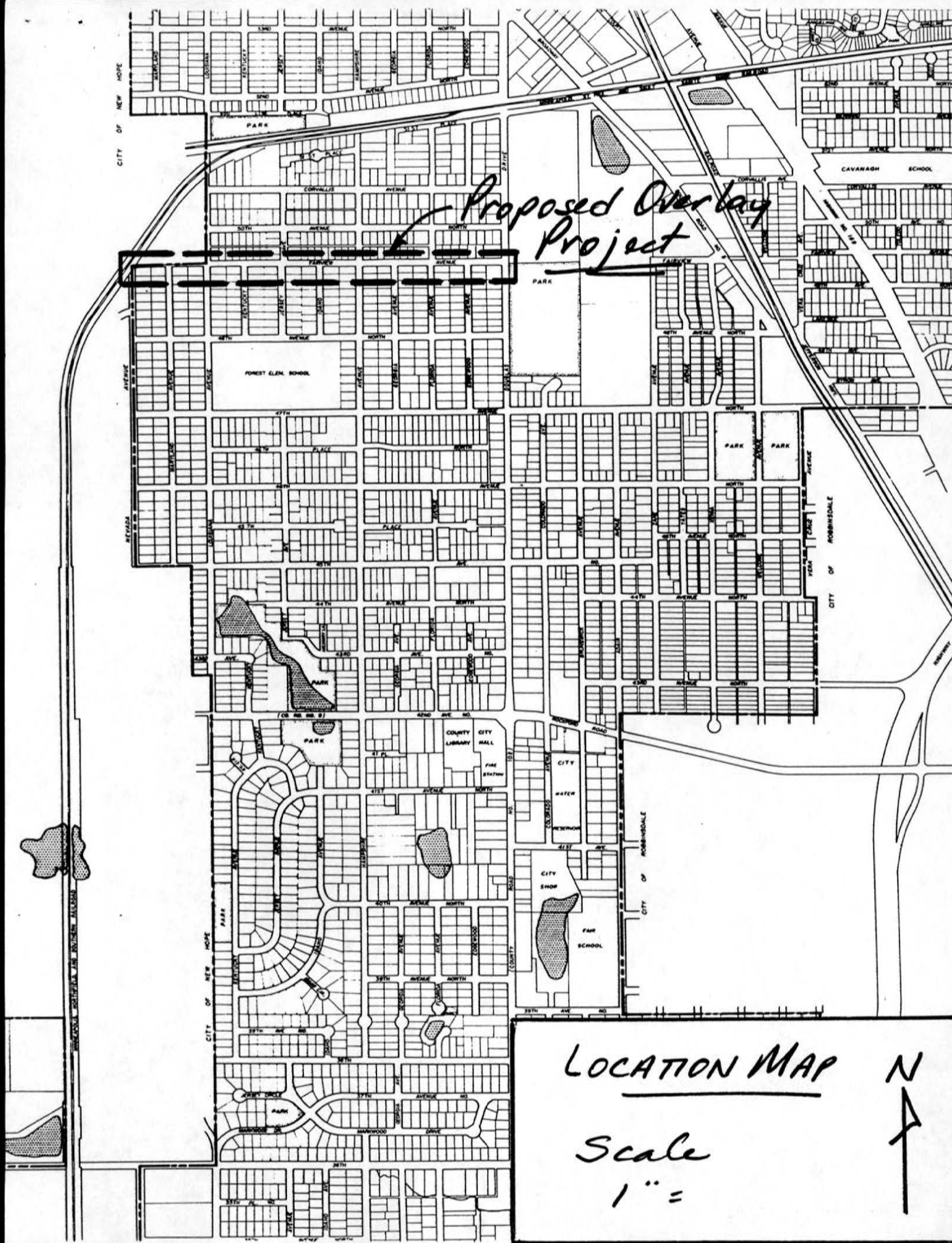
C. S. McCrossan	\$1,012,126.32
Alexander Construction	1,117,941.87
Hardrives, Inc.	1,142,877.30

Crystal's share of the low bid total is \$55,243.68 with \$7,821.75 attributable to State Aid reimbursement and \$47,421.93 funded by the Infrastructure Fund. Even with engineering and administrative costs added to these amounts, the total represents a good value to Crystal, well within the earlier estimate.

It is recommended the City Council proceed with this overlay project and award the bid for this work to C. S. McCrossan in the amount of \$55,243.68.


WM:jrs

Encl



August 30, 1989

TO: Jerry Dulgar, City Manager
FROM: Julie Jones, Community Development Coordinator
SUBJECT: CDBG Third Party Agreement

In order for the City of Crystal to receive reimbursement for Year XV CDBG activities, the City Council must approve the following Third Party Agreement with the Crystal EDA. The EDA is considered a third party since some CDBG projects will be implemented by the EDA.

Another third party agreement will also be forthcoming regarding the Day Care Assistance Program, which is administered by the Greater Minneapolis Day Care Association.

JJ/jg

RESOLUTION NO. 89-
RESOLUTION AUTHORIZING COMMUNITY DEVELOPMENT
BLOCK GRANT THIRD PARTY AGREEMENT WITH THE
CRYSTAL ECONOMIC DEVELOPMENT AUTHORITY

WHEREAS, the City of Crystal has received a \$117,394 Year XV Community Development Block Grant (CDBG) entitlement allocation to carry out various community development activities; and

WHEREAS, the City staff will be administering the approved CDBG Activities under the direction of the Crystal Economic Development Authority; and

WHEREAS, Hennepin County requires that a Third Party Agreement be executed in cases where an agency other than the local governmental unit is implementing CDBG activities;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Crystal, Minnesota authorize the Mayor and City Manager to sign the third Party Agreement on behalf of the City of Crystal.

Date

Mayor

Attest:

City Clerk

THIRD PARTY AGREEMENT
URBAN HENNEPIN COUNTY
COMMUNITY DEVELOPMENT BLOCK
GRANT PROGRAM

This agreement made and entered into by and between the City of Crystal (City) and Crystal Economic Development ~~Agency~~ (Provider).

Authority 4A

WITNESSETH:

WHEREAS, the City is a cooperating unit in the Urban Hennepin County Community Development Block Grant Program (CDBG) by virtue of a joint cooperation agreement executed between the City and Hennepin County pursuant to MSA 471.59, and

WHEREAS, the City has executed a subrecipient agreement with Hennepin County which allocates \$52,892 from the Year XV (FY 1989) Urban Hennepin County CDBG program for the purpose of supporting the activity as identified in Exhibit 1, attached and a part of this agreement, hereinafter referred to as "activity."

NOW THEREFORE, in consideration of the mutual covenants and promises contained in this Agreement, the parties hereto mutually agree to the following terms and conditions:

1. The Uniform Administrative Requirements in 24 CFR 570.502 issued by the United States Department of Housing and Urban Development (HUD), shall apply to activity.
2. The Provider shall be responsible for procurement of all supplies, equipment, services, and construction necessary for implementation of the activity. Procurement shall be carried out in accordance with the OMB Circular A-110. The Provider shall prepare, or cause to be prepared, all advertisements, negotiations, notices, and documents; enter into all contracts; and conduct all meetings, conferences, and interviews as necessary to insure compliance with the above described procurement requirements.
3. The Provider shall be responsible for carrying out any acquisitions of real property necessary for implementation of activity. The Provider shall conduct all such acquisitions in its name and shall hold title to all properties purchased. The Provider shall be responsible for preparation of all notices, appraisals, and documentation required in conducting acquisition under the latest applicable regulations of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 and of the CDBG Program. The Provider shall also be responsible for providing all relocation notices, counseling, and services required by said regulations.
4. The Provider shall comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as required under 24 CFR 570.606(a) and HUD implementing regulations at 24 CFR Part 42; the requirements

in 24 CFR 570.606(b) governing the residential anti-displacement and relocation assistance plan under section 104(d) of the Housing and Community Development Act of 1974 (the Act); the relocation requirements of 24 CFR 570.606(c) governing displacement subject to section 104(k) of the Act; and the relocation requirements of 24 CFR 570.606(d) governing optional relocation assistance under Section 105(a)(11) of the Act, as pertaining to the activity.

5. The Provider shall maintain records for the expenditure of all CDBG funds it receives, such records to be maintained in accordance with OMB Circular A-110 and A-122, as applicable. All records shall be made available, upon request of the City for monitoring by the City. The City shall have authority to review any and all procedures and all materials, notices, documents, etc., prepared by the Provider in implementation of activity, and the Provider agrees to provide all information required by any person authorized by the City to request such information from the Provider for the purpose of reviewing the same.
6. The Provider shall take all necessary actions required to implement activity and to comply with any related requests by the City, it being understood that the City has responsibility to Hennepin County for insuring compliance with such requirements. The Provider also will promptly notify the City of any changes in the scope or character of activity.
7. The Provider does hereby agree to release, indemnify, and hold harmless the City from and against all costs, expenses, claims, suits, or judgments arising from or growing out of any injuries, loss or damage sustained by any person or corporation, including employees of Provider and property of Provider, which are caused by or sustained in connection with the tasks carried out by the Provider under this Agreement.
8. The City agrees to provide the Provider with CDBG funds in such amounts as agreed upon in this Agreement to enable the Provider to carry out activity. It is understood that the City shall be held accountable to Hennepin County for the lawful expenditure of CDBG funds under this Agreement. The City shall therefore make no payment of funds to the Provider and draw no funds from Hennepin County on behalf of a Provider, prior to having received from the Provider a request for reimbursement including copies of all documents and records needed to insure that the Provider has complied with all appropriate requirements.
9. The City shall be responsible for the preparation of all requests to Hennepin County for HUD wage rate determinations on activity. The Provider shall notify the City prior to initiating activity, including advertising for contractual services which will include costs likely to be subject to the provisions of Federal Labor Standards and Equal Employment Opportunity and related implementing regulations.

10. The City agrees to provide technical assistance to the Provider in the form of oral and/or written guidance and on-site assistance regarding CDBG procedures and project management. This assistance will be provided as requested by the Provider, and at other times, at the initiative of the City, when new or updated information concerning the CDBG Program is received by the City from Hennepin County and deemed necessary to be provided to the Provider.
11. In accordance with the provisions of 24 CFR 85.43, suspension or termination of this Agreement may occur if the Provider materially fails to comply with any term of this Agreement. This Agreement may be terminated for convenience in accordance with 24 CFR 85.44. The Agreement may be terminated with or without cause by either party hereto by giving thirty (30) days written notice of such termination. CDBG funds allocated to the Provider under this Agreement may not be obligated or expended by the Provider following such date of termination. Any funds allocated to the Provider under this Agreement which remain unobligated or unspent following such date of termination shall automatically revert to the City.
12. Any material alterations, variations, modifications or waivers of provisions of this Agreement shall only be valid when they have been reduced to writing as an amendment to this Agreement approved by Hennepin County through its Office of Planning and Development and properly executed by the authorized representatives of the parties. All amendments to this Agreement shall be made a part of this Agreement by inclusion in Exhibit 2 which shall be attached at the time of any amendment.
13. All data collected, created, received, maintained or disseminated for any purpose by the Provider in the performance of this Agreement is governed by the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13, and all other statutory provisions governing data privacy, the Minnesota Rules implementing such act now in force or hereafter adopted, as well as federal regulations on data privacy.
14. During the performance of this Agreement, the Provider agrees to the following: In accordance with the Hennepin County Affirmative Action Policy and the County Commissioners' Policies Against Discrimination, no person shall be excluded from full employment rights or participation in, or the benefits of, any program, service or activity on the grounds of race, color, creed, religion, age, sex, disability, marital status, affectional/sexual preference, public assistance status, ex-offender status, or national origin; and no person protected by applicable federal or state laws against discrimination shall otherwise be subjected to discrimination.
15. The effective date of this Agreement is July 1, 1989. The termination date of this agreement is December 31, 1990, or at such time as activity is satisfactorily completed prior thereto. Upon expiration, the Provider shall relinquish to the City all program funds unexpended or uncommitted for the activity.

16. Any program income as a result of the activity shall be returned immediately to the City upon receipt and the provisions of 24 CFR 570.504 shall apply.
17. Any real property acquired or improved as a result of activity, in whole or in part, using CDBG funds in excess of \$25,000 shall either be:
 - a. Used to meet one of the national objectives in 24 CFR 570.208 until five years after expiration of this Agreement;
 - b. Disposed of in a manner that results in the City being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-CDBG funds for acquisition of, or improvement to, the property.
18. The following standards shall apply to real property acquired or improved as a result of activity, in whole or in part:
 - a. The Provider shall inform the City at least thirty (30) days prior to any modification or change in the use of the real property from that planned at the time of acquisition or improvements, including disposition.
 - b. The Provider shall reimburse the City in an amount equal to the current fair market value (less any portion thereof attributable to expenditures of non-CDBG funds) of property acquired or improved as a result of activity that is sold or transferred for a use which does not qualify under the CDBG regulations. Said reimbursement shall be provided to the City at the time of sale or transfer of the property.
19. The Provider agrees to provide City with an annual audit report consistent with OMB Circular A-110, Uniform Requirements for Grants to Universities, Hospitals and Non-Profit Organizations and OMB Circular A-122 Cost Principles for Non-profit organizations.
 - a. The audit report is to be provided to City on July 1 of each year this Agreement is in effect and any findings of non-compliance affecting the use of CDBG funds shall be satisfied by Provider within six (6) months of the provision date.
 - b. The audit may not be paid from CDBG funds.
 - c. City reserves the right to recover from Provider the full amount of any CDBG funds found to be improperly expended or otherwise disallowed.
20. The Provider shall comply with the general condition of 24 CFR 570.200, particularly sections; (f) (Means of Carrying Out Eligible Activities); and (j) (Constitutional Prohibitions Concerning Church/State Activities).

21. The Provider as appropriate shall comply with the Lead-Based Paint notification, inspection, testing and abatement procedures established in 24 CFR 570.608.

Provider, having signed this Agreement, and the City of Crystal having duly approved this Agreement on _____, 19 __, and pursuant to such approval the parties hereto agree to be bound by the provisions herein set forth.

IN TESTIMONY WHEREOF, the parties hereto have set their hands and affixed their seals this ____ day of _____, 1989.

Upon proper execution, this Agreement will be legally valid and binding.

CITY OF Crystal
STATE OF MINNESOTA

By _____
Mayor

and _____
Its

PROVIDER

Crystal Economic Development Authority

By _____
Its President

and _____
Its Executive Director

THIRD PARTY AGREEMENT
URBAN HENNEPIN COUNTY
COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM

EXHIBIT 1.

STATEMENT OF WORK

The following activity shall be carried out by the Provider under the terms of this Agreement and the details and processes set forth below:

1. ACTIVITY: Scattered Site Acquisition
2. LOCATION: ADDRESS: Citywide
CENSUS TRACT:
3. NUMBER: 021
4. BUDGET: \$52,892
5. BENEFIT: S/B (Spot Basis)
6. DESCRIPTION:

The Crystal Economic Development Authority, EDA, has compiled a list of properties which meet the necessary requirements of acquisition under their existing CDBG Scattered Site Acquisition Program. The EDA will acquire and clear blighted residential property and sell the lot with basic stipulations as to the value of the new home and time restrictions as to when it must be built. Income generated from the sale of the property will be returned to the program. If financially feasible the homes may be rehabilitated.

The EDA is working with North Hennepin Technical Institute to build new or rehabilitate existing homes. The EDA will encourage new home purchases under the MHFA First Time Homebuyers Loan Program.

7. GENERAL REQUIREMENTS: Requirements with an "X" are applicable to this activity.

☐ Supplemental Agreement

- ☐ Non-Profit Agency
☐ Public Agency
☐ Other

An agreement must be executed with any other agency providing a service or implementing an activity on behalf of Provider. Said agreement must contain all pertinent sections contained in Third Party Agreement and such other requirements as are identified herein.

[X] Schedule

Activity must be implemented in a timely manner and completed by December 31, 1990.

[X] Environmental Review Record

Per 24 CFR Part 58 Subpart E the environmental review status for this activity has been determined as follows:

- ☐ Exempt (EX)
- ☐ Categorically Excluded (CE)
- ☒ Categorically Excluded/Exempt (CE/EX)
- ☐ Assessment Required (AR)
- ☐ Funds Released (FR) Date: _____

[] Labor Standards/Equal Employment Opportunity

All construction projects of \$2,000 or more and financed in whole or part with federal funds shall comply with the provisions of the Davis-Bacon Act (prevailing wage), the Contract Work Hours and Safety Standards Act and the Copeland (Anti-Kickback) Act.

All federally funded or assisted construction contracts or subcontracts of \$10,000 or more shall comply with Executive Order 11246, Equal Employment Opportunity, as amended, and the regulations issued pursuant thereto, 41 CFR Part 60.

[X] Procurement

Standards and guidelines are established in 24 CFR Part 85.36 for the procurement of supplies, equipment, construction and services for federally assisted programs. All procurement shall be made by one of the following methods. The method used shall be adequately documented and contracts shall contain standard conditions as appropriate.

- Small Purchase. (Informal Method) To be followed for the purchase of services, supplies or other property costing in the aggregate not more than \$25,000. If small purchase procurement is used, written price or rate quotations must be obtained from an adequate number of qualified sources.
- Competitive Sealed Bids. (Formal Advertising) To be followed when the purchase/s, costing in the aggregate, exceeds \$25,000. Sealed bids shall be publicly solicited and a firm fixed-price contract is to be awarded to the lowest responsible bidder. This method is preferred for soliciting construction bids.
- Competitive Proposals. This method is normally used when more than one source submits an offer, and either a fixed-price or cost-reimbursement type contract is awarded. This method is typically used for procuring professional services.

☒ Uniform Relocation Assistance and Real Property Acquisition

The standards described in 49 CFR Part 24 shall apply to activity that involves the acquisition of real property or the displacement of persons, including displacement caused by rehabilitation and demolition.

☒ Residential Antidisplacement and Relocation Assistance

All occupied and vacant occupiable low-moderate income dwelling units demolished or converted to another use as a direct result of activity shall be replaced and relocation assistance shall be provided to each displaced low-moderate income household in accordance with the Urban Hennepin County CDBG Program Anti-displacement and Relocation Assistance Policy, pursuant to Section 104(d) of the Housing and Community Development Act of 1974, as amended.

☒ Property Management

The standards described in 24 CFR Part 570.505 Subpart J shall apply to all real property which was acquired or improved in whole or in part using CDBG funds in excess of \$25,000. These standards apply for a period of five (5) years after the termination of this agreement.

☐ Low and Moderate Income

Using the applicable Section 8 income limits established by HUD, it shall be demonstrated that a low- and moderate-income activity so indicated in 5. Benefit, above, meets one of the four criteria of 24 CFR Part 570.208, relating to:

- ☐ Area Benefit
- ☐ Limited Clientele
- ☐ Housing
- ☐ Job Creation or Retention

☒ Prevention or Elimination of Slums and Blight

It shall be demonstrated that a slum and blight activity so indicated in 5. Benefit, above, meets one of the following criteria:

- ☐ Area Determination. The boundaries of the slum or blighted area must be defined and meet the requirements of 24 CFR Part 570.208 (b)(1).
- ☒ Spot Basis. The specific conditions of blight or physical decay not located in a slum or blighted area must be described.

☐ Urgent Community Need

It shall be demonstrated that an urgent need activity, so indicated in 5. Benefit, above, is designed to alleviate a recent (within 18 months) condition which poses a serious and immediate threat to the health or welfare of the community.

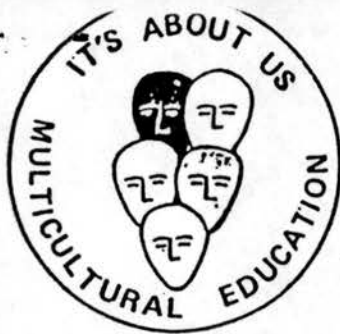
Memorandum

DATE: August 29, 1989
TO: Jerry Dulgar, City Manager
FROM: Joan Schmidt, Administrative Secretary

At their August 28, 1989 meeting the Human Relations Commission passed a motion requesting the City Council to designate the 10th position on the Crystal Human Relations Commission, which is currently vacant, for a Student Representative from the schools. The cities of Robbinsdale, Golden Valley, and Crystal, would like to coordinate their efforts in an attempt to get students from the local high schools involved with the Human Relations Commission. The cities would seek 3 students, one student for each city with the student residing in that particular city, to get involved in that city's commission.

Another motion passed at this meeting was to request the Crystal City Council that \$50 be donated to the Multicultural Advocacy and Action Committee t-shirt project. MAAC is an ongoing committee working with the Minnesota Department of Human Rights to determine ways in which Human Rights Commissions can be established in suburbs to work to overcome the effects of racism, sexism and classism.

I am requesting that these two items be placed on the September 5 Council Agenda. Thank you for your consideration in this matter.



Multicultural Advocacy and Action Committee

Brooklyn Center • Brooklyn Park • Crystal • Golden Valley • New Hope • Plymouth • Robbinsdale

May 1, 1989

Dear Friends of Multicultural Education:

In June of 1987 a group of clergy and community leaders formed a task force representing religious, ethnic, and special needs groups to deal with multicultural issues. Our purpose was to work to overcome the effects of racism, sexism and classism while celebrating diversity. The group achieved their task when in January, 1988, leaders met in a Consultation held at St. Joseph's parish, New Hope, Minnesota.

By September, 1988, we achieved one of the main recommendations of the Consultation: the formation of an ongoing committee, known as the Multicultural Advocacy and Action Committee, or MAAC.

The members of MAAC are currently working with Gary Gorman of the Minnesota Department of Human Rights to determine ways in which Human Rights Commissions can be established in suburbs that do not now have them.

We also have designed bookmarks reflecting the multicultural theme. We hope to distribute them to children, youth, and adults through schools and public libraries.

Our current fund raising project includes a plan to sell t-shirts that will celebrate all people and cultures. The design is the same as the logo at the top of this letter.

The initial investment requires \$1000. In view of the fact that we are a non-budgeted organization, we are seeking community support. We appreciate any contribution you can give toward the t-shirt project. Your donation will enable us to continue the important work of celebrating our cultural diversity.

Sincerely,

Marion Zelland

The Multicultural Advocacy and Action Committee

MKL/nj



Brunswick
United
Methodist
Church

6122 42nd
Avenue North
Crystal, Minnesota
55422-1695

Telephone
(612) 533-1661

August 25, 1989

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

Dear Darlene:

The Board of Trustees of Brunswick United Methodist Church located at 6122 42nd Avenue North, has given approval for the use of the Terrace Room/Youth Room for elections held by the City of Crystal.

The designated polling place is located in the lower level from the back parking lot. An elevator is available making it handicap assessable.

This arrangement is in effect beginning August 24, 1989.

Sincerely,

Etta B. Torpy,
Administrative Asistant
for the
Board of Trustees

August 30, 1989

TO: Jerry Dulgar, City Manager
FROM: Darlene George, City Clerk *D.G.*
RE: General Municipal Election
November 7, 1989

Attached please find a list of polling locations and election judges to serve at those locations for the above referenced election. Included is a list of six (6) stand-by judges who will be trained and be able to fill in should someone become ill or have an emergency of any kind.

You will note that Ward 2, Precinct 3 has a new polling location. By approval of the attached lists the City Council will designate Brunswick United Methodist Church as the polling location for Ward 2, Precinct 3.

I recommend that the judges and polling locations be submitted to the City Council for their approval on September 5, 1989.

C I T Y O F C R Y S T A L
ELECTION JUDGES & POLLING PLACES
November 7, 1989

WARD 1, PRECINCT 1
NEILL SCHOOL
6600 - 27th Avenue North

WARD 1, PRECINCT 2
OLIVET BAPTIST CHURCH
3415 Louisiana Avenue North

WARD 2, PRECINCT 1
FAIR COMMUNITY CENTER
3915 Adair Avenue North

D *Liz Reid
5417 Vera Cruz Ave. No.
537-1058 (29)

R Dianah Sexter
2937 Idaho Ave. No.
545-6428 (27)

D Mildred Crawford
3225 Welcome Ave. No.
533-1144 (22)

R Ramona Schroepfer
2915 Idaho Ave. No.
545-3448 (27)

D Marjorie Peterson
2932 Georgia Ave. No.
545-5481 (27)

R *Sandra Dolence
6118 - 39th Ave. No.
533-3792 (22)

D Delores Girtz
8332 - 32nd Ave. No.
545-5296 (27)

R Vernon Falk
3101 Idaho Ave. No.
545-4796 (27)

D Clare Limman
8416 - 32nd Pl. No.
544-1615 (27)

D Paul Schulte
8009 - 34th Pl. No.
544-4693 (27)

R *Florence Gaulke
3924 Douglas Dr.
537-6147 (22)

D Pearle Balzer
3409 Perry Ave. No.
588-4818 (22)

R Rita Chairpairini
3624 Colorado Ave. No.
535-8476 (22)

D Jeannette Houle
3424 Orchard Ave. No.
588-8297 (22)

D Dora A. Nielson
3530 Kyle Ave. No.
529-8272 (22)

* Head Judge

Darlene George, City Clerk
Home Phone: 533-8061
Office: 537-8421, ext. 133

C I T Y O F C R Y S T A L
ELECTION JUDGES & POLLING PLACES
November 7, 1989

WARD 2, PRECINCT 2
CITY HALL
4141 Douglas Drive

D *Mary Hurt
6609 - 38th Ave. No.
533-2062 (27)

R Ed Hassig
6620 - 41st Ave. No.
537-3748 (27)

D Arlene West
4149 Kentucky Ave. No.
537-1783 (27)

R Doris Kieffer
6418 - 37th Ave. No.
537-4966 (27)

R George Seigman
3948 Jersey Ave. No.
537-8349 (27)

WARD 2, PRECINCT 3
Brunswick United Methodist Church
6122 - 42nd Avenue North

D *Sherwood Mellom
3508 Douglas Dr.
535-6225 (22)

R Reuben Lundquist
3548 Jersey Ave. No.
535-0922 (27)

D Idee Stenzel
6710 Markwood Dr.
537-3319 (27)

WARD 2, PRECINCT 4
WINNETKA VILLAGE APTS.
7710 - 36th Avenue North

D *Peg Wellik
3648 Colorado Ave. No.
537-1080 (22)

R Oliver C. Olson
7720 - 36th Ave. No. #305
544-3401 (27)

D Lois Tabery
7710 - 36th Ave. No. #207
546-0694 (27)

* Head Judge

C I T Y O F C R Y S T A L
ELECTION JUDGES & POLLING PLACES
November 7, 1989

WARD 3, PRECINCT 1
KNIGHTS OF COLUMBUS HALL
4947 West Broadway

R *Barb Racer
 3429 Major Ave. No.
 588-7354 (22)

D Emily Melhuse
 4552 Brunswick Ave. No.
 537-0442 (22)

R Arlene VanRisseghem
 4500 Brunswick Ave. No.
 537-2174 (22)

D Thomas Crane
 5402 - 49th Ave. No.
 537-7814 (29)

D Harold Homan
 5500 Douglas Dr. #201
 537-6273 (29)

WARD 3, PRECINCT 2
FOREST SCHOOL
6800 - 47th Avenue North

R *Laurie Radmacher
 6624 - 46th Pl. No.
 537-1020 (28)

R Lynne Brace
 4801 Hampshire Ave. No.
 533-3086 (28)

D Mary Ruehle
 5117 Hampshire Ave. No.
 537-0358 (28)

D Milton C. Bernu
 2901 Idaho Ave. No.
 545-4219 (27)

D James J. Cook, Sr.
 4710 - 58th Ave. No. #202
 536-8807 (29)

WARD 3, PRECINCT 3
CAVANAGH SCHOOL
5400 Corvallis Avenue North

D *Robert Trombley
 4501 Vera Cruz Ave. No.
 537-8279 (22)

R Warren Grove
 5020 - 50th Ave. No.
 533-7720 (29)

D George Weaver
 4710 - 58th Ave. No. #321
 537-2254 (29)

R Marie Ackerman
 5038 Quail Ave. No.
 537-4228 (29) W-721-2474

D Josephine (Jo) Mason
 5210 - 52nd Ave. No.
 537-5461 (29)

* Head Judge

C I T Y O F C R Y S T A L
ELECTION JUDGES & POLLING PLACES
November 7, 1989

WARD 4, PRECINCT 1
V.F.W. POST #494
5222 - 56th Avenue North

D *Ann Marie Hennen
 5627 Regent Ave. No.
 537-5236 (29)

R Florence Cook
 4710 - 58th Ave. No. #202
 536-8807 (29)

D Lois Weaver
 4710 - 58th Ave. No. #321
 537-2254 (29)

R William Kanduth
 5518 Regent Ave. No.
 533-6410 (29)

D Ethel Amundsen
 4710 - 58th Ave. No. #304
 533-9252 (29)

WARD 4, PRECINCT 2
THORSON COMMUNITY CENTER
7323 - 58th Avenue North

R *Bernadine Plasencia
 5841 Pennsylvania Ave. No.
 537-6095 (28)

D Marjorie Olson
 6600 Dudley Ave. No.
 537-6568 (28)

R Ethel Wolff
 5300 Kentucky Ave. No.
 537-9235 (28)

D Marilyn Blore
 5742 Rhode Island Ave. No.
 533-0759 (28)

R Grant Johnson
 6315 - 55th Ave. No.
 533-5451 (28)

* Head Judge

JUDGES TO BE USED IN THE EVENT OF
SICKNESS OR EMERGENCY

November 7, 1989

D	Marcella Wald 3120 Georgia Ave. No. 546-6617 (27)	(W1-P1)
D	Irene Bernu 2901 Idaho Ave. No. 545-4219 (27)	(W1-P1)
D	Rita Nystrom 3618 Adair Ave. No. 533-0727 (22)	(W2-P1)
R	Terry Fink 3455 Hampshire Ave. No. 537-1677 (27)	(W2-P2)
R	Anne Scott 6417 - 37th Ave. No. 537-0356 (27)	(W2-P2)
R	Donald E. Pearson 6618 Markwood Dr. 535-9526 (27)	(W2-P2)

or any other judges as needed by the City Clerk
that meet qualifications set forth in Minnesota
Statute 204B.19.

August 25, 1989

TO: Jerry Dulgar, City Manager
FROM: Darlene George, City Clerk *D.G.*
RE: Change in regularly scheduled
City Council meeting of November 7, 1989

I request that discussion of the above referenced item be placed on the September 5, 1989 City Council agenda. The November 7, 1989 meeting of the City Council falls on the Municipal Election Day.

It is my recommendation that the meeting be set for November 8, 1989 at 7:00 P.M. at which time the City Council may canvass the returns and declare the results of the election. November 9, 1989 is the last day the Council can canvass the returns of the November 7 election.

CITY OF CRYSTAL

MEMORANDUM

DATE: August 9, 1989
TO: Jerry Dulgar, City Manager
FROM: Tom Bublitz, HRG Administrator
SUBJECT: Organized Collection Issues

After speaking with most of the haulers serving the HRG cities, some of their comments related to organized collection follows:

1. The smaller haulers are generally still in favor of organized collection. Some of the benefits perceived include consolidation of routes resulting in fewer work hours to complete routes, security of a consistent customer base, and no delinquent accounts. According to a representative at Minneapolis Refuse, Inc., accounts in an organized collection system can actually be used as collateral.
2. The larger haulers remain opposed to organized collection, preferring the system of open hauling to continue. Concerns expressed from this group include; organized collection is anti-competitive, no strong incentive to provide good service, and organized collections results in service area inequities such a differences in volume of trash generated, unequal distances to landfill and/or transfer station, and differences in potential growth. Generally, this group believes that open hauling can create better and more innovative collection systems than organized collection.
3. After talking to a majority of the haulers in the HRG cities, it appears that the present rates for garbage service are about as low as can be achieved even if organized collection were to occur. This is not to say that a rate lower than the prevailing open hauling rate could not be achieved through a negotiation process. However, there does not appear to be a widely held belief that organized collection can "drive down" the existing rates.

The following table illustrates the existing monthly rates for garbage service in the HRG cities:

CURRENT GARBAGE COLLECTION RATES IN HRG CITIES

<u>Hauler</u>	<u>Rates (all rates are monthly)</u>
A & E Rubbish Removal	17.50 unlimited 12.00 - 1 can
BFI	20.00 unlimited 15.50 - 2 cans 13.00 - 1 can

Michael P. Hall, Inc.	18.50 unlimited 15.00 - 2 cans 12.00 - 1 can
T and L Sanitation	18.75 - 90-gal. cont.-unlimited 15.00 senior citizen
Block Sanitation	19.00 unlimited 15.50 - 2 cans 13.00 - 1 can
Waste Management, Inc.	18.00 unlimited 15.00 - 2 cans
Waste Technology	17.50 unlimited
Randy's Sanitation	19.00 unlimited 15.50 - 2 cans 13.00 - 1 can

The following table shows the number of stops (accounts) presently held by the haulers in the HRG cities:

<u>Hauler</u>	<u>Number of stops per city</u>
Waste Technology	500 New Hope
Waste Management, Inc.	700 Crystal 2,000 Brooklyn Center
Block Sanitation	500 Brooklyn Center
Michael P. Hall, Inc.	300 Crystal
BFI	4,500 Crystal 4,000 Brooklyn Center 3,000 New Hope
Randy's Sanitation	1,800 New Hope 1,000 Crystal
A & E Rubbish Removal	300 Brooklyn Center
T and L Sanitation	150 Brooklyn Center

Note: I was unable to make contact with two of the haulers to find out the number of stops and rates.

ORGANIZED COLLECTION IN OTHER CITIES

I did not discover any cities establishing new organized collection systems similar to the Champlin model, which Brooklyn Center and Crystal first considered. One of the cities currently changing to a type of organized collection system is Little Canada.

The Little Canada City Council was presented with the choice of going with a bid for garbage collection or going with existing haulers. The council chose to go with the existing haulers and the city currently has a single contract with four (4) haulers operating in Little Canada. The main haulers in the city are BFI and Bellaire Sanitation. BFI and Bellaire also took over the recycling duties in the city when Super Cycle went out of business.

Little Canada has a four-tier rate structure under the contract which is described by the following:

- 3 - 30 gallon cans plus 2 extra bags - \$14.00/month
(no unlimited service - 1.50/bag
extra for amount over maximum)
- 3 - bags - \$11.00/month
- 2 - bags - \$10.00/month
- 1 - bag (senior citizen rate) \$8.50/month
- \$1.95/month household recycling charge

The City of Little Canada is divided into collection zones under the contract. The haulers do their own billing under the system but the city does collect delinquent accounts. Residents are to call the haulers directly regarding service complaints. Unlike the Champlin and Minneapolis consortium system, there is no central management for the haulers under this system. As you recall, in the Champlin and Minneapolis system, CRI and MRI provide management assistance to the haulers on a fee basis.

NORTH ST. PAUL

The City of North St. Paul has had a contract in place for three years with five separate garbage haulers. The city holds individual contracts with each of the haulers, but all haulers have the same rates. As in Little Canada, the haulers do their own billing, but the city collects on delinquent accounts. The rates for garbage service for North St. Paul are as follows:

<u>Current Rates</u>	<u>Proposed Rates</u>
6.50/month (1) 30 gal. can	7.50/month (1) 30 gal. can
9.50/month (3) 30 gal. cans	10.75/month (3) 30 gal. cans
12.75/month (5) 30 gal. cans	14.75/month (5) 30 gal. cans

Recycling in North St. Paul is done by a single hauler and Ramsey County pays 100% of the costs of recycling.

HASTINGS

The City of Hastings licenses garbage haulers and has elected to license only one hauler in the city, that being Waste Management, Inc. Waste Management has had the contract for the last four years. The rates for garbage service in Hastings are as follows:

<u>Current Rates</u>	<u>1990 Projected Rates</u>
8.50/month (1) 30 gal. can	10.50/month (1) 30 gal. can
11.75/month (2) 30 gal. cans	14.50/month (2) 30 gal. cans
15.00/month unlimited	17.50/month unlimited

Recycling in Hastings started in April of this year and Waste Management charges \$1.00 per household for this service. The total cost is \$4,400 per month and the city funds the recycling program.

METROPOLITAN COUNCIL

The Metropolitan Council still officially supports the concept of organized collection as outlined in their policy plan. I spoke with Metropolitan Council staff members who indicated that the policy encouraging organized collection remains, but no new research or analysis has been conducted on the issue.

HENNEPIN COUNTY POLICIES

One of the policy recommendations being considered by the Hennepin County Recycling Task Force is the requirement for cities to provide incentives to individuals to recycle. The policy is stated below:

"Cities will be required to establish incentives for each resident to participate in recycling programs by establishing a variable fee or some other mechanism for crediting participation in recycling programs by January 1, 1991."

Consideration of this particular policy was laid over until the Hennepin County Task Force meets again in September. It is not clear whether a variable fee structure offered by private haulers would meet the criteria of this policy or whether municipalities would have to develop their own incentive program.

The Hennepin County tip fee is the biggest question mark in the garbage disposal cost equation. The tip fee is currently at \$75.00 per ton. Based on discussions with a number of individuals, including city and county staff and private haulers, there is a strong indication that the tip fee will increase to over \$90.00 within the next few weeks. I have heard other estimates as high as \$125.00 per ton. The table on the following page shows how the tip fee was calculated. Essentially, the \$75.00 was set by dividing the program cost to be funded by the tip fee by the estimated billable tons. Two of the program areas which could result in an increased tip fee are the county's recycling grants to cities and the area of special waste collection. Also, the total billable tons may not be as high as originally projected.

HENNEPIN COUNTY 1989 WASTE DISPOSAL FEE

	<u>COMPONENTS</u>	<u>"BILLABLE" TONS</u>
HERC SERVICE FEE	\$20,075,000	365,000
NSP/ELK RIVER SERVICE FEE	11,750,000	235,000
LANDFILL FEES	4,218,000	111,000
TRANSFER STATION-DEBT SERVICE	5,100,000	-
WASTE TRANSFER COSTS	6,000,000	-
YARD WASTE COMPOSTING	1,100,000	-
RECYCLING (GRANTS TO MUNICIPALITIES)	3,800,000	-
SPECIAL WASTE COLLECTION	500,000	-
ADMINISTRATIVE & DATA PROCESSING	<u>1,100,000</u>	<u>-</u>
TOTAL	\$53,643,000	711,000

(\$53,643,000 ÷ 711,000 = \$75.00 tip fee)

The table below shows the tip fees in Hennepin County and other metropolitan counties.

<u>County</u>	<u>Tip Fee</u>
Hennepin	\$75/ton
Anoka	\$63/ton
Washington/Ramsey	\$48.73/ton
Dakota	\$45/ton

Many of the garbage collection contracts I reviewed for this report separate the cost of garbage collection and garbage disposal. One example of this is the St. Louis Park contract which establishes a "hauling rate" and "disposal charge" as separate contract costs. The "hauling rate" is the monthly per home rate charged to transport garbage to a landfill or incinerator. The "disposal charge" is the amount assessed by Hennepin County for disposing of garbage and refuse. A separate "yard waste hauling rate" is also included and represents the cost of transporting yard waste to a compost site.

Using the 1990 St. Louis Park hauling rate of \$5.80 per household per month, the St. Louis Park 1990 yard waste hauling rate and 1989 \$75 per ton tip fee, the following table shows an estimation of the garbage collection contract costs which would be paid to the contractor in the HRG cities:

<u>Hauling Rate</u>	<u>Disposal Rate</u>	<u>Yard Waste Hauling Rate</u>
5.80	9.75 The disposal rate is calculated on 60 pounds of garbage per household per week, and a tip fee of \$75 per ton	.80
Total Cost = \$16.35/month		

The following table shows the estimated garbage collection costs based on \$80, \$90, and \$95 per ton tip fees.

<u>Hauling Rate</u>	<u>Disposal Rate</u>	<u>Yard Waste Hauling Rate</u>
5.80	10.40 (\$80 tip fee)	.80
Total =	\$17.00/month	
5.80	11.70 (\$90 tip fee)	.80
Total =	\$18.30/month	
5.80	12.35 (\$95 tip fee)	.80
Total =	\$18.95/month	

The hauling rate used in the previous tables is from the St. Louis Park contract. The actual hauling rates that could reasonably be anticipated in an HRG contract would probably fall somewhere in the \$7.00 to \$10.00 per month per household range.

In addition to the data in this memorandum, I am also including survey information previously prepared which shows the garbage collection costs in other cities with organized collection. I am also attaching actual and projected recycling tonnage for the HRG cities, along with a summary of participation rates.

<u>City</u>	<u>Per Household Cost to Resident</u>	<u>Per Household Contract Cost</u>
Robbinsdale	<p>\$12.33/m if you do not recycle \$ 9.33/m if you recycle</p> <p>Two 30 gallon can limit \$.50 per bag for over 2 cans</p> <p>Yard waste is included in cost along with branches if bundled. Corrugated cardboard is collected but not recycled.</p>	<p>\$9.84/m for refuse \$1.93/m for re- cycling</p> <p>Robbinsdale receives proceeds from the sale of recyclables</p>
St. Louis Park	<p>\$15.75/m if you do not recycle \$13.55/m if you do recycle</p> <p>Service includes unlimied refuse, yard waste, recycling, white goods and household items including bulky items such as couches, chairs, etc. Special pick-up service is also available for things such as construction/remodeling debris. A \$15.00 minimun charge is made for this service and increases with volume.</p>	<p>\$5.60/m hauling rate \$7.88/m disposal rate \$.77/m yard waste \$1.95/m recycl. \$16.20/m Note: St.Louis Park program is sub- sidized by City funds in addi- tion to Hennepin County funding.</p>
Columbia Heights	<p>\$10.15/m \$5.00/m for low income senior citizens</p> <p>Service includes unlimited refuse, recycling including corrugated. Yard waste is collected but not separated from refuse. Branches cut less than 4 feet with 4 inches diameter maximum in 18 inch diameter bundles. White goods, mattresses, couches, etc., included. No credit for recycling.</p>	<p>\$7.38/m refuse \$3.50/m (senior citizens) \$1.25/recycling City is consider- ing adding plastics to re- cycling collec- tion at \$.50/m additional for water, milk, and pop bottles only.</p>

Blaine

\$12.50/m (includes \$.53/m container cost for 12 months)
\$19.50/m proposed. Increase is due to \$63./ton fee charged by Anoka County as of July 1, 1989.

Service includes unlimited refuse, recycling, yard waste and prunings under 6 inches diameter and less than 18 inches long. White goods and bulky items are \$15.00 per item. No credit is given for recycling.

\$8.91/m refuse
\$7.01/m disposal
cost
\$1.26//m recycl.
\$1.04/m yard
waste
\$18.22 Total con-
tract
\$+1.28 Admini-
stration
\$19.50 Total
charge to
resident

Champlin

\$17.47/m
\$15.87/m refuse
\$ 1.30/m recycling
\$.30.m yard waste
\$17.47 total

\$16.75/m includes
refuse, recycling
and yard waste

SUMMARY OF TOTAL RECYCLING TONNAGES COLECTED FOR THE HRG CITIES

	<u>April</u>	<u>Curbside Program</u> <u>May</u>	<u>June</u>	<u>July</u>
New Hope	87.89	100.72	80.06	69.83
Crystal	-----	-----	154.61	117.3
Brooklyn Center	----	-----	201.33	120.395

Total 932.135 tons

SUMMARY OF OTHER RECYCLING TONNAGES COLLECTED IN HRG CITIES

	<u>Jan. - June</u>
Goodwill Drop-off Center	32.38 tons
City of Crystal Drop-off Center	39.25 tons
City of Crystal Newspaper Drop-off Bins	210.67 tons

Total 282.20 tons

ESTIMATED RECYCLING TONNAGES FOR HRG CITIES
August through December 1989

New Hope	19.912 tons/week x 22 weeks = 438.064
Crystal	33.989 tons/week x 22 weeks = 747.758
Brooklyn Center	35.747 tons/week x 22 weeks = 786.434
Total	1,972.256 tons

ESTIMATED RECYCLING TONNAGES FROM HRG CITIES DROP-OFF CENTERS
July through December 1989

Goodwill Drop-off Center	30 tons
City of Crystal Newspaper Drop-off Bins	100 tons
Total	130 tons

COMPARISON OF ESTIMATED 1989 HRG TONNAGES TO
1989 HENNEPIN COUNTY RECYCLING GOALS

Total HRG recycling tonnages January through July	1,214.335 tons
Estimated HRG recycling tonnages Aug. through December	2,102.256 tons
	<hr/>
Total	3,316.591 tons

1989 HENNEPIN COUNTY RECYCLING GOALS

New Hope	1,065.40 tons
Crystal	1,079.30 tons
Brooklyn Center	1,347.00 tons
	<hr/>
Total	3,491.70 tons

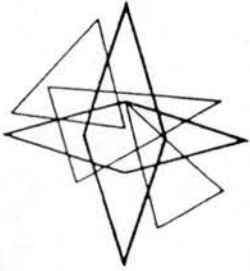
(This figure represents
10% of the total HRG
residential waste stream)

AVERAGE WEEKLY PARTICIPATION RATES FOR
HRG CURBSIDE RECYCLING PROGRAM

	<u>April</u>	<u>May</u>	<u>June</u>	<u>July</u>
New Hope	53.2%	51.9%	56.7%	49.5%
Crystal	-----	-----	54.1%	51.7%
Brooklyn Center	----	-----	42.1%	55.1%

Note: These participation rates are average weekly rates. The average monthly rates are higher since many people do not set out thre recycling every week.

PRISM



PEOPLE RESPONDING IN SOCIAL MINISTRY

3730 Toledo No - #902
Robbinsdale, Mn. 55422

(612) 529-1350

Member Congregations

Beautiful Savior
Lutheran Church

Brunswick United
Methodist Church

Calvary Lutheran
Church

Golden Valley United
Methodist Church

Holy Nativity
Lutheran Church

Mt. Olivet Lutheran
Church/Plymouth

New Ventures
Christian Church

Olivet Baptist
Church

Olivet United
Methodist Church

Pilgrim United
Methodist Church

Robbinsdale United
Church of Christ

St. Barnabas
Lutheran Church

St. Joseph's
Parish Community

St. Mary of the Lake
Catholic Church

Valley Community
Presbyterian Church

Valley of Peace
Lutheran Church

Vision of Glory
Lutheran Church

August 29, 1989

Mr. John Irving, City Manager
City of Crystal
4141 Douglas Drive North
Crystal, Minnesota 55428

Dear Mr. Irving:

People Responding In Social Ministry (PRISM) wishes to thank the City of Crystal for its 1989 grant of \$4200 in support of PRISM emergency services to residents of Crystal.

PRISM is supported by the sixteen churches listed on this letterhead, by local businesses, civic organizations, and the five cities we serve. In 1988, PRISM provided over \$442,000 in services to low-income residents of Crystal, Golden Valley, New Hope, Plymouth, and Robbinsdale. Approximately 21% of the total persons served were residents of Crystal last year.

Because PRISM used over 400 volunteers to run its programs in 1988, its administrative costs were approximately 8% of its total budget. (See enclosed audit).

In 1988, PRISM also received over 11,000 phone requests for information and referral. We gave information and referred callers whenever appropriate to the Home Free Shelter, the Northwest Area Red Cross, the Energy Assistance and Commodities programs, the Northwest YMCA, local police and fire departments, District 281 Community Services, the Five Cities Transportation Program, Metro-Mobility, and First Call For Help.

In the first six months of 1989, PRISM provided the following services to people in Crystal:

- * 58 residents received \$4498 for emergency housing
- * 89 people received \$1864 in clothing
- * 122 persons received clothing valued at \$1498
- * 27 senior citizens were provided 143 rides
- * 29 very low-income households received a weekly bag of groceries (Value: \$580/week or \$29,000 over one year)

August 29, 1989

In addition to the above emergency services, PRISM also provided free income tax preparation along with legal, health, nutrition, and grooming clinics.

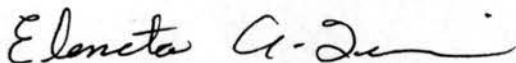
In 1990, PRISM not only will continue to provide its current range of services to Crystal residents, but it has expanded its transportation program to serve more low-income seniors and handicapped people. We have targeted one day per week to transport only Crystal residents to those appointments that will assist them to remain in independent living situations.

We are also continuing to expand services to single-parent families through a new case management program which provides these families with support and opportunities that will enable them to move into more stable situations and work toward becoming self-sufficient.

In 1990, we are requesting from the City of Crystal, \$4500 which is approximately 5% of the total services projected to be provided to residents of your city.

We thank you for your consideration.

Sincerely,



Eleneta A. Quinn
Executive Director

enc. 2

EQ:pmk

PROJECTED 1990 PRISM INCOME/EXPENDITURES

INCOME:

Church Donations:	\$ 54,000
Business/Organizations:	20,000
Foundation Grants:	120,000
United Way Grant:	40,000
C.S.B.G. Funds:	25,000
Individual Gifts:	18,000
Municipal Grants	16,000
Fundraising Events	15,000
Client Fees	2,000
Interest and Miscellaneous	2,000
Donated Food, Clothing, Gifts	350,000
	<hr/>
	\$662,000

EXPENDITURES:

Direct Client Assistance:

Food Programs:	195,000
Clothing Programs:	98,000
Furniture Program:	10,000
Financial Assistance Program:	40,000
Holiday Programs:	42,500
McKnight Family Project:	105,000
Transportation Program:	32,500
Supportive Services:	12,500

Operating Expenses:

Salaries:	69,000
Benefits (FICA, Health, etc.):	9,500
Rent and Utilities:	22,000
Office and Postage:	5,500
Printing:	4,000
Telephone:	5,500
Professional Fees:	4,000
Insurance:	3,000
Volunteer/Travel Expense:	2,000
Training and Dues:	1,500
Miscellaneous:	500
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	\$662,000

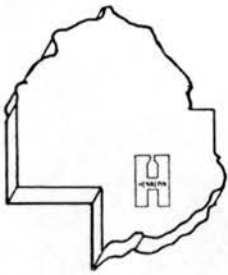
Memorandum

DATE: August 28, 1989
TO: Terry Anderson, Greg Antrim, and Steve Longaecker
FROM: Jerry Dulgar, City Manager
SUBJECT: Salary Adjustment for Interim Chief Duties

During the period of time each of you has assumed a portion of the Fire Chief duties, I am increasing your salary \$400 a month each effective June 29 continuing through September 17, 1989. As you know, the new Fire Chief will begin work September 18 and your additional duties will cease at that time.

I will forward a copy of this memo to the Finance Department so that your salary at this period of time will be adjusted as soon as possible.

JD/js



HENNEPIN COUNTY REGIONAL RAILROAD AUTHORITY

A-2307 Government Center, Minneapolis, MN. 55487-0237 612/348-4077

August 22, 1989

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

Dear Mr. Dulgar:

Per our discussion last week, I am enclosing a copy of a Hennepin County Regional Railroad Authority (HCRRA) resolution which eliminates both the Golden Valley Road and Plymouth Avenue LRT stations in the City of Golden Valley. This action, combined with the previous action by the City of Robbinsdale in deleting the station at 36th Avenue North leaves the following station locations in the Northwest Corridor:

- 63rd Avenue North
- Bass Lake Road
- 42nd Avenue North
- Penn Avenue North
- Emerson Avenue North

Please call if you have further questions.

Sincerely,

Kenneth E. Stevens
Director of Light Rail Transit

KES:mpn

cc: Commissioner Sivanich, Chairman, HCRRA

BOARD OF COMMISSIONERS

Sam S. Sivanich
Chairman

Mark Andrew
Vice Chairman

John E. Derus
Treasurer

Tad Jude
Secretary

Jeff Spartz

Randy Johnson

John Keefe

RESOLUTION NO. 46-HCRR-89

The following resolution was offered by Commissioner Sivanich seconded by Commissioner Derus:

WHEREAS, Minnesota Statute 473.169 requires that the proposer of preliminary design plans for light rail transit submit the preliminary designs to each affected municipality for review and approval; and

WHEREAS, Preliminary design plans for the Northwest Corridor of the Hennepin County Stage I LRT System have been submitted and reviewed by the cities of Brooklyn Park, Crystal, Robbinsdale, and Golden Valley; and

WHEREAS, Public hearings required by MS 473.169 have been held by each affected municipality, Hennepin County, and the HCRR; and

WHEREAS, Considerable discussion, public comment, and two opinion surveys have indicated a divided level of support for the proposed LRT stations at Golden Valley Road and at Plymouth Avenue, both in the city of Golden Valley,

BE IT RESOLVED, That the proposed LRT stations included in the preliminary design plans for the Northwest Corridor at Golden Valley Road and at Plymouth Avenue, both in the city of Golden Valley, be deleted from the preliminary design.

The question was on the adoption of the resolution and there were
5 YEAS and 0 NAYS as follows:

COUNTY OF HENNEPIN BOARD OF COUNTY COMMISSIONERS	<u>YEA</u>	<u>NAY</u>	<u>OTHER</u>
Jeff Spartz	<u>—</u>	<u>—</u>	<u>ABSTAIN</u>
Randy Johnson	<u>X</u>	<u>—</u>	<u>—</u>
John Keefe	<u>X</u>	<u>—</u>	<u>—</u>
John E. Derus	<u>X</u>	<u>—</u>	<u>—</u>
Tad Jude	<u>X</u>	<u>—</u>	<u>—</u>
Mark Andrew	<u>—</u>	<u>—</u>	<u>ABSENT</u>
Sam S. Sivanich, Chairman	<u>X</u>	<u>—</u>	<u>—</u>

RESOLUTION ADOPTED JULY 25, 1989

ATTEST:


 Tad Jude, Secretary


Mayor's Challenge River Cleanup Certificate of Commendation

In recognition and appreciation of its participation and leadership
in the Mayor's Challenge River Cleanup, I, Rudy Perpich
Governor of the State of Minnesota, do hereby commend the

City of Crystal
for preserving and protecting the
Bassett Creek



A Celebrate Minnesota 1990 Project


RUDY PERPICH
Governor

Rep. Lyndon R. Carlson

District 46B

Crystal-Robbinsdale



Minnesota House of Representatives

Robert Vanasek, Speaker

CHAIR, APPROPRIATIONS, EDUCATION DIVISION

**COMMITTEES: ECONOMIC DEVELOPMENT, INTERNATIONAL TRADE & TECHNOLOGY DIVISION;
FINANCIAL INSTITUTIONS & HOUSING; RULES; WAYS AND MEANS**

August 24, 1989

The Honorable Betty Herbes
Mayor, City of Crystal
4141 Douglas Drive North
Crystal, MN 55422-1696

Dear Mayor Herbes:

Thank you for sending me a copy of Resolution Number 89-55 regarding budgets and tax levies, which was recently adopted by the City of Crystal. I greatly appreciate this information and have forwarded a copy of it to the Chair of the Tax Committee.

As you know, the Governor has recently released his proposed tax plan for the upcoming biennium. I welcome the opportunity to work with you and the City of Crystal on a new tax plan if and when the Governor calls a special session to deal with this matter.

Again, thank you for keeping me informed on actions of the Crystal City Council.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lyndon Carlson".

Lyndon Carlson
State Representative

LC:dv

cc: Rep. Dee Long, Chair
House Tax Committee

NOTICE OF PUBLIC HEARING
ON REQUEST FOR CONDITIONAL USE PERMIT

Application #89-24

City of Crystal, MN

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Crystal will meet on Monday, September 11, 1989, at 7:00 p.m., or as soon thereafter as the matter may be heard, at the Crystal Municipal Building, 4141 Douglas Drive in said City, to consider the request for a conditional use permit to allow an auto service center (Firestone) in a B-3 (Auto-Oriented Commercial) District (Section 515.35, Subd. 4 c).

The property is located at 6800 - 56th Ave. N. and is described as P.I.D. #05-118-21-42-0039.

Persons desiring to be heard on this matter may do so at this time.

This notice is given pursuant to the zoning regulations of the City Code, City of Crystal. Applicant--KLO Properties.

JAMES J. BARDEN
SECRETARY
PLANNING COMMISSION

(Published in the Crystal-Robbinsdale Post News 8/30/89)



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

ADMINISTRATIVE OFFICE

August 28, 1989

Mr. William W. Spychalla
US Army Corps of Engineers
1421 U.S. P.O. & Custom House
St. Paul, MN 55101-1479

Dear Mr. Spychalla:

As you are aware, three of the remaining Bassett Creek Flood Control Projects are within the City of Crystal. Due to the local impact of these projects, this office has conducted a series of meetings with elected officials and adjacent property owners to solicit input regarding the details of the proposed construction. Specifically, the three improvement projects are outlined as follows:

- 1) Increasing the flow capacity of the Markwood Avenue drainage ditch through installation of concrete box culverts between Louisiana and Hampshire Avenues.
- 2) Reinforcement of the Edgewood Avenue embankment to meet structural standards and increasing the storage capacity directly upstream.
- 3) Protection of existing single family structures and increasing storage capacity in Bassett Creek Park by construction of an embankment just west of TH 100.

In terms of the Markwood Avenue drainage ditch, there is no question that localized erosion has occurred and must be dealt with. However, the scope of the proposed improvement appears to far outweigh the problems being encountered. At this point affected residents are not anxious about granting temporary easements that cover up to 90% of their developed backyards.

Crystal would prefer this project remain on its current time line while being down scaled in terms of flow capacity and

Mr. William W. Spychalla
August 28, 1989
Page 2

structure protection. Such a down scaled project would include an upgrade of the existing ditch section along with installation of a storm sewer in 36th Avenue between Jersey and Hampshire Avenues to reroute a significant portion of the ditch watershed.

This office has reviewed the feasibility of such a flow realignment and found the option both physically and economically reasonable. Additionally, a portion of the storm sewer costs could be reimbursed through Crystal's State Aid Street System allocation whereby overall project costs to the Corps and Cities would be lowered even further.

In regards to the Edgewood Avenue embankment, the major question involves the need to create additional storage capacity when no water has yet been retained in the basin. Even in the 1987 super storm when Crystal experienced 11 inches of rainfall, the basin remained dry except for the channel itself. While Crystal cannot speak to the Corps structural standards, the scope of this project does seem excessive from a water flow standpoint given past occurrences. At a minimum, Crystal is hopeful additional right-of-way, which mandates acquisition of another single family home, will not be required.

While the Highway 100 embankment project is on hold while MnDOT prepares a preliminary layout of area highway improvements, this project is worthy of comment if only because of the significant potential for water quantity and quality betterments. The Corps, State and City all have the opportunity to maximize substantial benefits while minimizing costs where frontage road construction and right-of-way acquisition can eliminate the need for the embankment. Crystal will undoubtedly be reviewing a combination of property acquisition options with your office at a future date.

I am prepared to meet with you to further discuss these projects and develop mutually acceptable resolutions to all concerns. Further, I would like to personally thank you and

Mr. William W. Spychalla
August 28, 1989
Page 3

the other Corps officials who took the time to review numerous flood control projects in the field with representatives of the Watershed Commission.

Sincerely,

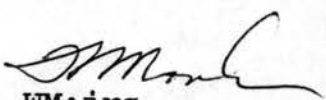
William Monk
City Engineer

WM:jrs

cc: Peter Enck, BCWMC Chairman
Curt Pearson, BCWMC Attorney
Len Kremer, BCWMC Engineer

DATE: August 29, 1989
TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
SUBJECT: Retail Development at 36th and Winnetka Avenues

For your information, attached is a site plan for a retail development recently approved by the City of New Hope involving the site at the SE corner of Winnetka and 36th Avenues. As a part of this proposal the church presently occupying this site will relocate. It should be noted that New Hope officials were cooperative in requiring several site plan revisions related to traffic and drainage that were recommended by Crystal staff during a preliminary review several months ago.



WM:jrs

Encl



THE RUNYAN/VOGEL GROUP, INC.
ARCHITECTS AND PLANNERS
2417 Western Avenue St. Paul, MN 55108
(612) 221-7100

Computer:

Computer:

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed professional architect in the State of Minnesota.
Date: 12/15/93 Reg. No. 4524

Commission No. 01-1

Drawn By: B.C.

Checked By:

Date: JUNE 22, 1994

Approved: A.M. C. 12/93

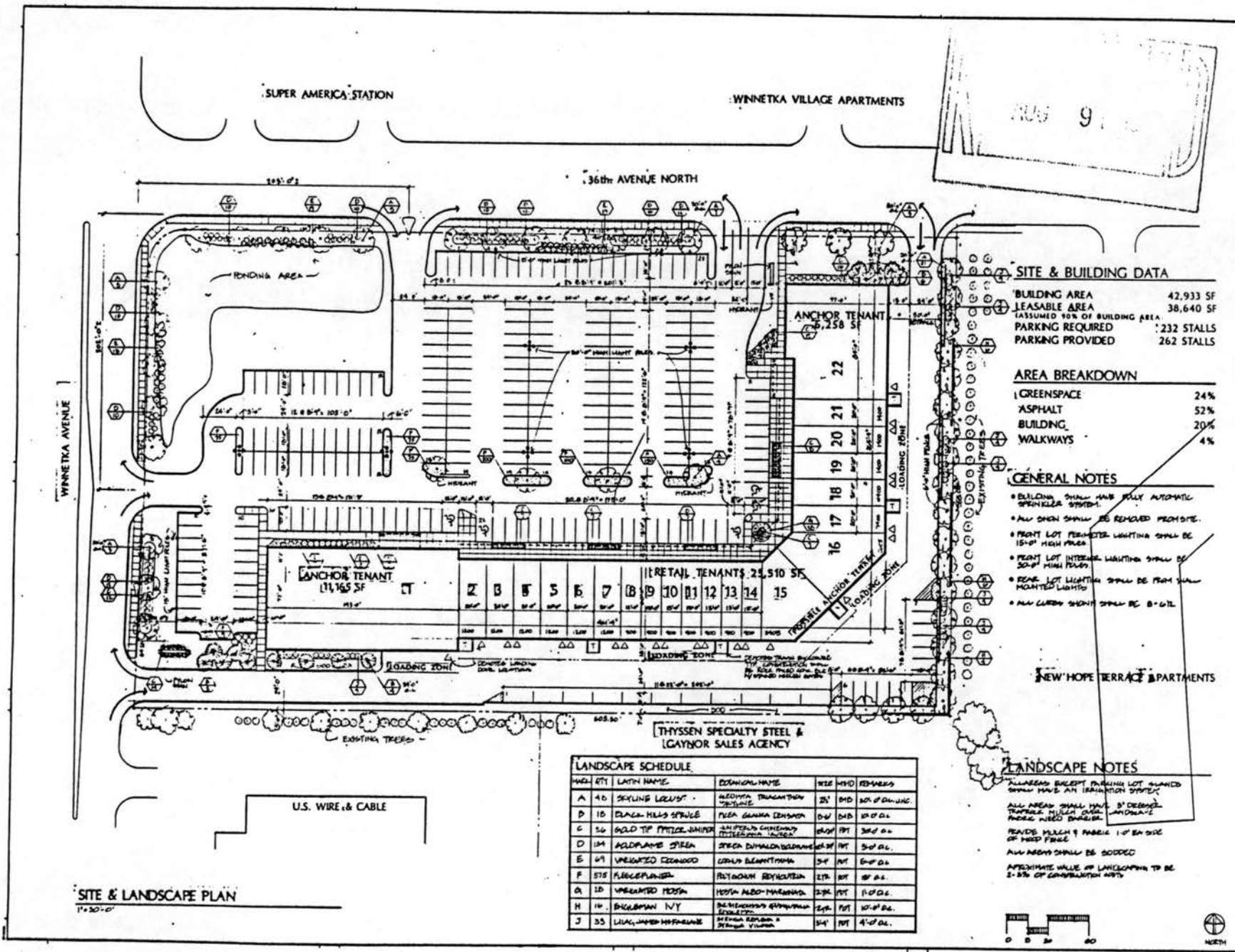
Project No.
NEIGHBORHOOD
CONVENIENCE
CENTER
36th & WINNETKA

NEW HOPE MINNESOTA

Sheet No.

SITE & LANDSCAPE PLAN

Sheet Number Sheet 1 of 1



SITE & BUILDING DATA

BUILDING AREA	42,933 SF
LEASABLE AREA	38,640 SF
(ASSUMED 90% OF BUILDING AREA)	
PARKING REQUIRED	232 STALLS
PARKING PROVIDED	262 STALLS

AREA BREAKDOWN

GREENSPACE	24%
ASPHALT	52%
BUILDING	20%
WALKWAYS	4%

GENERAL NOTES

- BUILDING SHALL HAVE FULLY AUTOMATIC FIRE-ALARM SYSTEM.
- ALL SIGNS SHALL BE REMOVED FROM SITE.
- FRONT LOT PERIMETER LIGHTING SHALL BE 15'-0" HIGH POLES.
- FRONT LOT INTERIOR LIGHTING SHALL BE 30'-0" HIGH POLES.
- REAR LOT LIGHTING SHALL BE FROM SHAW MOUNTED LIGHTS.
- ALL CURBS SHALL BE 8'-0" WIDE.

LANDSCAPE NOTES

- ALL AREAS EXCEPT PARKING LOT SHALL HAVE AN IRRIGATION SYSTEM.
- ALL AREAS SHALL HAVE 8" DEEPER TRAFFIC MOUNTED OVER LANDSCAPE THERE MUST BE DRAINAGE.
- PLANTS MUST BE 1'-0" IN DIA. OF HOOD POLES.
- ALL AREAS SHALL BE SOODED.
- APPROXIMATE VALUE OF LANDSCAPING TO BE 1-2% OF CONSTRUCTION COST.

NO.	QTY	LATIN NAME	COMMON NAME	SIZE	HYD	REMARKS
A	40	SEYDING LEUCIST	ALBICORN TRICANTHUS	25'	DM	BOX OF DOWLING
B	10	PLACA HILLS SPURLE	PLACA GUNNA DENDRON	20'	DM	10' OF DL
C	20	GOLD TIP PRIDE-SHED	ANTHUS CHERRYWOOD	20'	DM	30' OF DL
D	100	ALDOPLANE SPUR	SPUR DUMALDUM	20'	DM	30' OF DL
E	40	UNWEIGHTED FERNWOOD	GRASS BLANTHANA	20'	DM	30' OF DL
F	20	FLORIPALMER	FLORIPALMER	20'	DM	30' OF DL
G	10	UNWEIGHTED FERN	FLORIPALMER	20'	DM	30' OF DL
H	10	BRICKMAN IVY	BRICKMAN IVY	20'	DM	30' OF DL
J	35	LEAG-UNWEIGHTED FERN	FLORIPALMER	20'	DM	30' OF DL

SITE & LANDSCAPE PLAN
1"=30'-0"

Date: August 28, 1989

To be Released: IMMEDIATELY

SEVEN MAJOR NEW HIGHWAY IMPROVEMENTS ADDED TO 90-95 WEST METRO AREA SCHEDULE

Several new highway improvement projects in the west metro area have been added to the Minnesota Department of Transportation's 1990-1995 Highway Improvement Program, including seven major highway expansion projects.

"These additions were made possible thanks to the 1989 Legislature that provided funding, and thanks also to the tireless efforts of key community officials in the affected areas," said Minnesota Department of Transportation Commissioner Leonard W. Levine.

Statewide, the program additions include 400 miles of market artery improvements (\$86 million); 102 miles of low volume road improvements (22 million), 46 miles of narrow concrete road improvements (\$9 million), and 32 miles of expanded capacity improvements on highly congested roads (\$120 million).

Locally, the following major highway expansion projects were funded:

- 1) New TH 10 in Blaine and Coon Rapids: \$17 million for 1994; \$17 million for 1995 to complete the construction of a new freeway. The first two stages are scheduled for construction in 1992-93.
- 2) TH 13 in Prior Lake (from CSAH 21 to CSAH 42): \$6 million for 1994 to reconstruct the roadway and add center turn lanes.
- 3) I-35W in Bloomington and Burnsville (from TH 13 in Burnsville to I-494 in Bloomington): \$15 million for 1994 to add a third lane in each direction across the Minnesota River bridge.
- 4) TH 101 from Elk River to Rogers: \$10.3 million for 1994 to construct a four lane expressway.
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- 7) TH 100 in St. Louis Park, Crystal, and Robbinsdale: \$15 million for 1994 and 1995 to continue upgrading the roadway to freeway standards.

In addition to these projects, money has been allocated for several resurfacing and safety improvements on west metro area highways.

Page 2, 90-95 Highway Program Additions

Levine also commended the efforts of various individuals and community groups for their support, including Mayor Jim Tralle of Elk River; the Southwest Corridor Transportation Coalition; the Scott County Transportation Coalition; the I-35W Council; the North Metro Mayors Associations; and the Highway 13 Task Force in Prior Lake.

For further information on these projects, contact:

Al Schenkelberg
Section Director,
Highway Programming
296-6080

Jim Povich
Assistant District
Engineer - West Metro
593-8405

Marsha Storck
Media Relations
Coordinator
593-8432

MINNESOTA DEPARTMENT OF TRANSPORTATION/DISTRICT 5

1994-95 Highway Program Major New Expansion Projects, West Metro Area

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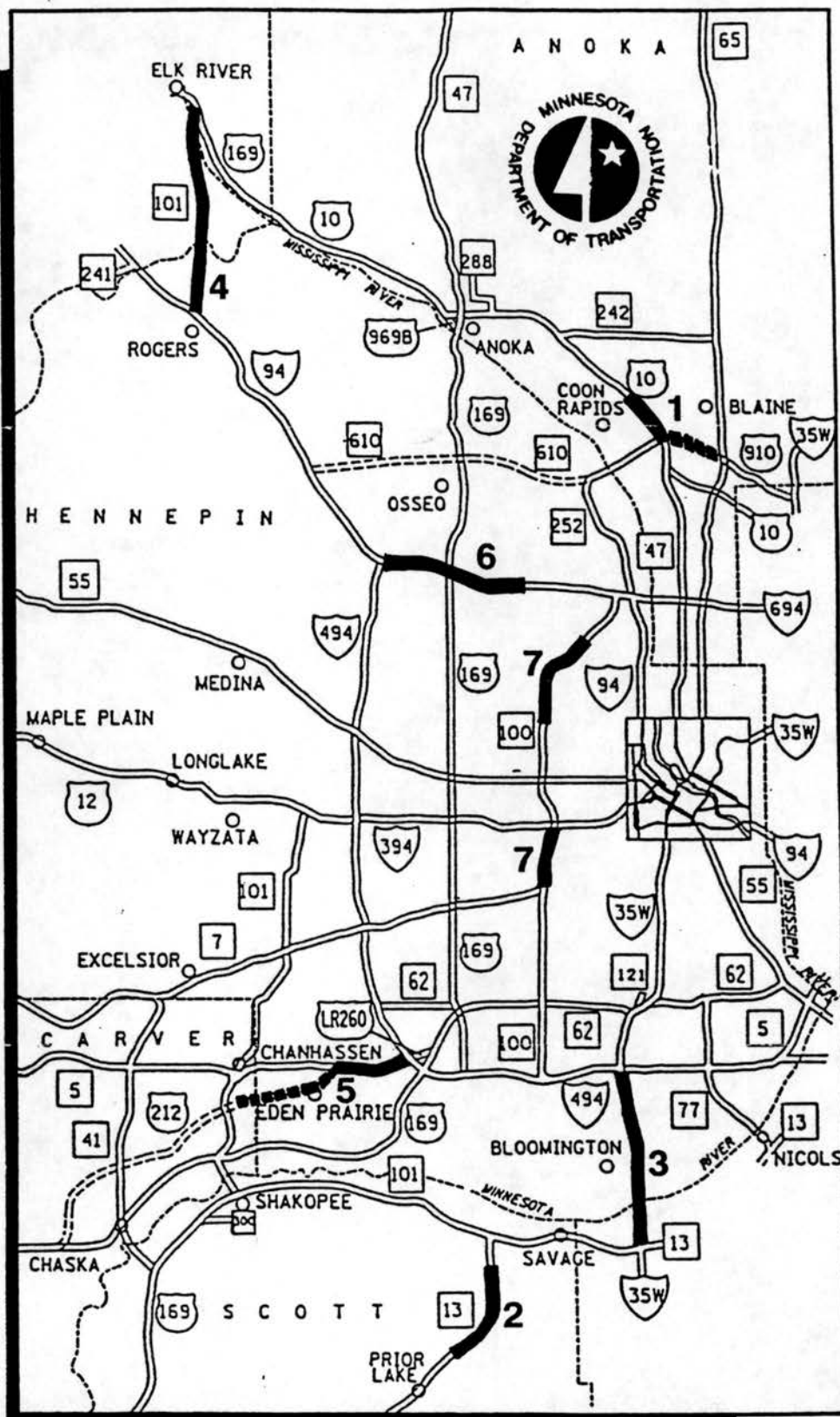
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NOTICE OF PUBLIC HEARING
REQUEST FOR REZONING AND CONDITIONAL USE PERMIT
PLANNING CASE 89-19
CITY OF NEW HOPE, MINNESOTA

Notice is hereby given that the New Hope Planning Commission will meet at City Hall, 4401 Xylon Avenue North, New Hope, Minnesota on Tuesday, September 5, 1989, at 7:30 p.m. to hold a public hearing on a request for proposed rezoning from R-O (Residential-Office) Zoning District to B-1 (Limited Neighborhood Business) Zoning District and conditional use permit to operate a convenience food take-out/delivery food establishment. This request is made pursuant to Sections 4.201 and 4.104 of the New Hope Code of Ordinances. The application is submitted by Pizza Hut of America, Inc. The property is located at 7500 Bass Lake Road and is legally described as:

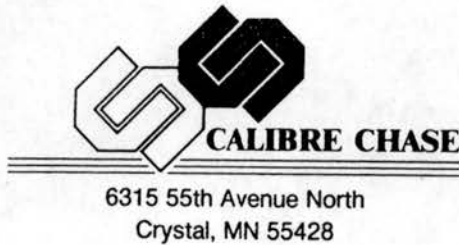
Auditors Subdivision 326 (Taco Bell)
PID #05-118-21-31 0009

The New Hope City Council will consider the recommendation of the Planning Commission on this proposal at its meeting on Monday, September 11, 1989, at 7:00 p.m. or as soon thereafter as may be heard in the Council Chambers, 4401 Xylon Avenue North, New Hope, Minnesota.

Dated: August 15, 1989

Valerie Leone
City Clerk

(Published in the New Hope-Golden Valley Post on August 23, 1989)



July 24, 1989

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

Dear Mr. Monk,

On behalf of management and residents of Calibre Chase I want to thank you for the installation of a crosswalk connecting the Calibre Chase premises with Becker Park. Some of our seniors require motorized vehicles or wheelchairs and the crosswalk will enable them and all of us to cross 55th Avenue during heavily trafficked times in a safer manner.

We are grateful to Councilman Rollie Smothers for presenting this request to the City of Crystal and for your time and efforts in seeing that the plan was carried out.

The Crystal Frolics offers a weekend of fun and excitement for the city and surrounding areas and we at Calibre Chase look forward to being a part of the activities.

Thank you!

Sincerely,

Marcella Mueller

Marcella Mueller, Volunteer
Community Liaison
Apt. #327, Calibre Chase

CC: Lona Haskins, Mgr.

Rollie Smothers, #215

Date:

August 28, 1989

To be Released: IMMEDIATELY

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Section Director,
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296-6080

Jim Povich
Assistant District
Engineer - West Metro
593-8405

Marsha Storck
Media Relations
Coordinator
593 8432

MINNESOTA DEPARTMENT OF TRANSPORTATION/DISTRICT 15
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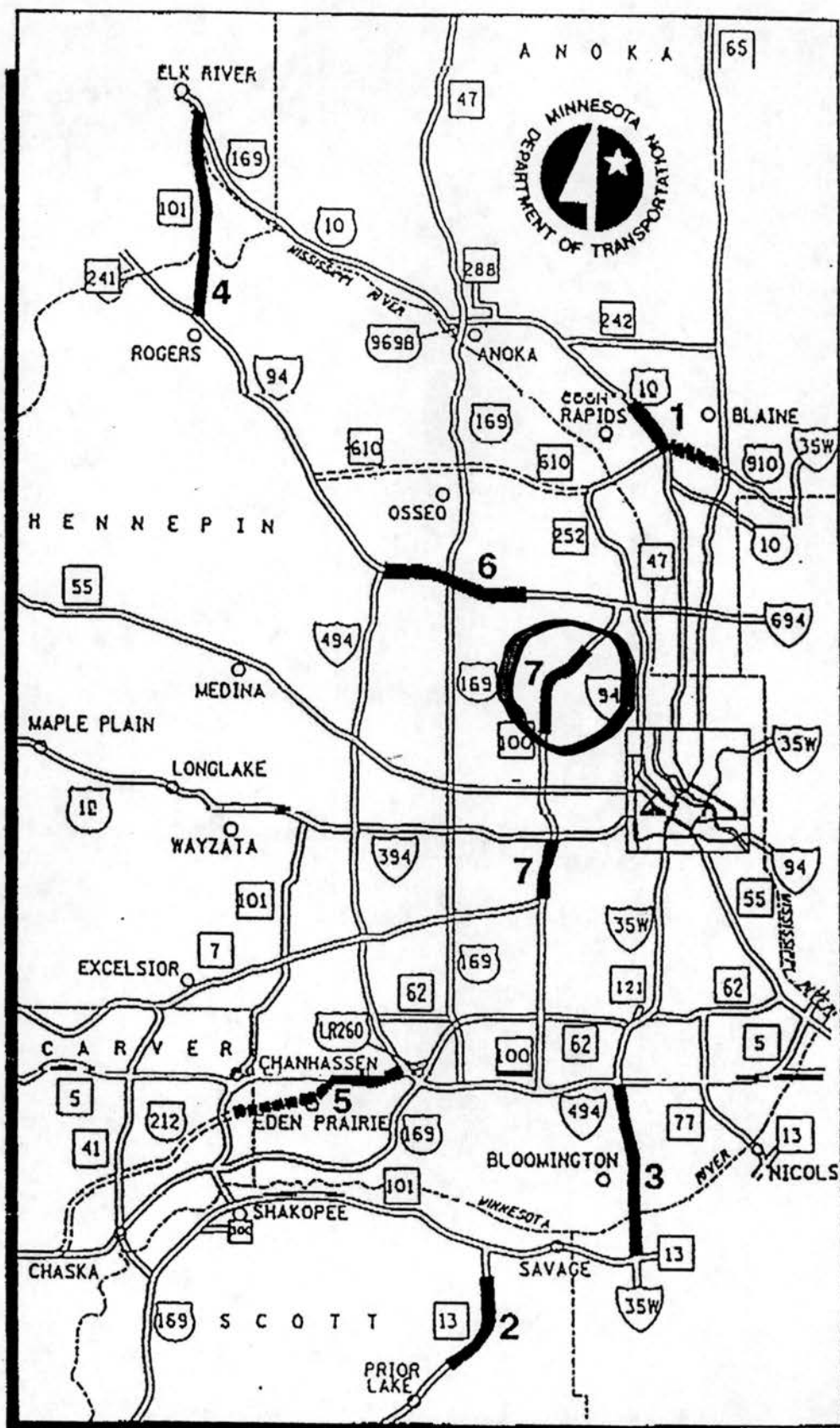
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HUMAN RELATIONS COMMISSION
July 24, 1989

The Human Relations Commission meeting was called to order at 7:05 p.m. Members present were: James Allison, John Luzaich, Renee Werner, Arlene West, and Linda Museus.

Members absent: Bruce Kleeberger, Barbara McMahon, Lois Darg (excused absence), and Lois Ehret (excused absence).

Council Liaison present: Garry Grimes.

Recording Secretary: Joan Schmidt

1. Moved by commission member Luzaich and seconded by commission member West to approve the minutes of the May 22, 1989 Human Relations Commission meeting.

Motion Carried.

Correction to be made to memo of June 26, 1989. Members absent with excused absences were Arlene West, Lois Ehret and Lois Darg as well as James Allison.

Moved by commission member Werner and seconded by commission member Luzaich to approve the memo from the June 26, 1989 Human Relations Commission.

Motion Carried.

2. Renee Werner gave a summary of the Government Training Service Workshop "Accomplishing Your Agenda" that she had attended. She also handed out material that she had obtained. Covered were such topics as a Mission Statement, order of business and parliamentary procedure, understanding your personal goals in a group, group principles, use of agendas, use of Robert's Rules of Order, and effective discussion skills. It was suggested that perhaps a separate meeting be held to evaluate this information.
3. Discussion was held regarding the N.W. Suburban Human Rights Commission meeting of July 15, 1989. (Linda Museus stated that she would not be able to attend the next meeting to be held on August 19 of this commission.) Marion Helland from Golden Valley handed out information which Renee Werner brought back to us (copies enclosed).

The idea of students from high schools serving on the Human Rights Commissions was discussed and Garry Grimes will direct this to the City Council. The overall feeling was that if the City Council were to consent to make the students actual members of the Human Relations Commission we could approach the schools with this idea and ask that possible credit be given.

Marion Helland will talk with Mary Kennedy-Lamb and Art Dilworth at the MAAC meeting regarding establishing commissions in New Hope and Plymouth.

Another item of discussion from this meeting was using the Post News for a column but who is responsible for articles? Marion Helland was going to contact the State and see if they had articles that could be printed. Articles would be printed periodically and eventually build up to "Will You Be the One?" project. The overall feeling was the need to educate the community. Everyone was to go back to their commission and brainstorm and come up with other topics. Marion had mentioned that if you see articles, clip them and these articles could be listed as resources.

Each community could take a month and be responsible to write articles for this column for that month by presenting an outline first and then writing the column.

Linda Museus asked the Commission if they were willing to write a few paragraphs. Arlene West wanted to know the specifics. Renee Werner stated that topics were needed at this point and at the next group meeting to discuss the idea further; perhaps have twelve articles building up to "Will You be the One?" project.

Moved by commission member West and seconded by commission member Luzaich that the N.W. Suburban Human Rights Commissions will have the support and participation of the Crystal Human Relations Commission.

Motion Carried.

Please call Renee Werner or Linda Museus if you are not going to the August 19th meeting of the N.W. Suburban Human Rights Commission.

4. Time was then spent sharing with each other our backgrounds, why we settled in Crystal, how we hope to help the Crystal community.
5. The Commission then viewed the 19 minute Golden Valley video tape "This Is My City". The consensus of the group was that this was a good film that brought out interesting aspects especially about the blacks.

Moved by commission member Luzaich and seconded by commission member Werner to remove Bruce Kleeberger from the Human Relations Commission due to unexcused absences in excess of three.

Motion Carried.

Moved by commission member Werner and seconded by commission member Luzaich to remove Barbara McMahon from the Human Relations Commission due to unexcused absences in excess of three.

Motion Carried.

Moved by commission member West and seconded by commission member Luzaich to adjourn. Meeting adjourned at 9:05 p.m.



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

ADMINISTRATIVE OFFICE

August 30, 1989

Mayor Betty Herbes
City of Crystal
5336 Idaho Avenue North
Crystal, MN 55428

Dear Mayor Herbes:

As you know the Crystal Civil Service Commission is not functioning. The two purposes of this letter are to urge the Council to clarify the status of the Commission and request a spot on the agenda at your earliest convenience.

I understand that there is a possibility that the Charter Commission will consider the status of the Commission and maybe eliminate it. Whether this happens or not, I am not sure what we should do in the meantime.

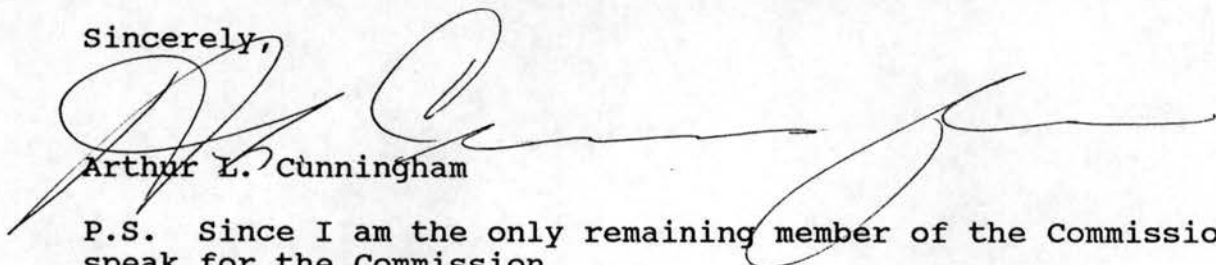
If the Commission is to function as it should, the vacancies need to be filled. Otherwise eliminate it and communicate that action to all who need to know. If a Civil Service Commission type decision was needed now, we would be hard pressed to respond appropriately and timely.

The Civil Service Commission, as you know, is an official body of the City with legal responsibilities. Consequently, I believe the Commission has a duty to communicate something to someone regarding its legal status.

In summary, the status of the Commission needs to be clarified and communicated. If the decision is to keep it, we need two commissioners. If we are going to eliminate the commission, we need to make that known and communicate the procedure to be followed in absence of a Civil Service Commission.

This matter deserves your immediate attention. I have enjoyed working with you and look forward to future work as well.

Sincerely,



Arthur L. Cunningham

P.S. Since I am the only remaining member of the Commission, I speak for the Commission.

ALC/js

cc: City Councilmembers

PARK AND RECREATION ADVISORY COMMISSION

Agenda

September 6, 1989

Broadway Park - 59th & West Broadway

1. Call meeting to order 7:00 p.m.
2. Approval of minutes
3. Review monthly report
4. Hear citizens' comment from Broadway Park area
5. Review Frolics Committee meeting - Liz
6. Review of water slide for municipal pool
7. Preliminary reviewal of fees and charges for community center (attached)
8. Committee discussion on ideas for grand opening of community center
9. Review status of apparatus and equipment at city parks
10. Other business -
 - A. Attendance at "A Forum on Customer and Staff Relations" - Thursday, September 28 - Brooklyn Park Activity Center - 5600 85th Ave. N.
11. Adjournment

MEMORANDUM

TO: MAYOR AND COUNCIL

FROM: Jessie L. Hart, Assistant Finance Director

DATE: September 5, 1989

SUBJECT: Schedule for Budget Worksessions

The following is the schedule as it has been set up for the budget worksessions to be held with the City Council on Thursday, September 7, 1989 and Monday, September 18, 1989. Each department is scheduled as follows:

THURSDAY, September 7, 1989 -

6:30-7:00pm	Budget Overview (Revenues etc.)
7:00-7:20pm	Finance Department (Miles Johnson)
7:20-7:40pm	Fire Department (Terry Anderson)
7:40-8:00pm	Health Department (Tom Heenan)
8:00-9:00pm	Police Department/Civil Defense Department (Jim Mossey)
9:00-10:00pm	Mayor & Council/Administration/Civil Service/Legal/Non-Departmental (John Olson/Jerry Dular)

MONDAY, September 18, 1989 -

6:30-6:50pm	Elections Department (Darlene George)
6:50-7:10pm	Assessing Department (Ken Bjorn)
7:10-7:30pm	Building Department (Bill Barber)
7:30-7:50pm	Commissions & Computer (Nancy Gohman)
7:50-8:30pm	Recycling/EDA (Julie Jones)
8:30-9:30pm	Parks/Recreation/Swimming Pool/Community Center/Tree Disease (Ed Brandeen)
9:30-10:30pm	Engineering/City Buildings/Streets/ Water/Sewer (Bill Monk)

Each individual listed will be in attendance at the meeting to cover their respective departments.