



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

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COUNCIL AGENDA

December 19, 1989

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on December 19, 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:

CouncilmembersP MoravecP GrimesP RyggP CarlsonP HerbesP SmothersP Langsdorf 7:06StaffP DulgarP OlsonP KennedyP MonkP BarberP GeorgeP HeenanP Brady, Animal WardenP Jones

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

1. The City Council considered the minutes of the Regular City Council meeting of December 5, 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 December 5, 1989.

Motion Carried.

By a poll of the City Council between its regularly scheduled meetings, Resolution No. 89-88 was unanimously adopted to honor J.J. Choromanski, President of The Bank North, upon his retirement, to be presented to him on Sunday, December 17, 1989.

CONSENT AGENDA

1. Set public hearing for January 9, 1990 for consideration of a variance request for an over 4 ft. tall privacy fence in the front and side yard and parking in the front yard at 3425 Winnetka Avenue North as requested by Diane H. Schipper.
2. Set public hearing for January 9, 1990 for consideration of a variance requesting a second principal structure (telephone tower) on a lot at 5141 Lakeland Avenue North (Johnson Equipment Company), as requested by Dahlgren, Shardlow and Uban, Inc. for U.S. West New Vector Group.
3. Set 7:00 p.m., May 1, 1990 as the date and time for the 1990 Local Board of Review.
4. Consideration of a proposal from George M. Hansen Company regarding the 1989 Audit of the City.

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

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

Motion Carried.

REGULAR AGENDA

1. The City Council considered the applications for appointment to the Economic Development Authority Advisory Commission of Adrian Rygg, 4120 Brunswick Avenue North, and Edwin J. Krueger, Jr., 5009 - 52nd Avenue North.

Moved by Councilmember C and seconded by Councilmember S to appoint Adrian Rygg, 4120 Brunswick Ave. N. and Edwin J. Krueger, Jr., 5009 - 52nd Ave. N. to the Economic Development Authority Advisory Commission effective January 1, 1990.

Motion Carried.

Councilmember Langedorf arrived (7:06 P.M.)

2. The City Council continued consideration of the First Reading of an Ordinance rezoning property at 3343 Vera Cruz Avenue North and for a conditional use permit to allow an auto repair-minor facility in a B-3 District. *those appearing and heard were:*

See back of this page!

- A. Moved by Councilmember L and seconded by Councilmember C to ~~adopt the following ordinance:~~ *Deny request for rezoning and issuance of a conditional use permit to allow an auto-repair-minor facility at 3343 Vera Cruz Ave. No. based on ORDINANCE NO. 89- the findings of fact of the Planning Commission.*

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

Motion Carried

and further that the second and final reading be held on January 9, 1990.

Motion Carried.

- B. Moved by Councilmember _____ and seconded by Councilmember _____ to (approve) (deny as recommended by and based on the findings of fact of the Planning Commission) (continue until _____ the discussion of) conditional use permit #89-37 to allow an auto repair-minor facility in a B-3 District at 3443 Vera Cruz Avenue North as requested by Robert Ayers (Car-X Muffler Shop).

Motion Carried.

Robert Ayers, Developer

David Kneet, Architect

Angie Nord, 3332 Welcome Av. N.

Marlene Nelson, 3324 Welcome Av. N.

Ken Devine, 3512 Welcome Av. N.

Robert Costigan, 3422 Welcome Av. N.

Rick Thompson, 3550 Welcome Av. N.

Charles Hillstrom, 3333 Vera Cruz Av. No.

Recess 8 p.m. Reconvened 8:10 p.m.

Item 4 Next

4.

The City Council considered a conditional use permit to allow an amusement center (billiards) in a B-4 (Community Commercial) District at 5311 - 36th Avenue North as submitted by Bill Nicklow (Anthony Shopping Center). Bill Nicklow appeared and was heard.

C to table the item

After discussion Councilmember Carlson withdrew his motion to table.

Moved by Councilmember C and seconded by Councilmember S to (approve as recommended by and based on the findings of fact of the Planning Commission) (deny) (continue until January 9th the discussion of) conditional use permit #89-42 to allow an amusement center (billiards) in a B-4 (Community Commercial) District in the Anthony Shopping Center, 5311 - 36th Avenue North, as requested by Bill Nicklow of the Anthony Shopping Center, ~~with for~~ removal of garage and shack from the premises. Motion Carried.

DeGetto

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

No: G

3. 4. Robert DeGetto, Councilmember from Minnetonka, gave a presentation regarding the Suburban Rate Authority as requested by the City Council.

C/M to approve the City's involvement in the Suburban Rate Authority contingent upon the availability of funds in the budget.

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

Abstain: H.

Motion Carried

Back to Item 3

5. Cheryl Jones, 6013 - 47th Avenue North, appeared before the City Council regarding ferrets in the City of Crystal. *Others appearing and heard were:*

Laurie and Randy Sellers

Dave? 4151 Boone, New Hope

Rick Cameron, Veterinarian, New Hope (8118 Bass Lake Rd.)

Joel Johnson, 14920 Paul Ave. No.

Stacy Schmidt, no address given

Brian Sullivan, U of M Veterinarian School

Kevin Lichtscheidl, 6000 - 47th Ave. No.

S/L to leave the ordinance regulating ferrets in the City as it is.

Aye: M, G, S, L

No: R, C, H

Motion Carried

6. The City Council considered the Second Reading of an Ordinance relating to Sewer, Water and Street Lighting Rates and Charges.

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

ORDINANCE NO. 89-26

AN ORDINANCE RELATING TO SEWER, WATER
AND STREET LIGHTING RATES AND CHARGES:
AMENDING CRYSTAL CITY CODE SUBSECTION 710.05
AND SUBSECTION 715.13, SUBDIVISIONS 1 AND 4

and further that this be the second and final reading.

Motion Carried.

7. The City Council considered a Statement of Support for the National Guard and Reserve.

Moved by Councilmember S and seconded by Councilmember C to (approve) (deny) (continue until _____ the discussion of) a Statement of Support for the National Guard and Reserve as presented by the National Committee for Employers Support of the National Guard and Reserve.

Motion Carried.

8. The City Council considered the designation of a legislative contact person for the year 1990 as requested by the Association of Metropolitan Municipalities.

Moved by Councilmember L and seconded by Councilmember C to appoint City Manager as the legislative contact person for 1990 as requested by the Association of Metropolitan Municipalities, and place designation of an alternate on the January 2, 1990 mtg. when new Councilmembers will be in office. Motion Carried.

9. The City Council considered a resolution transferring funds.

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

RESOLUTION NO. 89-89

RESOLUTION TRANSFERRING FUNDS

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

Motion carried, resolution declared adopted.

10. The City Council discussed the acquisition of property at 5231 Douglas Drive.

Staff was directed to send this item to the Economic Development ^{Authority} Advisory Commission.

11. The City Council discussed the City Manager Evaluation form.

The mayor asked that each Councilmember fill out the form and return it.

12. The City Council considered the First Reading of an Ordinance relating to Second Hand Goods Dealers.

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

ORDINANCE NO. 89-

AN ORDINANCE RELATING TO SECOND HAND GOODS
DEALERS: AMENDING CRYSTAL CITY CODE, SUBSECTION 1175.03
BY ADDING A CLAUSE

and further that the second and final reading be held on January 9, 1990.

Motion Carried.

13. The City Council reconsidered an increase in salary for the Crystal Fire Department.

Moved by Councilmember G and seconded by Councilmember R to (approve) (deny) (continue until _____ the discussion of) the salary increase for the Crystal Fire Department as recommended by the City Manager, namely, call pay for firefighters-\$7.25/hour, officers-\$7.75/hour; drill pay-firefighters-\$6.50/hour, officers \$6.50/hour; duty pay - \$22.50/shift.

*Councilman Mayor Herber
abstained from the
vote.*

Motion Carried.

OPEN FORUMINFORMAL DISCUSSION AND ANNOUNCEMENTS

- Herbes - letters from EDA temporary Chair in packet.
Julie Jones to arrange a visit to Hennepin Technical School for EDA + EDA Advisory Comm.
- Herbes - letters from County Board (Derus + Jude) re: Human Services Council funding in packet
- Herbes - letter from County + resolution regarding yard waste in packet.
Manager advised he had sent a letter prior to the City Bds. consideration of the resolution.
- Smathers - commend Mayor for attendance and interest - Regional Transit Board.
- Manager - reminder of farewell dinner for Munnicktonka Mayor and also Seminars for Officials included in packet.
- Dave Kennedy - Thanked Council for retaining his firm and himself as the attorney for the City.
- Julie Jones - Joint meeting of EDA and EDA Advisory Comm. on Feb. 13, 1990
- Mayor reminded Council of their reports on trip to Atlanta (Congress of Cities)

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

Motion Carried.

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

Motion Carried.

Meeting adjourned at 10:20 p.m.

1990 LICENSE RENEWALS

December 19, 1989

CIGARETTES - \$30.00 each machine and/or over counter sales

Minneapolis-Crystal Lodge No. 44, 5410 Lakeland Ave. N.
Target, 5537 W. Broadway
LAMA Corporation dba MGM Liquor Warehouse, 355 Willow Bend
Superamerica Group, Inc. dba Superamerica #4052, 5359 W. Broadway
Superamerica Group, Inc. dba Superamerica #4187, 7818 - 36th Ave.
N.
Snyder Drug Stores, 103 Willow Bend
Bill's Vending Company dba Tally Ho Cafe, 5216 W. Broadway
Bill's Vending Company dba Octopus Car Wash, 5301 Douglas Dr.
Bill's Vending Company dba Eggie's Cafe, 6418 Bass Lake Road
Bill's Vending Company dba V.F.W. Post #494, 5222 - 56th Ave. N.
L.J.D., Inc. dba Paddock Bar & Lounge, 5540 Lakeland Ave. N.
Louie's Liquor Store, 4920 W. Broadway
Bro-Midwest Vending dba United Liquors, 3530 Douglas Dr.
Tom Thumb Food Market, Inc. #125, 2708 Douglas Dr.
Tom Thumb Food Market, Inc. #224, 3537 Douglas Dr.
Tom Thumb Food Market, Inc. #233, 4711 - 36th Ave. N.
Tom Thumb Food Market, Inc. #286, 5120 - 56th Ave. N.
Handy Superette, Inc. dba Adair Liquor, 6001 - 42nd Ave. N.
Country Club Market, Inc. #16, 5321 - 36th Ave. N.

GASOLINE STATIONS - \$50.00 station + \$7.25 each hose connection

Superamerica Group, Inc. dba Superamerica #4187, 7818 - 36th Ave.
N.
Superamerica Group, Inc. dba Superamerica #4052, 5359 W. Broadway
Aero Sales & Supply Co., Crystal Airport

PRIVATE GAS DISPENSING DEVICES - \$14.25 1st hose + \$7.25 ea. add'l
hose

Timesavers, Inc., 5270 Hanson Court
U-Haul, 5465 Lakeland Ave. N.

MUSIC BOXES - \$20.00 each box

V.F.W. Post #494, 5222 - 56th Ave. N.
B & K Music & Sales dba Doyle's Bowling & Lounge, 5000 W.
Broadway

MECHANICAL AMUSEMENTS - \$104.50 each machine

V.F.W. Post #494, 5222 - 56th Ave. N.
B & K Music & Sales, dba Doyle's Bowling & Lounge, 5000 W.
Broadway

LAUNDROMAT - \$30.25 per year

Crystal Gold Eagle, Inc. 6924 - 56th Ave. N.

DEALER IN SECOND-HAND GOODS - \$44.00 per year

The Clothes Exchange, 2712 Douglas Dr.

COURTESY BENCHES - \$20.00 each bench + certificate of insurance

United States Bench Corporation, (19 benches in Crystal)

TREE TRIMMER - \$55.00 per year

Action Tree Stump Removal Service, 1910 Oakview Lane, Plymouth

APPLICATIONS FOR LICENSE
December 19, 1989

FOOD ESTABLISHMENT - Restaurant (\$150 with QA Plan)

Arby's Restaurant, 5629 West Bdwy.
Country Kitchen, 3501 Vera Cruz No.
Delicious Chow Mein, 2724 Douglas Dr.
Elk's Lodge #44, 5410 Lakeland Ave.
Fortune House Restaurant, 5303 36th Ave. No.
Paul's Restaurant, 3545 Vera Cruz No.
Skipper's Restaurant, 6230 56th Ave. No.

FOOD ESTABLISHMENT - Restaurant (\$275 without QA Plan)

Godfather's Pizza, 99 Willow Bend
KFC, 6817 56th Avenue No.
Keng's Chow Mein, 6121 42nd Ave. No.
McDonalds, 5400 West Bdwy.
VFW Post #494, 5222 56th Ave. No.

FOOD ESTABLISHMENT - Retail (\$100 with QA Plan)

Country Club Market #16, 5321 36th Ave. No. (2 fac.)
McGlynn Bakeries, 5537 West Broadway
Snyder's Drug #13, 103 Willow Bend
Tom Thumb, 5120 56th Ave. No.
Tom Thumb, 4711 36th Ave. No.
Tom Thumb, 3537 Douglas Drive
Tom Thumb, 2708 Douglas Drive

FOOD ESTABLISHMENT - Retail (\$190 without QA Plan)

Fannie May Candies, 5524 West Bdwy
General Nutrition, 223 Willow Bend
Superamerica, 5359 West Broadway
Superamerica, 7818 36th Ave. No.
Thriftway Supermarket, 5715 West Bdwy (4)

FOOD ESTABLISHMENT - Special Food Handling (\$35.00)

Adair Liquor, 6001 42nd Ave. No.
Adventures in Video, 6316 56th Ave. No.
Louie's Liquors, 4920 West Bdwy.
M.G.M. Warehouse, 355 Willow Bend
Marshalls, 201 Willow Bend
Paddock Bar & Lounge, 5540 Lakeland Ave. No.
36th Avenue Video, 4617 36th Ave. No.

FOOD ESTABLISHMENT - Special Food Handling (\$220.00)
Honor Snacks

Becher Enterprises, Inc. in St. Paul, MN

FOOD ESTABLISHMENT - Schools, Day Care (Exempt)

Brunswick United Methodist Nursery, 6122 42nd Ave.No.
North Hennepin Montessorri School, 6700 46th Pl. No.
Robbinsdale School Dist. #281 at Cavanagh School
Robbinsdale School Dist. #281 at Forest School
Robbinsdale School Dist. #281 at Fair School
Robbinsdale School Dist. #281 at Neill School

FOOD ESTABLISHMENT - Churches (Exempt)

Brunswick United Methodist Church, 6122 42nd Ave.No.
Crystal Assemblies of God Church, 4110 Douglas Dr.
St. James Lutheran Church, 6700 46th Pl. No.
Trinity Covenant Church, 3733 Vera Cruz No.

LODGING - (\$90 license + \$2.50 ea. unit, 33 units)

Suburban Motel, 5454 Lakeland Ave.No.

KENNEL - Commercial (\$50.00)

Alive'n Kicking Pet Shop, 5550 West Bdwy.
Beltline Pet Hospital, 3443 Vera Cruz No.

KENNEL- Private (\$50.00)

Linda Debner, 3657 Brunswick Ave. No.
Linda Haagenstad, 4361 Welcome Ave. No.
Sharon Hutchins-Burscher, 5817 Elmhurst Ave. No.
Bernice Jubert, 4819 Hampshire Ave. No.
Gail Towers, 3110 Jersey Ave. No.

VENDING - Nonperishable (\$10.00 1st mach. + \$5.00
each addnl mach in same
location)

Bill's Vending at Bank North Crystal, 7000 56th
Bill's Vending at Octopus Car Wash, 5301 Douglas Dr.
Marshalls, 201 Willow Bend
MN Viking Food Service at Mpls Drafting School, 5700
West Broadway
Twin City Vending at Crystal Care Center, 3245 Vera
Cruz Ave. No.

VENDING - Perishable (\$15.00 ea. machine)

MN Viking Food Service at Mpls Draft School, 5700 West
Broadway
Twin City Vending at Crystal Care Center, 3245 Vera
Cruz Ave. No.

FOOD ESTABLISHMENT - Itinerant (Exempt)

VFW #494, 5222 56th Avenue North, monthly steak fries
On first Friday of each month of 1990.

APPLICATIONS FOR LICENSE

December 19, 1989

GAS FITTER'S LICENSE - \$30.25

Total Mechanical, 6520 S. Robert St., Inver Grove Heights,
MN 55075

Corcoran Plumbing, 111 64½ Way, Fridley, MN 55432

PLUMBER'S LICENSE - \$30.25

Corcoran Plumbing, 111 64½ Way, Fridley, MN 55432

McQuillan Bros. Plumbing & Heating, 452 Selby Avenue, St.
Paul, MN 55102

SIGNHANGER'S LICENSE - \$66.00

K. A. Electric Services, 25170 Glen Road, Shorewood, MN
55331

GAS FITTER'S LICENSE - \$30.25 - Renewals

Ron's Mechanical, Inc., 1812 E. Shakopee Ave., Shakopee, MN
55379

Yale, Inc., 9649 Girard Ave. S., Minneapolis, MN 55431

Air Comfort, Inc., 3944 Louisiana Ave. N., Minneapolis, MN
55426

Harris Mechanical Contracting, 2300 Territorial Road, St.
Paul, MN 55114

Northeast Sheet Metal, 4347 Central Ave. NE., Columbia
Heights, MN 55421

Metropolitan Mechanical Contractors, 7340 Washingto Ave. S.,
Eden Prairie, MN 55435

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

Royalton Heating Co., 4120 85th Ave. N., Brooklyn Park, MN
55433

Able Mechanical Services, 8701 Hillswick Trail, Brooklyn
Park, MN 55443

PLUMBER'S LICENSE - \$30.25 - Renewals

Seitz Brothers, Inc. 16752 68th Ave. N., Maple Grove, MN
55369

Harris Mechanical Contracting, 2300 Territorial Road, St.
Paul, MN 55114

Custom Plumbing, Inc., 12711 Hilloway Road, Minnetonka MN
55343

Metropolitan Mechanical Contractors, 7340 Washingto Ave. S.,
Eden Prairie, MN 55435

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

United Water & Sewer, 11666 Wayzata Blvd., Suite 206,
Minnetonka, MN 55343

McLellan Plumbing Co., 5301 Hampshire Ave. N., Crystal, MN
55428

Sent with the preliminary agenda on 12-15-89:

Minutes of the Council mtg. of 12-5-89.

Letter from Geo. M. Hansen Co. dated 10-11-89
re: 1989 audit of the City.

Applications for appointment to the EDA Advisory
Commission for Edwin J. Krueger, Jr. and Adrian
Rygg.

Memo from City Engr. dated 11-8-89 re: rezoning
at 3343 Vera Cruz Ave. N.

Memo from City Engr. dated 12-5-89 re: billiards
parlor in Anthony Shopping Center.

Memo from SRA Counsel dated 4-20-89 re: review of
SRA Achievements.

Letter from Cheryl Jones, 6013 - 47th Ave. No.
re: ferrets; info from Health Dept. re: ferrets.

Memo from Supervising Sanitarian dated 12-14-89
re: ferrets.

Ordinance relating to sewer, water and street
lighting rates and charges.

Letter from Office of the Assistant Secretary of
Defense - National Committee for Employer Support
re: Statement of Support certificate.

Bulletin from AMM dated 12-6-89 re: Legislative
Priorities, Legislative Contact System, Tab, etc.

Resolution transferring funds for year-end; City of
Crystal Fund Transfers.

City Manager Evaluation form.

Ordinance relating to secondhand goods dealers.

Memo from City Manager dated 11-1-89 re: request
for benefit and salary change for Fire Dept.

Crystal Planning Commission Minutes of 12-11-89.

Planning Commission Attendance For 1989.

Invitation to farewell dinner for Mayor Larry A.
Donlin of Minnetonka City Council.

Brochure re: Seminars for Elected Officials.

Mtg. minutes of Crystal EDA Advisory Commission
of 11-15-89.

League of MN Cities Bulletin (article on 1990 LGA
cuts.

Memo from City Clerk dated 12-7-89 re: Council
appointments to Boards and Commissions.

Memo to all applicants for commissions dated 12-15-89
re: appointment/reappointment.

Memo from City Clerk dated 12-6-89 re: Cigarette Vending Machines.

Happy Holidays card from North Ridge Care Center Staff.

Crystal Park & Rec. Dept. monthly report for November of 1989.

Crystal Park & Rec. Advisory Commission minutes of 11-1-89.

Included with Council packets on 12-19-89:

Letter from Mary Lindstrom re: ferrets

Letter from John Derus, Hennepin County Board, re: budget cuts affecting Human Service Councils.

Letter from Rosenthal, Rondoni, MacMillan & Joyner, Ltd. dated 12-14-89 re: City Attorney.

Letter to Mayor from John Neznik, EDA Advisory Comm. temporary chair dated 12-13-89. (2 letters)

Letter from Hennepin County Recycling Program Mgr. dated 12-15-89 re: Resolution No. 89-12-961R2 - (yard waste collection).

Financial Health Profile from State Auditor; letter dated 12-11-89.

Sarlene

Memorandum

DATE: December 15, 1989
TO: Mayor and Council
FROM: Jerry Dular, City Manager
SUBJECT: Preliminary Agenda for the December 19, 1989 Council Meeting

Consent Agenda:

2. Setting of Public Hearing for consideration of variance request. While this is just a setting of the Public Hearing for this item you might want to start looking at it and thinking about the proposal by Johnson with the tower and building in the corner of their property right behind Crystal Collision. This is immediately adjacent to where Light Rail might go, could conflict with right-of-way, and possible station. Also if Light-Rail never goes it'd be right in the middle of any redevelopment we might do in that area. I would suggest the we don't grant this variance unless he moves it over on the other side by the holding pond or by the railroad bridge or some thing where it's not going to be right in the middle of redevelopment or Light-Rail.

Regular Agenda:

2. Continuance of consideration of First Reading of Ordinance rezoning property at 3343 Vera Cruz. Bill feels that there will be a large contingent of people from the neighborhood at the hearing. I would also question whether this particular operation wants to really open an automotive shop there or if they want to go into the land selling business because where they are proposing to build the building it's more then likely going to be taken by the road when it's improved. I'm not sure we'd want to even expand automotive type uses into this area. I think the Council should think long and hard before we approve this.

3. Consideration of a conditional use permit to allow an amusement center (billiards) in a B-4 (Community Commercial) District at 5311 - 36th Avenue North. These types of billiard centers are becoming rather popular around the metropolitan area. I would think this center might be a logical place for one to be located if they can meet all of our conditions and regulations I don't see any problem with the use.

4. Robert DeGetto, Councilmember from Minnetonka, will give a presentation regarding the Suburban Rate Authority as requested by the City Council. Mr. DeGetto is a long time member of the

Minnetonka City Council. I'm sure he'll be able to answer a lot of your questions regarding the Suburban Rate Authority. One thing we should keep in mind is that there isn't money budgeted for the Suburban Rate Authority.

5. Appearance by Cheryl Jones, 6013 - 47th Avenue North, regarding ferrets in the City of Crystal. I believe you have a lot of information in your packet relative to ferrets, keeping of ferrets, rabies shots, etc. There could be a large contingent of ferret fanciers in the audience. However, I think the evidence against having ferrets is somewhat overwhelming and I would recommend that we support our Health Department and Animal Control people in enforcing the statutes and ordinances against keeping of these critters.

6. Consideration of the Second Reading of an Ordinance relating to Sewer, Water and Street Lighting Rates and Charges. Action recommend the ordinance be adopted as presented.

7. Consideration of a Statement of Support for the Guard and Reserve. I believe you all recall seeing the Guard and Reserve booth at the National League of Cities meeting. They did follow up and ask that we adopt statements supporting them. I have no problem with that and I think the Council should go on record doing that.

8. Designation of legislative contact person for 1990 as requested by the Association of Metropolitan Municipalities. Last year I was the contact person and Adrian was the alternate. If someone on the Council would rather be the contact person I have no problem with that and I'm willing to either be the contact or the alternate or whatever role the Council wants me to play.

9. Consideration of a resolution transferring funds. This is our annual year end resolution transferring funds to and from various accounts to make sure all of the accounts in the budget are properly funded for the year end. It's really a routine bookkeeping matter and I recommend your approval.

10. Discussion of acquisition of 5231 Douglas Drive. The house on this property has been condemned by the building inspector and the lot is for sale. It seems to me that this lot is rather strategically located in an area where development/redevelopment etc. could occur. Rather than have somebody come along and badger us to do something with the house to try to make it into a little retail shop or make it rental again or something I would recommend that the City look at acquiring it, demolishing it, and just holding the property until such time as there is development or redevelopment in that area. We would have to borrow the funds from the PIR or somewhere to do that. I think it might be less costly in the long run than waiting until redevelopment comes along and being forced to acquire the property.

11. Discussion of City Manager Evaluation form. Mayor Herbes asked that Council look at the evaluation forms enclosed and see if you think they are adequate for an evaluation in the future. I believe she'll have more comments on that.

P.S. Item 12, regarding the First Reading of an Ordinance ~~relating to Second Hand Dealers~~ just came in from Dave Kennedy so we're adding it at the end.

JD/kg

COUNCIL AGENDA - SUMMARY

COUNCIL MEETING OF
DECEMBER 19, 1989

Call to order

Roll call

Pledge of Allegiance to the Flag

Approval of the minutes of the regular meeting of December 5, 1989.

By a poll of the City Council between its regularly scheduled meetings, Resolution No. 89-88 was unanimously adopted to honor J.J. Choromanski, President of The Bank North, upon his retirement, to be presented to him on Sunday, December 17, 1989.

Consent Agenda

1. Set public hearing for January 9, 1990 for consideration of a variance request for an over 4 ft. tall privacy fence in the front and side yard and parking in the front yard at 3425 Winnetka Avenue North as requested by Diane H. Schipper.
2. Set public hearing for January 9, 1990 for consideration of a variance requesting a second principal structure (telephone tower) on a lot at 5141 Lakeland Avenue North (Johnson Equipment Company), as requested by Dahlgren, Shardlow and Uban, Inc. for U.S. West New Vector Group.
3. Set 7:00 p.m., May 1, 1990 as the date and time for the 1990 Local Board of Review.
4. Consideration of a proposal from George M. Hansen Company regarding the 1989 Audit of the City.

Regular Agenda Items

1. Consideration of the applications for appointment to the Economic Development Authority Advisory Commission of Adrian Rygg, 4120 Brunswick Avenue North, and Edwin J. Krueger, Jr., 5009 - 52nd Avenue North.
2. Continuance of consideration of First Reading of an Ordinance rezoning property at 3343 Vera Cruz Avenue North and for a conditional use permit to allow an auto repair-minor facility in a B-3 District.

3. Consideration of a conditional use permit to allow an amusement center (billiards) in a B-4 (Community Commercial) District at 5311 - 36th Avenue North as submitted by Bill Nicklow (Anthony Shopping Center).
4. Robert DeGetto, Councilmember from Minnetonka, will give a presentation regarding the Suburban Rate Authority as requested by the City Council.
5. Appearance by Cheryl Jones, 6013 - 47th Avenue North, regarding ferrets in the City of Crystal.
6. Consideration of the Second Reading of an Ordinance relating to Sewer, Water and Street Lighting Rates and Charges.
7. Consideration of a Statement of Support for the Guard and Reserve.
8. Consideration of the designation of a legislative contact person for 1990 as requested by the Association of Metropolitan Municipalities.
9. Consideration of a resolution transferring funds.
10. Discussion of acquisition of 5231 Douglas Drive.
11. Discussion of City Manager Evaluation form.
12. Consideration of the First Reading of an Ordinance relating to Second Hand Dealers.

Open Forum

Informal Discussion and Announcements

Licenses

Adjournment

Item # 13
The City Council
~~considered~~ ~~the~~ an
increase in salary for
the Crystal Fire Department.
Moved by CM — and seconded
by CM — the appendices
Continue until — the dis. of

1990 LICENSE RENEWALS

December 19, 1989

CIGARETTES - \$30.00 each machine and/or over counter sales

Minneapolis-Crystal Lodge No. 44, 5410 Lakeland Ave. N.

Target, 5537 W. Broadway

LAMA Corporation dba MGM Liquor Warehouse, 355 Willow Bend

Superamerica Group, Inc. dba Superamerica #4052, 5359 W. Broadway

Superamerica Group, Inc. dba Superamerica #4187, 7818 - 36th Ave.
N.

Snyder Drug Stores, 103 Willow Bend

Bill's Vending Company dba Tally Ho Cafe, 5216 W. Broadway

Bill's Vending Company dba Octopus Car Wash, 5301 Douglas Dr.

Bill's Vending Company dba Eggie's Cafe, 6418 Bass Lake Road

Bill's Vending Company dba V.F.W. Post #494, 5222 - 56th Ave. N.

L.J.D., Inc. dba Paddock Bar & Lounge, 5540 Lakeland Ave. N.

Louie's Liquor Store, 4920 W. Broadway

Bro-Midwest Vending dba United Liquors, 3530 Douglas Dr.

Tom Thumb Food Market, Inc. #125, 2708 Douglas Dr.

Tom Thumb Food Market, Inc. #224, 3537 Douglas Dr.

Tom Thumb Food Market, Inc. #233, 4711 - 36th Ave. N

Tom Thumb Food Market, Inc. #286, 5120 - 56th Ave. N.

Handy Superette, Inc. dba Adair Liquor, 6001 - 42nd Ave. N.

Country Club Market, Inc. #16, 5321 - 36th Ave. N.

GASOLINE STATIONS - \$50.00 station + \$7.25 each hose connection

Superamerica Group, Inc. dba Superamerica #4187, 7818 - 36th Ave.
N.

Superamerica Group, Inc. dba Superamerica #4052, 5359 W. Broadway
Aero Sales & Supply Co., Crystal Airport

**PRIVATE GAS DISPENSING DEVICES - \$14.25 1st hose + \$7.25 ea. add'l
hose**

Timesavers, Inc., 5270 Hanson Court

U-Haul, 5465 Lakeland Ave. N.

MUSIC BOXES - \$20.00 each box

V.F.W. Post #494, 5222 - 56th Ave. N.

B & K Music & Sales dba Doyle's Bowling & Lounge, 5000 W.
Broadway

MECHANICAL AMUSEMENTS - \$104.50 each machine

V.F.W. Post #494, 5222 - 56th Ave. N.

B & K Music & Sales, dba Doyle's Bowling & Lounge, 5000 W.
Broadway

LAUNDROMAT - \$30.25 per year

Crystal Gold Eagle, Inc. 6924 - 56th Ave. N.

~~DEALER IN SECOND-HAND GOODS - \$44.00 per year~~

The Clothes Exchange, 2712 Douglas Dr.

COURTESY BENCHES - \$20.00 each bench + certificate of insurance

United States Bench Corporation, (19 benches in Crystal)

TREE TRIMMER - \$55.00 per year

Action Tree Stump Removal Service, 1910 Oakview Lane, Plymouth

APPLICATIONS FOR LICENSE
December 19, 1989

FOOD ESTABLISHMENT - Restaurant (\$150 with QA Plan)

Arby's Restaurant, 5629 West Bdwy.
Country Kitchen, 3501 Vera Cruz No.
Delicious Chow Mein, 2724 Douglas Dr.
Elk's Lodge #44, 5410 Lakeland Ave.
Fortune House Restaurant, 5303 36th Ave. No.
Paul's Restaurant, 3545 Vera Cruz No.
Skipper's Restaurant, 6230 56th Ave. No.

FOOD ESTABLISHMENT - Restaurant (\$275 without QA Plan)

Godfather's Pizza, 99 Willow Bend
KFC, 6817 56th Avenue No.
Keng's Chow Mein, 6121 42nd Ave. No.
McDonalds, 5400 West Bdwy.
VFW Post #494, 5222 56th Ave. No.

FOOD ESTABLISHMENT - Retail (\$100 with QA Plan)

Country Club Market #16, 5321 36th Ave. No. (2 fac.)
McGlynn Bakeries, 5537 West Broadway
Snyder's Drug #13, 103 Willow Bend
Tom Thumb, 5120 56th Ave. No.
Tom Thumb, 4711 36th Ave. No.
Tom Thumb, 3537 Douglas Drive
Tom Thumb, 2708 Douglas Drive

FOOD ESTABLISHMENT - Retail (\$190 without QA Plan)

Fannie May Candies, 5524 West Bdwy
General Nutrition, 223 Willow Bend
Superamerica, 5359 West Broadway
Superamerica, 7818 36th Ave. No.
Thriftway Supermarket, 5715 West Bdwy (4)

FOOD ESTABLISHMENT - Special Food Handling (\$35.00)

Adair Liquor, 6001 42nd Ave. No.
Adventures in Video, 6316 56th Ave. No.
Louie's Liquors, 4920 West Bdwy.
M.G.M. Warehouse, 355 Willow Bend
Marshalls, 201 Willow Bend
Paddock Bar & Lounge, 5540 Lakeland Ave. No.
36th Avenue Video, 4617 36th Ave. No.

FOOD ESTABLISHMENT - Special Food Handling (\$220.00)
Honor Snacks

Becher Enterprises, Inc. in St. Paul, MN

FOOD ESTABLISHMENT - Schools, Day Care (Exempt)

Brunswick United Methodist Nursery, 6122 42nd Ave.No.
North Hennepin Montessori School, 6700 46th Pl. No.
Robbinsdale School Dist. #281 at Cavanagh School
~~Robbinsdale School Dist. #281 at Forest School~~
Robbinsdale School Dist. #281 at Fair School
Robbinsdale School Dist. #281 at Neill School

FOOD ESTABLISHMENT - Churches (Exempt)

Brunswick United Methodist Church, 6122 42nd Ave.No.
Crystal Assemblies of God Church, 4110 Douglas Dr.
St. James Lutheran Church, 6700 46th Pl. No.
Trinity Covenant Church, 3733 Vera Cruz No.

LODGING - (\$90 license + \$2.50 ea. unit, 33 units)

Suburban Motel, 5454 Lakeland Ave.No.

KENNEL - Commercial (\$50.00)

Alive'n Kicking Pet Shop, 5550 West Bdwy.
Beltline Pet Hospital, 3443 Vera Cruz No.

KENNEL- Private (\$50.00)

Linda Debner, 3657 Brunswick Ave. No.
Linda Haagenstad, 4361 Welcome Ave. No.
Sharon Hutchins-Burscher, 5817 Elmhurst Ave. No.
Bernice Jubert, 4819 Hampshire Ave. No.
Gail Towers, 3110 Jersey Ave. No.

VENDING - Nonperishable (\$10.00 1st mach. + \$5.00
each addnl mach in same
location)

Bill's Vending at Bank North Crystal, 7000 56th
Bill's Vending at Octopus Car Wash, 5301 Douglas Dr.
Marshalls, 201 Willow Bend
MN Viking Food Service at Mpls Drafting School, 5700
West Broadway
Twin City Vending at Crystal Care Center, 3245 Vera
Cruz Ave. No.

VENDING - Perishable (\$15.00 ea. machine)

MN Viking Food Service at Mpls Draft School, 5700 West
Broadway
Twin City Vending at Crystal Care Center, 3245 Vera
Cruz Ave. No.

FOOD ESTABLISHMENT - Itinerant (Exempt)

VFW #494, 5222 56th Avenue North, monthly steak fries
On first Friday of each month of 1990.

APPLICATIONS FOR LICENSE

December 19, 1989

GAS FITTER'S LICENSE - \$30.25

Total Mechanical, 6520 S. Robert St., Inver Grove Heights,
MN 55075

Corcoran Plumbing, 111 64½ Way, Fridley, MN 55432

PLUMBER'S LICENSE - \$30.25

Corcoran Plumbing, 111 64½ Way, Fridley, MN 55432

McQuillan Bros. Plumbing & Heating, 452 Selby Avenue, St.
Paul, MN 55102

SIGNHANGER'S LICENSE - \$66.00

K. A. Electric Services, 25170 Glen Road, Shorewood, MN
55331

GAS FITTER'S LICENSE - \$30.25 - Renewals

Ron's Mechanical, Inc., 1812 E. Shakopee Ave., Shakopee, MN
55379

Yale, Inc., 9649 Girard Ave. S., Minneapolis, MN 55431

Air Comfort, Inc., 3944 Louisiana Ave. N., Minneapolis, MN
55426

Harris Mechanical Contracting, 2300 Territorial Road, St.
Paul, MN 55114

Northeast Sheet Metal, 4347 Central Ave. NE., Columbia
Heights, MN 55421

Metropolitan Mechanical Contractors, 7340 Washingto Ave. S.,
Eden Prairie, MN 55435

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

Royalton Heating Co., 4120 85th Ave. N., Brooklyn Park, MN
55433

Able Mechanical Services, 8701 Hillswick Trail, Brooklyn
Park, MN 55443

PLUMBER'S LICENSE - \$30.25 - Renewals

Seitz Brothers, Inc. 16752 68th Ave. N., Maple Grove, MN
55369

Harris Mechanical Contracting, 2300 Territorial Road, St.
Paul, MN 55114

Custom Plumbing, Inc., 12711 Hilloway Road, Minnetonka MN
55343

Metropolitan Mechanical Contractors, 7340 Washingto Ave. S.,
Eden Prairie, MN 55435

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

United Water & Sewer, 11666 Wayzata Blvd., Suite 206,
Minnetonka, MN 55343

McLellan Plumbing Co., 5301 Hampshire Ave. N., Crystal, MN
55428

December 5, 1989

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Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on December 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: 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; Miles Johnson, Finance Director; Jessie Hart, Assistant to the Finance Director.

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

The Mayor accepted a Certificate of Commendation from Governor Perpich for providing affordable housing in Crystal through the Minnesota Communities Program.

The Mayor acknowledged a donation in the amount of \$13,000 from the Crystal Lions Club to be used for the Crystal Community Center kitchen facilities.

The City Council considered the minutes of the Regular City Council meeting of November 21, 1989.

Moved by Councilmember Smothers and seconded by Councilmember Grimes to approve the minutes of the Regular City Council meeting of November 21, 1989.

Motion Carried.

The City Council considered the following Public Hearing:

1. It being 7:00 p.m., or as soon thereafter as the matter may be heard, Mayor Herbes declared this was the date and time as advertised for a public hearing at which time the City Council will consider the 1990 City of Crystal Budget. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. Those present and heard were: An unidentified woman with concerns about recycling charges; Gary Boyle, 6812 Cloverdale Avenue North; Cloud Fasching, 4748 Hampshire Avenue North.

The Mayor closed the Public Hearing.

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

December 5, 1989

page 533
RESOLUTION NO. 89-86

RESOLUTION ADOPTING BUDGET AND LEVYING
TAXES FOR CERTIFICATION TO THE COUNTY AUDITOR

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

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

1. The City Council considered an Ordinance Amendment and Resolution Related to Utility Rate Increases.
- A. Moved by Councilmember Smothers and seconded by Councilmember Grimes to adopt the following ordinance:

ORDINANCE NO. 89-

AN ORDINANCE RELATING TO SEWER, WATER AND STREET LIGHTING
RATES AND CHARGES: AMENDING CRYSTAL CITY CODE
SUBSECTION 710.05 AND SUBSECTION 715.13, SUBDIVISIONS 1 AND 4

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

Motion Carried.

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

RESOLUTION NO. 89-87

RESOLUTION ADJUSTING SEWER AND WATER RATES
FOR SENIOR CITIZENS

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

The Mayor called a recess at 8 p.m. and the meeting was reconvened at 8:12 p.m.

2. The City Council interviewed the following four attorney firms for municipal legal services for the City of Crystal: Wurst, Pearson, Larson, Underwood & Mertz; Rosenthal, Rondoni, McMillan & Joyner, LTD.; Holmes & Graven; and Jensen, Hicken, Gedde & Scott, P.A.

The Mayor announced the Economic Development Authority meeting scheduled for 9 p.m. would convene after Council items with people in attendance were complete.

December 5, 1989

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The Mayor called a recess at 9:30 p.m. and the meeting was reconvened at 9:45 p.m.

By consensus it was the decision of the Council to go on with items on the agenda that had people in attendance and return to the City Attorney RFP's later in the meeting. At approximately 11 p.m. the Council reopened consideration of a legal firm to perform legal services for the City.

Moved by Councilmember Moravec and seconded by Councilmember Langsdorf to retain Holmes and Graven law firm for municipal legal services for the City of Crystal.

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

Motion Carried.

3. The City Council reconsidered conditions for operation of outside cafe as requested by Steve O's, 4900 West Broadway. Those appearing and heard were: Bill Mavity, Attorney for Steven Weisman and Steven Weisman, owner of Steve O's.

Moved by Councilmember Smothers and seconded by Councilmember Carlson to recommend approval of the operation of an outside cafe at Steve O's, 4900 West Broadway, with public liability insurance in the amount of \$500,000 per occurrence.

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

Motion Carried.

4. Mary Lindner, owner of The Clothes Exchange, 2712 Douglas Drive, appeared before the City Council to discuss her second-hand goods' license. The Mayor recommended that staff work with the City Attorney on a means to exempt this type of operation from the existing license fee requirements for second hand goods dealers.
5. The City Council considered a variance of 5' in the required 30' front yard setback for a 6' x 14' screened porch which encroaches in the required 30' front yard setback at 5423 Welcome Avenue North.

Moved by Councilmember Carlson to table the item to allow the builder to come to the Council and speak on his behalf.

Motion failed for lack of a second.

Moved by Councilmember Smothers and seconded by Councilmember Carlson to approve authorization pursuant to Section 515.55 of the Crystal City Code of a variance of 5' in the required 30' front yard setback for a 6' x 14' deck in lieu of a screened

December 5, 1989

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porch on the existing house at 5423 Welcome Avenue North as requested in application #89-39.

Motion Carried.

6. The City Council considered a variance of 9' in the required 10' side street side yard setback for an 11' x 12' detached shed at 5955 Jersey Avenue North.

Moved by Councilmember Smothers and seconded by Councilmember Grimes to approve authorization pursuant to Section 515.55 of the Crystal City Code of a variance of 9' in the required 10' side street side yard setback for an 11' x 12' detached shed at 5955 Jersey Avenue North as requested in application #89-41.

Motion Carried.

7. The City Council considered a variance of 9' in the required 10' setback for a free standing sign at 5200 Douglas Drive.

Moved by Councilmember Rygg and seconded by Councilmember Smothers to approve the authorization of a variance of 9' in the required 10' setback for a free standing sign at 5200 Douglas Drive.

Motion Carried.

The City Council meeting was closed to conduct the meeting of the Economic Development Authority at 10:30 p.m. The meeting was reopened at 10:44 p.m. to conduct the remaining business of the City Council.

8. The City Council considered the Second Reading of an Ordinance Relating to Building Construction.

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

ORDINANCE NO. 89-25

AN ORDINANCE RELATING TO BUILDING CONSTRUCTION:
AMENDING CRYSTAL CITY CODE SECTION 400
BY ADDING A SUBSECTION: REPEALING
CRYSTAL CITY CODE, SUBSECTION 400.01

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

Motion Carried.

9. The City Council considered the gambling license renewal application for Minnesota Therapeutic Camp at Rostamos, 6014 Lakeland Avenue North.

Moved by Councilmember Smothers and seconded by Councilmember Carlson to approve the gambling license renewal application

December 5, 1989

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for Minnesota Therapeutic Camp at Rostamos, 6014 Lakeland Avenue North.

Motion Carried.

10. The City Council considered a Tax Increment Policy Statement of the Northern Mayors Association.

Moved by Councilmember Rygg and seconded by Councilmember Smothers to approve the Tax Increment Policy Statement of the Northern Mayors Association.

Motion Carried.

11. The City Council considered observations made by George M. Hansen Company, Auditors, relating to the system of internal control and accounting procedures.

Moved by Councilmember Langsdorf and seconded by Councilmember Moravec to accept the report of the Auditors, George M. Hansen Company.

Motion Carried.

12. The City Council considered a report from the Environmental Quality Commission on the need for a Housing Maintenance Code in Crystal and draft of Housing Maintenance Code.

Moved by Councilmember Rygg and seconded by Councilmember Langsdorf to accept the report from the Environmental Quality Commission on the need for a Housing Maintenance Code in Crystal and the draft of the Housing Maintenance Code, and further to forward the draft Housing Maintenance Code to the Planning Commission and the Economic Development Authority Advisory Commission for their review, after which time the City Attorney will be asked to review the draft code prior to coming back to the City Council for a second review.

Motion Carried.

13. The City Council considered the Planning Commission recommendation regarding the Long-Range Planning Commission work items and status.

By consensus the Council accepted the recommendation of the Planning Commission, that the Planning Commission assume the appropriate work items (related to Planning) of the Long-Range Planning Commission while making the Long-Range Planning Commission inactive.

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

Motion Carried.

December 5, 1989

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

Motion Carried.

Meeting adjourned at 11:10 p.m.

Mayor

ATTEST:

City Clerk

GMHCo

GEORGE M. HANSEN COMPANY, P.A.
A Professional Corporation of Certified Public Accountants

October 11, 1989

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

Dear Jerry:

Enclosed is our proposal regarding the 1989 audit of the City.

For 1989, we anticipate a fee decrease of \$4,250. This decrease is due to the anticipated report and schedule preparation and word processing to be done by Jessie Hart.


Should the City decide to include the general fixed assets in the 1989 financial statements there would be a one-time additional audit fee of \$1,200-\$1,400.

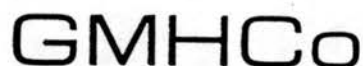
This proposal does not include an audit of Federal programs. The Federal program audit is not required unless City receipts from Federal sources are \$2,500 or more. If a Federal program audit is required the cost would increase \$1,200-\$1,500.

Please call me if you have any questions.

Very truly yours,

GEORGE M. HANSEN COMPANY, P.A.


J. Gregory Murphy
JGM:iac
Enclosure



GEORGE M. HANSEN COMPANY, P.A.
A Professional Corporation of Certified Public Accountants

October 11, 1989

City Council
City of Crystal

Dear Council Members:

This letter will confirm our understanding of the arrangements covering our audit work for the City of Crystal, Minnesota for the year ending December 31, 1989.

We will audit the general purpose financial statements as of and for the year ending December 31, 1989. Our audit will be made in accordance with generally accepted auditing standards and will include such tests of the accounting records and such other auditing procedures as we consider necessary in the circumstances. The objective of our audit is to express an unqualified opinion on the financial statements, although it is possible that facts or circumstances encountered may require us to express a less than unqualified opinion.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected customers, creditors, legal counsel and banks. At the conclusion of our audit, we will request certain written representations from your staff about the financial statements and matters related thereto.

The fair presentation of financial position and results of operations in conformity with generally accepted accounting principles is management's responsibility. Management is responsible for the development, implementation and maintenance of an adequate system of internal accounting control and for the accuracy of the financial statements. Although we may advise you about appropriate accounting principles and their application, the selection and method of application are responsibilities solely of management.

Our engagement is subject to the inherent risk that material errors, irregularities or illegal acts, including fraud or defalcations, if they exist, will not be detected. However, we will inform you of any such matters that come to our attention.

City Council
City of Crystal

October 11, 1989
Page 2

Fees for our services are based on our regular per diem rates, plus out-of-pocket expenses, all of which will be billed as our work progresses. Our fee for this engagement will not exceed \$9,950. This fee includes the work necessary for the "Legal Compliance Audit Guide". Should any situation arise that would increase this estimate, we will of course, advise you.

Whenever possible, we will attempt to use your personnel. This effort could reduce our time requirements and help you hold down audit fees.

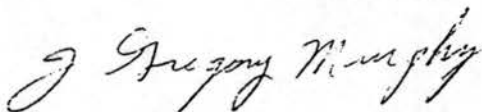
During the course of our work, we may observe opportunities for economy in or improved controls over your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

Please indicate your agreement to these arrangements by signing the attached copy of this letter and returning it to us.

We appreciate your confidence in retaining us as your certified public accountants and look forward to working with you and your staff.

Very truly yours,

GEORGE M. HANSEN COMPANY, P.A.



J. Gregory Murphy
JGM:iac
Enclosure

Approved by:

City of Crystal, Minnesota

Date

Ward 3 and over 55

CITY OF CRYSTAL

APPLICATION FOR APPOINTMENT TO THE

Economic Development Advisory COMMISSION

Name Edwin J. Krueger Jr Address 5009-52nd Ave N 55429 Zip #

Phone (home) 537-6351 (Office) _____

Resident of Crystal Since (year) 1952

Occupation Retired Former Employer U. of M.

Education: (please indicate highest grade completed or highest degree and major course of study) High School Graphic Arts Institute (camera stripping)

Civic and other activities: (please list past and present civic activities and organizational memberships, particularly those which may be relevant to the appointment you are seeking) Veteran WWII American Legion
Knights of Columbus Graphic Communications International
Union I-M (41 years) D.S.L. State Central Committee member of
St. Raphael's Church

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

Date Submitted: December 5, 1989.

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

CITY OF CRYSTAL

APPLICATION FOR APPOINTMENT TO THE

Name ADRIAN RYGG Address EDA ADVISORY COMMISSION
4120 BRUNSWICK AV. N 55422
Zip #

Phone (home) 537-5725 (Office) 535 1471

Resident of Crystal Since (year) '55

Occupation REALTOR - ADVERTISING CONSULTANT Employer TWIN OAKS REALTY

Education: (please indicate highest grade completed or highest degree and major course of study) BA - U. of Minn + 21 CR. ON MASTERS - BUSINESS

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

<u>CRYSTAL 8 YRS PLANNING COMM</u>	<u>SCOUTMASTER - LITTLE LEAGUE - YMCA</u>
<u>16 YRS CITY COUNCIL</u>	<u>CHURCH BOARDS / CHOIR / TEACHER</u>
<u>Parks & Recreation</u>	<u>Metro Council - Land Use Board</u>
	<u>AMM - Metro agencies signif. Comm.</u>

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

*Hope to help city efforts in areas of housing improvements,
blight elimination, business assisted & planning*

Date Submitted: 12-1, 1989.

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

DATE: November 8, 1989
TO: Planning Commission
FROM: Bill Monk, City Engineer
SUBJECT: Rezoning at 3343 Vera Cruz Ave. N.

A proposal has been received to locate a muffler shop at 3343 Vera Cruz. The 0.9 acre site is presently occupied by a single family home but is zoned B-4, Community Commercial, which caters to retail and office uses. To accommodate the proposed auto use, the property must be rezoned to B-3, Auto-Oriented Commercial, and a conditional use permit issued consistent with provisions of Section 515.35, Subd. 4 c) of the Zoning Code.

In terms of the rezoning, the proposal represents a departure from past City actions to restrict the commercial strip in this area to retail/office uses due to the proximity of the single family zone to the west. Noise and traffic conflicts have long been issues between the residential and commercial uses in this area.

In regards to this specific proposal, the excessive depth of lot will provide additional buffer. However, I expect this to be offset somewhat by a request from the Highway Department that the building and parking be moved back away from the frontage road as much as possible in anticipation of the TH 100 upgrade. It is important to note that the proposed highway project is grounds to require specific plan features but is not grounds for denial of a development plan unless a City established moratorium is in place.

The plan as proposed does meet the ordinance provisions of the B-3 zone for area, setback and parking. If approved, however, this office recommends the building be reoriented so no bays directly face the residential area and additional landscaping be provided at the west end of the lot to provide an additional buffer between uses.

11/14/89 UPDATE

On November 13 the Planning Commission recommended denial of the rezoning and conditional use permit associated with locating a muffler shop at 3343 Vera Cruz. The recommendation for denial was based on the following findings:

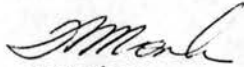
- 1) Need not established
- 2) Insufficient buffer between automotive and residential uses

11/14/89 UPDATE

Rezoning at 3343 Vera Cruz Ave. N.

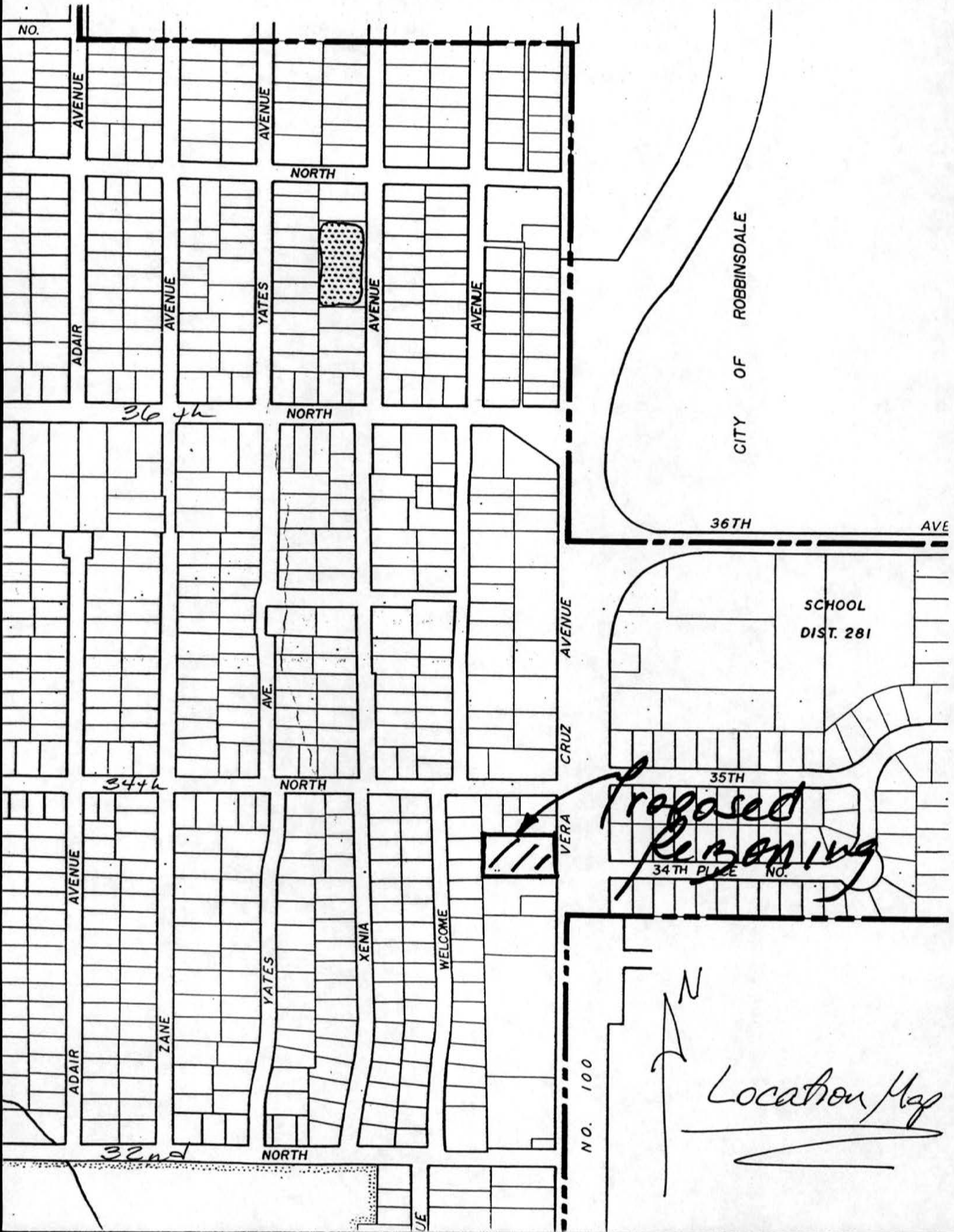
Page 2

- 3) Noise problems again seen as conflict with residential use
- 4) Proposal represents spot zoning given no other automotive uses in area
- 5) Inconsistent with the Comprehensive Plan.



WM:jrs

Encls



NO.

ADAIR AVENUE

AVENUE

NORTH

AVENUE

AVENUE

CITY OF ROBBINSDALE

36TH

AVE

SCHOOL DIST. 281

35TH

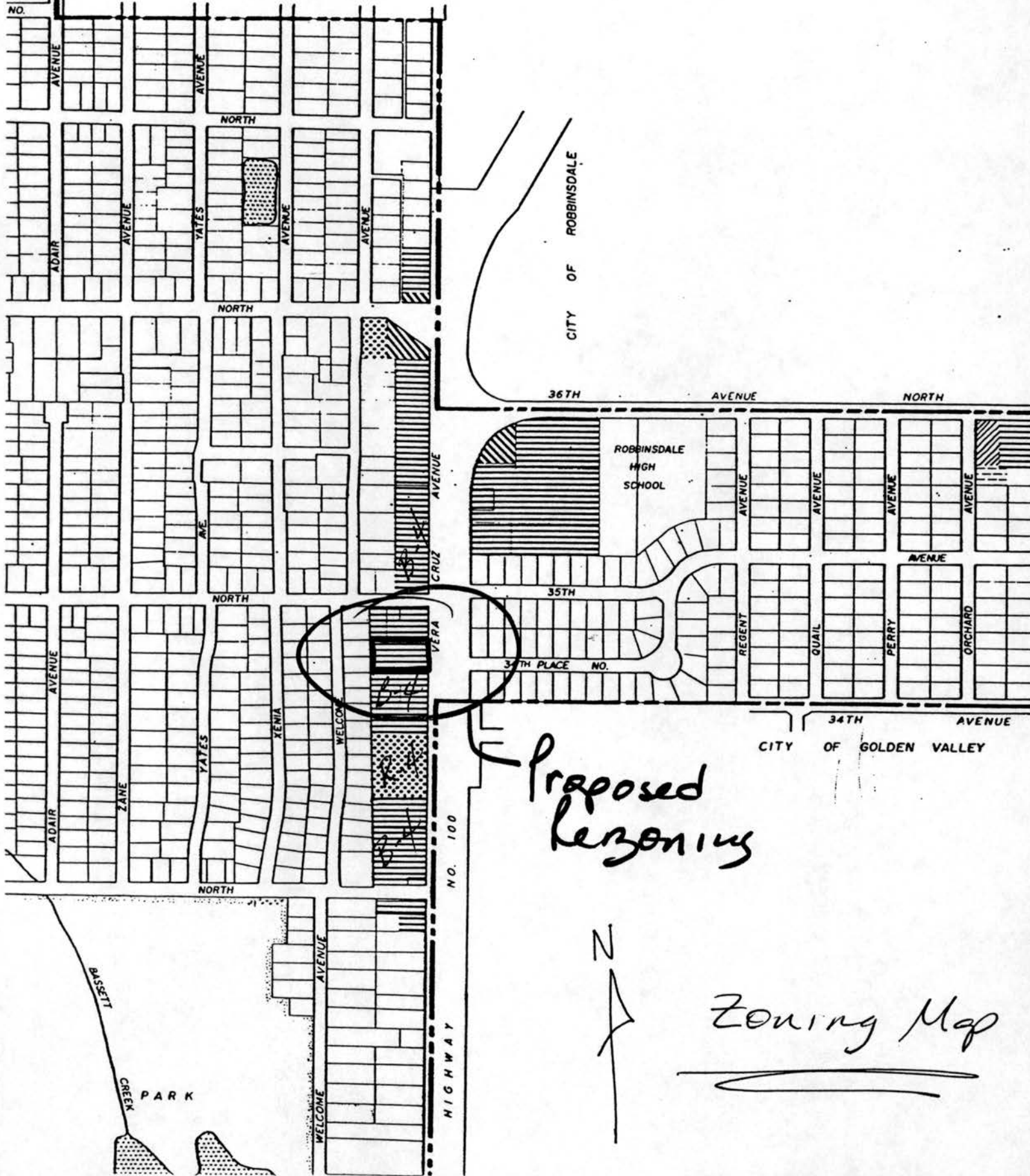
34TH PLACE NO.

Proposed Rezoning



Location Map

NO. 100



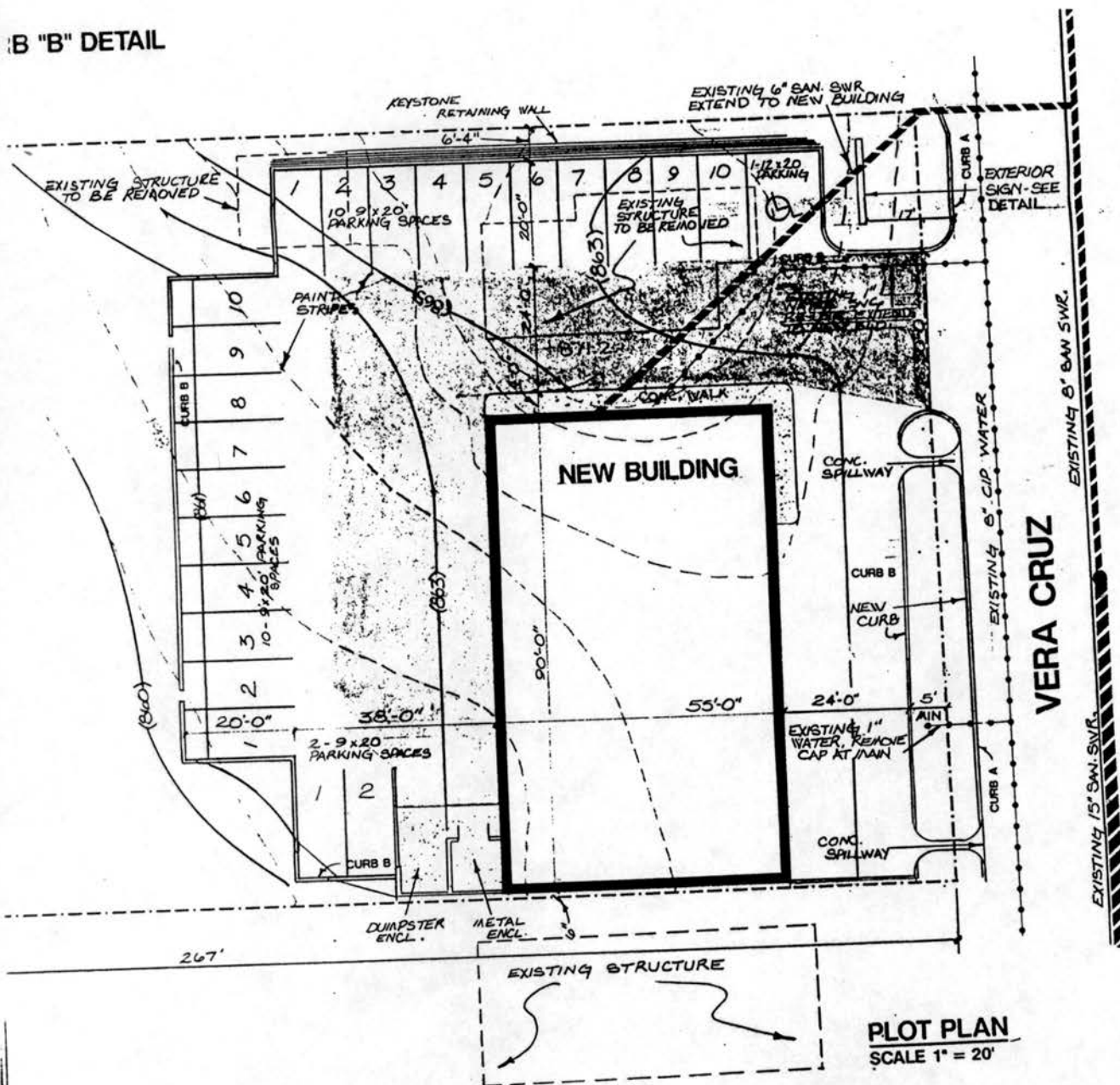
Proposed
Rezoning



Zoning Map

1:6"

B "B" DETAIL



89-36
No. 89-37

CITY OF CRYSTAL

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

Date: 10-5-89

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

Street Location of Property: 3343 Vera Cruz Ave N. or 3343 N. Hwy 100

Legal Description of Property: Lot 2 BIK 6 ROSEDALE ACRES

Property Identification Number:

Owner: Mrs Doris M. Jagger
(Print Name)

6831 East River Road Fridley, MN 55432 571-4144
(Address) (Phone No.)

Applicant: Robert William Ayers
(Print Name)

1719 70th Ave N. Brooklyn Ctr. MN 55430 612-560-5286
(Address) (Phone No.)

DESCRIPTION OF REQUEST: Rezoning + Conditional use permit for
prospective Car X Muffler Shop a franchise business.

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

Due to a lack of auto related zoning in the
prime commercial areas, we are asking the city
to weigh our proposal for its merits and
benefits to the area and to the residents of the
city.

NOTE: Attach plan or survey of proposal.

THIS PROPERTY IS:

TORRENS / ABSTRACT
(Circle one)

Robert W. Ayers
(Applicant's Signature)

Mrs Doris M. Jagger
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: 11-2-89 RECEIPT # 48238

(Approved) (Denied) - Planning Commission

(Date)

(Approved) (Denied) - City Council

(Date)

LeFevere
Lefler
Kennedy
O'Brien &
Drawz

a Professional
Association

2000 First Bank Place West
Minneapolis
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MEMORANDUM

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TO: SRA Board of Directors

FROM: Glenn Purdue, SRA Counsel *AB*

DATE: April 20, 1988

SUBJ: Review of SRA Achievements

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

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

At the January Board meeting, the Board asked me to report on the achievements and successes the SRA has experienced in recent years. In preparing this response, I have consulted with Dave Kennedy (Clayt is wintering in Arkansas) and have reviewed SRA minutes, board memoranda, and financial information.

The Suburban Rate Authority was organized in the winter months of 1963, for the purpose of providing for group strength with regard to the Minneapolis Gas Company, which served the original members. Attachment A provides some historical background. In 1974, the legislature adopted the Public Utilities Act (Chapter 216B) to provide for State regulation of gas and electric utilities, except for cooperative electric associations and municipal utilities, by the Public Service Commission. SRA assisted the State in setting up regulation and intervened in the early gas and electric cases with the hope of providing leadership and direction in utility regulation. Since that time, it has also been active in matters concerning the Metropolitan Waste Control Commission, in providing uniform gas and electric ordinances to the membership, i.e. telephone rate regulation and in legislation concerning the Public Utilities Commission, with some notable successes.

There follows, in inverse chronological order, counsel's attempt to spotlight the highlights related to specific matters over the last several years. While less tangible in most cases, the general flow of information which results from membership has benefited many.

Metropolitan Waste Control Commission

- 1987 SAC Refund Plan, Sewer Service Areas, Rate Structure. SRA provided testimony (through Grady Boeck) at the legislature. Board resolution supporting changes in sewer services areas and the rate structure as proposed by the study commission.
- 1986 Supported similar legislation, which failed.
- 1985 Directors DeGhetto and Honchell served on the Rate Structure Task Force.
- The Board was active in the formulation of funding proposals for the Combined Sewer Overflow projects in the Cities of Minneapolis, St. Paul and South St. Paul. SRA involvement probably limited the pass-through of these costs to member communities.
- 1984 SRA Director Jim Spore served on the MWCC Administrative Review Committee. Jim and Clayt LeFevere assisted Touche Ross with the management review study of the MWCC (the "Boland Commission")
- 1982 SRA organized and, with other organizations, sponsored a conference on the management of the MWCC. Dubbed "Spotlight on the MWCC," the conference started the ball rolling toward review of management practices, policies and philosophies of the MWCC. The one-day conference was attended by over 100 persons and it started a dialogue which resulted in the management study and rate structure reviews.
- 1981 SRA created an ad hoc committee on MWCC oversight.
- The committee, chaired by Bill Schoell, established subcommittees to study operating efficiency, storm sanitary sewer separation, total costs and allocation methodology, future construction program, wage rates, comparative costs and similar districts. Committee reports were received and forwarded to MWCC.

Uniform Franchise Ordinances

The statutes allow cities to require gas and electric utilities operating within their boundaries to obtain

non-exclusive franchises, which are granted by ordinance. Prior to 1974, these franchise ordinances regulated virtually all facets of gas and electric service, including pricing and conditions of service. SRA members adopted the first SRA uniform franchise in the early 1960s. These expired 20 years later. In 1982, SRA established a committee to work with Minnegasco on a replacement gas franchise. Such a franchise was agreed to in meetings which spanned the course of a year. Counsel is of the opinion that the strength presented by the SRA accomplished very much in terms of providing member cities with a strong gas franchise ordinance. Most SRA members adopted the franchise as negotiated, at insignificant cost.

In 1984, the Board formed a committee to negotiate a uniform electric franchise with Northern States Power Company. After many spirited discussions between the committee and NSP representatives, a uniform electric franchise, generally acceptable to NSP, was adopted by the Board in April of 1987, and distributed to members for action. Many members have adopted this franchise ordinance. While obtaining company approval of a franchise ordinance acceptable to SRA was far more difficult than with the Minnegasco ordinance, counsel is of the opinion that group strength provided a very significant advantage over the bargaining strength of individual cities, at small cost to individual cities.

Intervention in Utility Rate Cases

The Suburban Rate Authority has intervened in the following rate cases:

1987 NSP General Rate Filing. This is the current case, described in recent Board Minutes.

Northwestern Bell Extended Area Service Docket. This case is presently underway and SRA action is described in other memoranda of the same date. After a significant pause, part two of this case will get underway this fall. SRA director Bruce Nawrocki appeared as a witness.

1986 NSP Gas General Rate Case. We monitored this case, which was refiled after the dismissal of the 1985 case because of NSP misconduct in hiring a commissioner before he acted on NSP's rate request.

Redeliberation on Northwestern Bell Cases. We obtained very substantial reductions in the tier system ratios. These changes resulted in

very significant savings in telephone rates for most SRA business and residential users.

- 1985 Northern States Power General Rate Case. The SRA sponsored expert witness Derick Dahlen on several issues. We "pioneered" an issue as to fossil fuel inventory. We also helped maintain the municipal pumping rate, and we defended prior SRA accomplishments as to accounting practices. Very substantial savings were realized through SRA intervention. This case was appealed to the Court of Appeals and the State Supreme Court and SRA (alone) participated with MPUC in successfully defending MPUC's action.
- 1983 Northwestern Bell General Rate Filing. We attacked the tier system of pricing. SRA director Gayle Norberg appeared as a witness. Some gains were made in reducing the tier system ratios, thus resulting in savings to most SRA business and residential customers.
- 1982 Minnegasco General Rate Increase. We monitored the financial matters in this case. SRA supported Minnegasco in a failing effort to maintain free inside safety inspections as a condition of service.
- 1981 NSP Electric General Rate Increase. We monitored the financial matters in this case to assist in preserving accounting principles established previously by the SRA.
- 1980 NSP Electric General Rate Case. SRA monitored the case, successfully preserving previously established accounting treatment as to nuclear fuel amortization, deferred taxes, and alleged lag in payment of depreciation.
- Minnegasco General Rate Filing. SRA participated as a party in this case but did not sponsor testimony. It reviewed financial data.
- 1977 NSP Electric General Rate Case. SRA sponsored testimony of George Hess concerning various accounting practices.
- 1975 NSP Electric General Rate Case. SRA sponsored the principle of original cost rate base (rather than present value). This principle was accepted and had extremely significant and favorable consequences for all consumers.

PUC Legislation

Following the disclosures of alleged misconduct by commissioners of the MPUC in 1986 and early 1987, reactive legislation was proposed in the Minnesota legislature. SRA counsel appeared with the Attorney General and with the counsel for the MPUC in urging reasonable corrective action and advising against proposals which were deemed excessive. SRA counsel testified before legislative committees.

The resulting statutory amendments provide safeguards for the public.

Other Subject Areas

SRA has considered issues and taken minor actions in a number of areas. Some of these are: The Pipeline Safety Act, United and Continental Telephone, the Landfill Abatement Act fees, solid waste control legislation, Counsel membership on MPUC rules study group.

Estimated Dollar Savings from SRA Efforts

The Board requested that I estimate dollar savings arising out of SRA activities. There are only a few instances where circumstances allow an estimate. In an effort to be able to contrast savings with assessments, I have tried to calculate these on a per vote basis (5,000 of population).

1975 NSP. George Hess estimated \$18 to \$20 per household. Using 3.4 persons per household, this would be approximately \$26,500 per vote. The figure does not include business savings.

1977 NSP. I can find no estimate of dollar savings in the file. The 1975 principles were defended successfully. It is thus reasonable to state that the \$26,500 per vote continued from 1975 and onward. To be conservative, use five years or \$132,000 per vote for NSP electric through 1980.

1980 Minnegasco, 1981 NSP, 1982 NSP, 1982 Minnegasco. I can find no calculation in the file. We again defended principles previously established in NSP cases. No dollar impact can be fairly calculated.

1982 Northwestern Bell. We commenced our attack on the tier system. Northwestern Bell has estimated a shift away from suburban communities of about

\$2 million to \$3 million per year as a result of SRA intervention in the three Bell rate cases through early 1986. Using \$2 million per year and the assumption that SRA represents approximately half of the suburban businesses and households (this has not been calculated, it is just an estimate), the savings is about \$6500 per vote per year. Over three years, this is \$20,000 per vote.

1985 NSP. Our consultant estimated savings due solely to SRA intervention at about \$8 per household per year. Over the two years the rate was in effect, this is a savings of about \$23,500 per vote. We supported others on other issues.

1987 NSP. This case is addressed in a concurrent memo. Estimated savings from the fuel issue is \$1,600 per vote per year.

MWCC. I have not tried to estimate savings. We have been attentive to shifts of the revenue burden from the central cities to the suburbs. This was particularly true in CSO funding (the Legislature just "undid" some of that success in the "Garbage Bill"). I suppose it also came into play in the sewer service area changes and the administrative changes urged by SRA. It is my judgment that these savings were very significant, but they are not quantifiable without an undue amount of research, and assumptions which could not be well-supported.

Uniform Franchises. The gas and electric uniform franchises were negotiated at a cost of approximately \$40 per vote. If as favorable terms could be negotiated individually, which is quite doubtful, cost of staff and attorney time would considerably more. An average member might have 3.5 votes and its cost would thus be \$140 for the SRA product. Attorney and staff costs for doing it individually might easily be ten times that, a savings of \$1260 per member or \$360 per vote.

Summary. A conservative estimate of dollar savings to SRA members because of SRA activities over the years since 1975 is \$177,460 per vote. Very likely a case could be made for multiples of this figure. SRA assessments through 1988 total \$1,513.50 per vote or 0.85 percent of the estimated savings, without regard for the non-quantifiable rewards of membership. The per vote assessment history is:

1984	-	\$245.40
1985	-	368.10

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1986	-	200.00
1987	-	350.00
1988	-	350.00

0060ME01.B18

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John R. McDonald, Jr.
David D. Beaudoin

**Comments of Glenn Purdue
Regarding the Suburban Rate Authority
April 1, 1986**

In the period between 1950 and 1960 the rapidly expanding suburbs of Minneapolis were experiencing a series of gas rate increases imposed by what was then known as the Minneapolis Gas Company. The individual suburbs had very inadequate franchises, providing no protection to rate payers. The State of Minnesota did not regulate the rates and policies of gas companies. The City of Minneapolis has a rather detailed franchise which required that gas rates be established using the value of the facilities within the city and serving the city. Because these facilities were older and were largely depreciated, the rate base on which the gas company could earn a rate of return was low by comparison with the suburbs. Rates in the suburbs were approximately 15% higher than they were in Minneapolis.

Northern Natural Gas Company, which supplied Minneapolis with its gas supply, was required to get approval of its rates from the Federal Power Commission. However, the law permitted any rate which they applied for to go into effect six months after the filing. Northern Natural adopted the practice of filing for one rate increase after another ("pancaking") with the most recent increases going into effect before the earlier increases had been adjudicated and approved.

The combination of Northern Natural's rate increases and the apparent discrimination between Minneapolis and the suburbs led a number of suburbs to form an ad hoc organization called the "Suburban Gas Agency" to investigate the rate-making practices of the company. This occurred in 1957 and 1958. Eighteen communities cooperated in financing an initial study by a Colorado firm which returned findings that, in a number of respects, the higher rates being charged in the suburbs could not be justified under standard rate-making practices.

The newly formed Suburban Gas Agency engaged a nationally recognized utility rate consulting firm from Washington, D.C., Martin T. Bennett & Associates, Inc., to assist in analyzing the gas company's rate-setting practices and to

assist in negotiating a new franchise for the suburbs. Mr. George Hess, one of the principals of that firm, assumed responsibility for the task. He analyzed the rate-setting practices of the company. He also concluded that the company was departing from established rate-making procedures in several major respects. There followed a prolonged negotiation on a new uniform franchise for the suburbs. The company proposed that the suburbs all adopt a franchise similar to the franchise in Minneapolis except that the new, more expensive property in the suburbs would provide the suburban "rate base" and the "fence around Minneapolis" would be retained. We were successful in negotiating an entirely different concept for the suburbs. It provided in detail how the rate base would be calculated and how the company's rate of return on its rate base would be determined from year by year. It provided for a uniform franchise in all of the Minnegasco suburbs and for the creation of the Suburban Rate Authority. The Suburban Rate Authority in turn engaged Mr. Hess to supervise and enforce the performance of the gas company under the uniform franchises. The new franchises were adopted by all of the suburbs then served by Minneapolis Gas Company. By 1961, the benefits of the new franchise began to become evident and the gap between suburban rates and Minneapolis rates was narrowed. At the end of 1963 Mr. Hess reported that the suburbs paid \$440,000 less that year than they would have had to pay under the Minneapolis-type franchise. By the end of 1965 savings to Suburban consumers amounted to approximately \$2,350,000, below rates which would have been charged under the Minneapolis formula. Such savings continued at ever increasing rates through the 1960's so that by approximately 1970 the rates in the suburbs were at the point of falling below the rates being charged in Minneapolis. At that point the City of Minneapolis entered into negotiations with the gas company in an effort to secure the kind of franchise which was in effect in the suburbs.

In the mid 1970's the legislature, after years of controversy on the matter, empowered the Railroad and Warehouse Commission (now the Public Utilities Commission) to regulate gas and electric rates. The regulation became effective January 1, 1975. Until that time the only regulation of rates was by individual communities under their franchises. Many communities either did not have franchises, had very deficient franchises or had virtually no enforcement of such franchises as they had. While the customers of Minneapolis Gas Company were quite well-protected, there were many electric and gas consumers throughout the state who were not.

When state regulation took effect, Northern States Power Company was the first utility to file for a major rate

increase. A number of municipalities, not members of the Suburban Rate Authority, expressed a desire to have the Suburban Rate Authority enter into electric rate-making proceedings and to represent them. As a result, the Suburban Rate Authority changed its joint powers agreement so as to permit it to (a) participate in electric, gas and telephone matters before the state commission and to (b) admit any community of the metropolitan area as a member. As a consequence of that action, the membership of the Suburban Rate Authority expanded from 25 municipalities to approximately 45 municipalities. In addition many outstate communities entered into a special arrangement with the SRA to represent them on selected rate-making proceedings.

In the first NSP rate proceeding, the company filed for a so-called "fair value" rate base. This would have permitted the company to earn a return on the claimed present day market value of all of its properties rather than on the depreciated book value of its properties. The Suburban Rate Authority objected to the form of NSP's filing. As a consequence of the SRA's action in this case, the state commission made a precedent-setting determination that the book value rate base advocated by the SRA would be used in Minnesota. In the first filing, the savings which resulted to electric consumers as a result of that decision ran into millions of dollars each year. Such savings have been realized each year since that time on both gas and electric rates.

In the first several rate proceedings Minneapolis and St. Paul undertook to have the central cities established as a separate rate zone so as to obtain the benefit of older, lower-cost, and more-fully-depreciated properties in their rate base. The suburbs opposed this action and were successful in preventing a return to the old central city-suburban dichotomy.

As regulation by the state commission became better established, the role of the Suburban Rate Authority could be and was somewhat reduced. Nevertheless the Suburban Rate Authority continued to follow and participate in each of the major NSP Electric and Minnesota Gas Company filings applicable to the metropolitan area. In the most-recent NSP electric case, SRA has joined with approximately 20 other cities in an effort to reduce the revenue requirement, and to save the municipal pumping rate.

In recent years, SRA has been active on several fronts:

- MWCC - sponsored a one-day symposium on the relationship of the MWCC with its customers. Called "Spotlight on the MWCC," it started a dialogue between the agency and its customers

that has substantially reduced tensions. SRA promoted the concept of a Management Study and two of its representatives sat on the study commission. We also participated on the recent Rate Structure Task Force.

Telephone - SRA has intervened in three rate filings by Northwestern Bell. In all three we sought to eliminate the Tier System of rate zones, or to reduce the adverse effects of the Tier System on SRA members. The company has estimated a shift away from suburban communities of about \$2-3 million per year as a result of the SRA intervention.

Uniform Franchises - SRA has negotiated a Uniform Gas Franchise with Minnegasco. Through the strength of its numbers and through its experience, SRA developed a strong franchise at minimal cost. We are currently working on an NSP electric franchise.

Legislation - We appeared before the legislature for the purpose of guiding bills which were a reaction to the revelations concerning utility influence on PUC commissioners. Our role was to help shape legislation which might help prevent similar occurrences in the future but not over-react to the point of jeopardizing the system.

**MINUTES OF
THE QUARTERLY MEETING OF
THE SUBURBAN RATE AUTHORITY**

July 19, 1989

Pursuant to due call and notice thereof, the quarterly meeting of the Suburban Rate Authority was held at the Ambassador Motor Hotel in the City of St. Louis Park, Minnesota, on Wednesday, July 19, 1989, commencing at 6:30 p.m.

1. **CALL TO ORDER:** The meeting was called to order by the Vice Chairman, John Pidgeon, in the absence of Chairman Robert DeGhetto.

2. **ROLL CALL:**

Bloomington	John Pidgeon
Circle Pines	James Keinath
Columbia Heights	Edward Carlson
	Robert Bocwinski
Edina	John Wallin
Fridley	John Flora
Hopkins	Nelson Berg
	Gordon Anderson
Minnetonka	David Sonnenberg
North St. Paul	Al Mahlum
Osseo	Vernon Dehmer
Richfield	Steve Devich
Robbinsdale	Jerome Ruffenach
Shakopee	Gloria Vierling
	Jerome Wampach
West St. Paul	William Craig

Also present was SRA attorney, Glenn Purdue, and Robert Renner.

3. **APPROVAL OF MINUTES:** The minutes of the July 19, 1989 meeting were presented for approval. It was moved by Mr. Craig, and seconded by Ms. Vierling, that the Minutes be approved. The motion carried unanimously.

4. **OFFICER'S REPORTS:** Mr. Wallin presented the Treasurer's Report, a copy of which is attached to these Minutes. Mr. Carlson moved that the Treasurer's Report be accepted, and Mr. Ruffenach seconded the motion. The motion carried unanimously.

5. UNFINISHED BUSINESS:

a. Chairman Pidgeon introduced Robert Renner who is an attorney and lobbyist and special counsel to the SRA during the past session. Mr. Renner was asked for his report concerning the SRA's lobbying effort in the Senate concerning combined sewer separation funding.

Mr. Renner reported that in 1985, a ten-year plan was put together after much discussion and negotiation. In the plan, the state agreed to fund about \$65 million dollars of the costs of Minneapolis-St. Paul and South St. Paul in separating their combined sewers. One-half was to be a grant, and the other half was to be an interest-free loan to be repaid beginning in 1996. In the 1988 session, in the state department conference bill, Minneapolis and St. Paul were successful in changing the word "loan" to "grant", thereby obtaining forgiveness of repayment as to all monies advanced to date. This provision was in neither of the bills sent to the Conference Committee and was done without notice to others.

This year's bonding bill included \$6.75 million dollars as a grant. Under the 1985 Agreement, one-half of that amount would have been a loan. SRA began lobbying this bill in late fall, and Mr. Renner was retained in March. He showed a videotape of the debate in the Senate. At that debate, Senator McQuaid argued strenuously for the original fifty-fifty split between grants and loans. In the end, her amendment fell seven votes short. Mr. Renner distributed a list of voting on the provision. The list is attached to the Minutes. He stated that there will annually be an appropriation and that SRA has the opportunity to lobby that appropriation. He opined that if SRA had commenced earlier in the year in the House, that the result might have been different.

The Board discussed the desirability of future lobbying and determined to defer the matter until the October meeting. The chair asked Mr. Renner to do a letter of thanks to Senator McQuaid and Representative Don Valento, to be prepared for the chairman's signature.

b. 1990 Budget. Mr. Purdue reported that the budget was distributed to members shortly after the April meeting, at which it was recommended. He pointed out that the bylaws now call for action on the budget. He noted that he had received no comments and inquired as to whether others had received comments. There were none. The chair called for a motion. Mr. Bocwinski moved that the budget be adopted as proposed with the accompanying assessment. The motion was seconded by Mr. Devich and carried unanimously. The chair declared that the budget had been adopted and asked counsel to provide it to members. The budget and the membership assessment as adopted are attached to these minutes.

6. OLD BUSINESS:

a. Northwestern Bell. Mr. Purdue reported that the MPUC has directed its staff to make a recommendation as to how the tier system issue can be removed from the EAS proceeding now ongoing. He stated that this was good news because the matter presumably will be severed and addressed separately, thereby getting better consideration. SRA's costs will also be reduced. He distributed a memorandum which is attached to these minutes which provides more information.

Mr. Purdue announced that Bell refunds are now in the mail. These refunds are in the form of a credit to current billings as pointed out in the attached memorandum. SRA members and the other suburban users of Bell collectively obtained approximately \$1 million dollars more in refunds than if SRA had not intervened in the Bell action. He based this figure upon his calculations and information and opinion from the Northwestern Bell rate manager. It follows very considerable other rate relief to those living in Tiers II, III, and IV over the past several years. The total of this relief is several million dollars. The Board accepted the report and expressed its pleasure with the result.

6. **CLAIMS:** Mr. Wallin distributed claims in the amount of \$4,833.25 from Mr. Renner and \$5,863.92 from LeFevere, Lefler. Both billings were for disbursements and fees for services over the previous quarter. Mr. Devich moved that the bills be paid as presented. His motion was seconded by Mr. Berg and carried unanimously.

7. **ADJOURNMENT:** The chairman reported that there was no other business to come before the meeting. Mr. Flora moved that the meeting be adjourned, and Mr. Bocwinski seconded the motion. It carried unanimously.

Secretary

Attest:

Chairman

Attachments:
Treasurer's Report
Voting List, CSSP Funding,
McQuaid Amendment
Budget
Membership Assessment
Memorandum
0060MI04.B18

**MINUTES OF
THE QUARTERLY MEETING OF
THE SUBURBAN RATE AUTHORITY**

April 19, 1989

Pursuant to due call and notice thereof, the quarterly meeting of the Suburban Rate Authority was held at the Ambassador Motor Hotel in the City of St. Louis Park, Minnesota, on Wednesday, April 19, 1989, commencing at 6:30 p.m.

1. **CALL TO ORDER:** The meeting was called to order by the Chairman, Robert DeGhetto.

2. **ROLL CALL:**

Bloomington	John G. Pidgeon
Brooklyn Park	Graydon R. Boeck
	Dale Gustafson
Champlin	William Simpkins
Columbia Heights	Edward Carlson
	Robert Bocwinski
Deephaven	William D. Schoell
Edina	John Wallin
Fridley	Mark Winson
Hastings	David M. Osberg
Maplewood	Francis Juker
Minnetonka	Robert DeGhetto
	David J. Sonnenberg
Plymouth	Frederick Moore
Robbinsdale	Jerome Ruffenach
St. Louis Park	Don Rambow
Shakopee	Gloria Vierling
Shoreview	David McGraw
West St. Paul	William Craig

Also present were Robert Renner, and Glenn Purdue, SRA attorney.

3. **APPROVAL OF MINUTES:** The minutes of the April 19, 1989, meeting were read. It was moved by Mr. Carlson and seconded by Mr. Winson that the Minutes be approved. The motion carried unanimously.

4. **OFFICERS' REPORTS:** Mr. Wallin presented the Treasurer's Report, a copy of which is attached to these Minutes. Mr. Boeck moved to accept the Treasurer's Report. His motion was seconded by Mr. Schoell, and it carried unanimously.

5. **UNFINISHED BUSINESS:**

- a. **CSO Funding.** Mr. Purdue introduced Robert Renner who is an attorney and lobbyist and asked Mr. Renner to give a report concerning the proposed legislation which

would provide additional state money to Minneapolis and St. Paul for combined sewer separation. Mr. Renner reported that a bill had passed the house floor providing for \$5 million of state assistance. The Governor has recommended \$10.4 million. There was an attempt on the floor to transfer the money to out-state sewer projects. The amendment failed by a vote of 63 to 60. Most suburban legislators voted for the amendment, but several voted against it. At the time of his report, there was pending in the Senate a bill providing for \$6.75 million to Minneapolis and St. Paul.

There followed a discussion of the various courses of action which might be taken in lobbying the bill and the probable results. There was also discussion of MWCC costs which were incurred to support the combined sewer effort but which were spread upon all users. After considerable discussion of various courses of action, the chair was asked to appoint a committee to work with Mr. Renner as to further lobbying. The chair appointed Graydon Boeck, Bill Schoell, Jerome Ruffenach, Bill Craig, Gloria Vierling, and David Sonnenberg to serve with him to advise Mr. Renner as to the course of legislation.

Mr. Purdue pointed out that Mr. Renner was serving under a temporary authorization by the Executive Committee, and he asked that the Board notify Mr. Renner's employment to give him direction. He distributed a proposal letter from Mr. Renner. After discussion, Mr. Boeck moved to retain Mr. Renner to complete the lobbying at a cost not to exceed an additional \$10,000. His motion was seconded by Mr. Ruffenach. Following additional discussion, the motion carried by a vote of 93 to 4.

- b. **Northwestern Bell Update.** Mr. Purdue reported that substantial progress had been made in the Northwestern Bell case. The arguments have been made to the Administrative Law Judge to split out the issue of the tier system from the rather global issues being considered by the commission and to ask the commission to order a study of the cost basis for the current rate structure. Mr. Purdue reported that he thought it was likely that the ALJ would so recommend and that it was quite possible that the commission would so order. The argument made was that there never was a cost study to support the higher telephone rates being paid by those who live in the suburbs, and secondly, that the way in which Bell handles calls has changed substantially since 1979. This fact has been determined through SRA's review of Northwestern Bell equipment and switching changes. Mr. Purdue reminded the Board that

these issues are collectively worth millions of dollars to suburban rate payers.

- c. **Membership.** Mr. Purdue distributed written materials which can be used to describe SRA to adjoining cities, and he encouraged directors to contact those who are not members of the SRA and invite them to become members.

8. **NEW BUSINESS:** Mr. Wallin and Mr. Purdue presented a proposed 1990 budget, which is attached to these Minutes. Mr. Schoell moved that the budget as proposed be adopted. The motion was seconded by Mr. Carlson. The motion carried unanimously. Counsel was directed to advise each city manager of the proposed budget and assessment to further advise them that the Board would take action on the budget at its July meeting. Comments concerning the proposed budget should be made by each city to its SRA director or to Mr. Wallin or Mr. Purdue.

9. **CLAIMS:** Mr. Renner presented a bill for his services to date in the amount of \$3,312.50. Mr. McGraw moved that the bill be paid as presented. Ms. Vierling seconded the motion, which carried unanimously.

Mr. Wallin had circulated the quarterly billing of SRA attorney in the amount of \$11,530.66. Mr. Boeck moved that the bill be paid. Mr. Pidgeon seconded the motion, which carried unanimously.

10. **ADJOURNMENT:** Mr. Carlson moved that the meeting be adjourned. Mr. McGraw seconded the motion, which passed unanimously. The chair declared the meeting adjourned.

Next regular meeting: July 19, 1989.

Secretary

Attest:

Chairman

Attachments:
Treasurer's Report
1990 Budget
0060MI03.B18

**MINUTES OF
THE ANNUAL MEETING OF
THE SUBURBAN RATE AUTHORITY**

January 18, 1989

Pursuant to due call and notice thereof, the quarterly meeting of the Suburban Rate Authority was held at the Ambassador Motor Hotel in the City of St. Louis Park, Minnesota, on Wednesday, January 18, 1989, commencing at 6:30 p.m.

1. **CALL TO ORDER:** The meeting was called to order by the Chairman, William D. Schoell.

2. **ROLL CALL:**

Bloomington	John Pidgeon
Brooklyn Park	Graydon R. Boeck
Circle Pines	James Keineth
Columbia Heights	Edward Carlson
Deephaven	William D. Schoell
Edina	John Wallin
Fridley	John Flora
Hopkins	Gordon Anderson
Minnetonka	Robert DeGhetto
Osseo	Vernon Dehmer
Robbinsdale	Jerry Ruffenach
Shakopee	Gloria Vierling
West St. Paul	Bill Craig

Also present were SRA attorneys, Glenn Purdue and Jim Strommen.

3. **APPROVAL OF MINUTES:** The minutes of the October 19, 1988, meeting were read. It was moved by Mr. Boeck, and seconded by Mr. Craig, that the Minutes be approved. The motion carried unanimously.

4. **OFFICER'S REPORTS:** Mr. Wallin presented the Treasurer's Report, a copy of which is attached to these Minutes. He also distributed copies of the 1987 audit of SRA books performed by the George Hansen Company. The chair directed that a copy of the audit be sent to each of the Directors who were not in attendance at the meeting. Mr. Wallin requested direction as to the 1988 audit and the Board, by consensus, determined that the George Hansen Company should provide the audit. Mr. Carlson moved that the Treasurer's Report be accepted. The motion was second by Robert DeGhetto and it carried unanimously.

5. **SPEAKER:** Chairman Schoell introduced Mr. Dirk deVries. Mr. deVries is a member of the Metropolitan Council. He

addressed transit problems in the metropolitan area. Mr. deVries stated that there are presently approximately seventy-three miles of freeways in the metro area which are classified as "severely congested". In the next twenty years, Metropolitan Council expects this number to increase to two hundred miles. It is generally impossible to build new freeways because of lack of federal participation and local resistance to expansion. More fuel efficient cars result in lower gasoline tax revenues. Minneapolis complains that ten percent of its tax base has been taken for freeways. He concluded that we cannot build ourselves out of this crisis.

The response has to be more effective use of the existing highways. This means more car-pool lanes, staggering work hours, metered ramps, more transit riders and car-pools, and more ramps for car-pools. There are an estimated 110,000 jobs in downtown Minneapolis. By the year 2010, it is expected there will be 150,000 jobs. About one-half ride the bus now. The fastest job growth is in the suburbs, but the corridor stretching from downtown Minneapolis through the University to downtown St. Paul has, by far, the largest employment.

Mr. deVries made several points which favor the development of lightrail transit. While acknowledging that lightrail will not do much to lighten the freeway use, it encourages high density development along the rail lines, and is less labor intensive while presumably providing a higher quality ride than buses do.

Mr. deVries' comments provided the basis for a lively exchange of views between Directors and Mr. deVries. A discussion included opinions as to the appropriate agency which should provide transit planning and oversight, the accuracy of projected costs and an apparent failure to include necessary bus feeders to LRT stations, and the general lack of east-west transportation corridors, especially in the northern metropolitan area.

6. ELECTION OF OFFICERS: Chairman Schoell reported that the executive committee had met as a nominating committee and that it offers the following slate of officers and executive committee members for the calendar year 1989.

Chairman	Robert DeGhetto, Minnetonka
Vice-Chairman	John Pidgeon, Bloomington
Secretary-Treasurer	John Wallin, Edina
Executive Committee	William Schoell, Deephaven
Executive Committee	Graydon Boeck, Brooklyn Center
Executive Committee	Francis Juker, Maplewood
Executive Committee	Gloria Vierling, Shakopee

The chairman announced that the floor was open for additional nominations. There being none, Mr. Ruffenach moved that the slate be elected by unanimous ballot, and Mr. Flora seconded the motion. The motion passed unanimously, and Chairman Schoell declared that the officers and executive committee members were elected.

7. **UNFINISHED BUSINESS:**

- a. **Telephone Rate Reduction.** Mr. Purdue introduced Jim Strommen and requested that he report on the status of SRA's efforts to reduce the metropolitan area tier system ratios in order to provide cheaper telephone service to SRA members. Mr. Strommen distributed a memorandum, a copy of which is attached to these minutes. He described the activities undertaken by SRA in recent years and concluded that SRA involvement has reduced telephone rates in member communities by approximately \$1,500,000 per year. This savings had come about because of the reduction of the ratios between charges to the central cities and the outlying suburbs. These savings have been achieved through SRA intervention in Northwestern Bell Telephone cases before the Minnesota Public Utilities Commission and in the Minnesota Court of Appeals.
- b. **CSO Funding.** Mr. Purdue reported that the executive committee had met and considered various information concerning new funding for combined sewer separation in Minneapolis-St. Paul and South St. Paul, which is necessary because of the withdrawal of federal funding. He reported that the chairman had sent a letter dated January 17th to each of the state representatives and state senators who represent SRA cities, copy attached. Most SRA cities have passed a resolution as recommended by the SRA Board at its October meeting. These resolutions generally oppose the use of additional state funds for combined sewer separation. There followed a discussion as to a position which would be taken by SRA and the means by which SRA could take a position. Mr. Flora moved that the executive committee be authorized to spend up to \$5,000 on lobbying as an interim measure, and that the executive committee be encouraged to call a special meeting of the Board to determine what might be an appropriate lobbying effort when more information becomes known. Mr. Boeck seconded the motion, which passed unanimously.

8. **NEW BUSINESS:** Several members suggested that SRA should encourage membership growth. Counsel was directed to put together a packet of information which could be presented to prospective members and to provide the Directors with sufficient supplies.

9. **CLAIMS:** Mr. Wallin presented claims in the amount of \$650.00 from the George Hansen Company for the 1987 audit and in the amount of \$13,174.23 from LeFevere, Lefler et al for reimbursement for expenses and professional fees. Mr. Anderson moved that the claims be paid as presented. The motion was seconded by Ms. Vierling and carried unanimously.

10. **ADJOURNMENT:** Mr. Flora moved that the meeting be adjourned, Mr. Boeck seconded the motion which passed unanimously. The chair declared the meeting adjourned.

Next regular meeting: April 19, 1989, at 6:30 p.m.

Secretary

Attest:

Chairman

Attachments:
Treasurer Report
NWB Memo
CSO Letter

0060MI02.B18

DATE: December 5, 1989
TO: Planning Commission
FROM: Bill Monk, City Engineer
SUBJECT: Billiards Parlor in Anthony Shopping Center

The owners of the Anthony Shopping Center propose to establish a billiards parlor in the complex at 5311 - 36th Avenue North. The entire center, which covers approximately 7.5 acres, is presently zoned B-4, Community Commercial. The billiards parlor is proposed to be handled as an amusement center which is a conditional use in a B-4 Zone pursuant to Section 515.37, Subd. 4 h) of the Code.

Conditions of an amusement center conditional use permit include the following:

- 1) Food service of any kind is not permitted. Liquor or beer dispensing is not permitted. Cigarette vending is not permitted.
- 2) Use must be housed in a shopping center complex under single ownership of at least 10 acres in area.
- 3) Use is consistent with surrounding district.

It is important to note that a City license for an amusement center is also required to operate an amusement center. This license is separate from the conditional use permit and carries the following requirements:

- Musical devices must be operated in a manner so a public nuisance is not created.
- Maximum customer capacity must be established by the Fire Marshal.
- Full-time on-site management by the operator.
- No liquor or beer consumption.
- License is not transferable without City approval.
- Amusement centers shall be closed by 12:00 midnight each night and may not open until 9:00 a.m. on weekdays or until 12:00 noon on Sundays.
- Center must have separate entrance and exit but may not be directly connected to adjoining businesses.

Planning Commission
December 5, 1989
Billiards Parlor in Anthony Shopping Center
Page 2

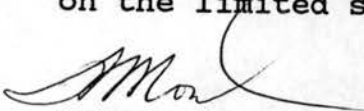
- Smoking is prohibited, and tobacco products may not be sold.
- Center shall be well lit.
- No food or beverage sales.
- A \$3,000 annual license fee.
- A police review shall be included.

At this point the Commission should not concern itself with the license but concentrate on the land use issues associated with the conditional use permit request. The proposal, as noted on the layout plan, meets provisions of City Code except the site is not 10 acres in area, and food vending on a limited scale is proposed.

I will be prepared to review this item in additional detail on Monday night.

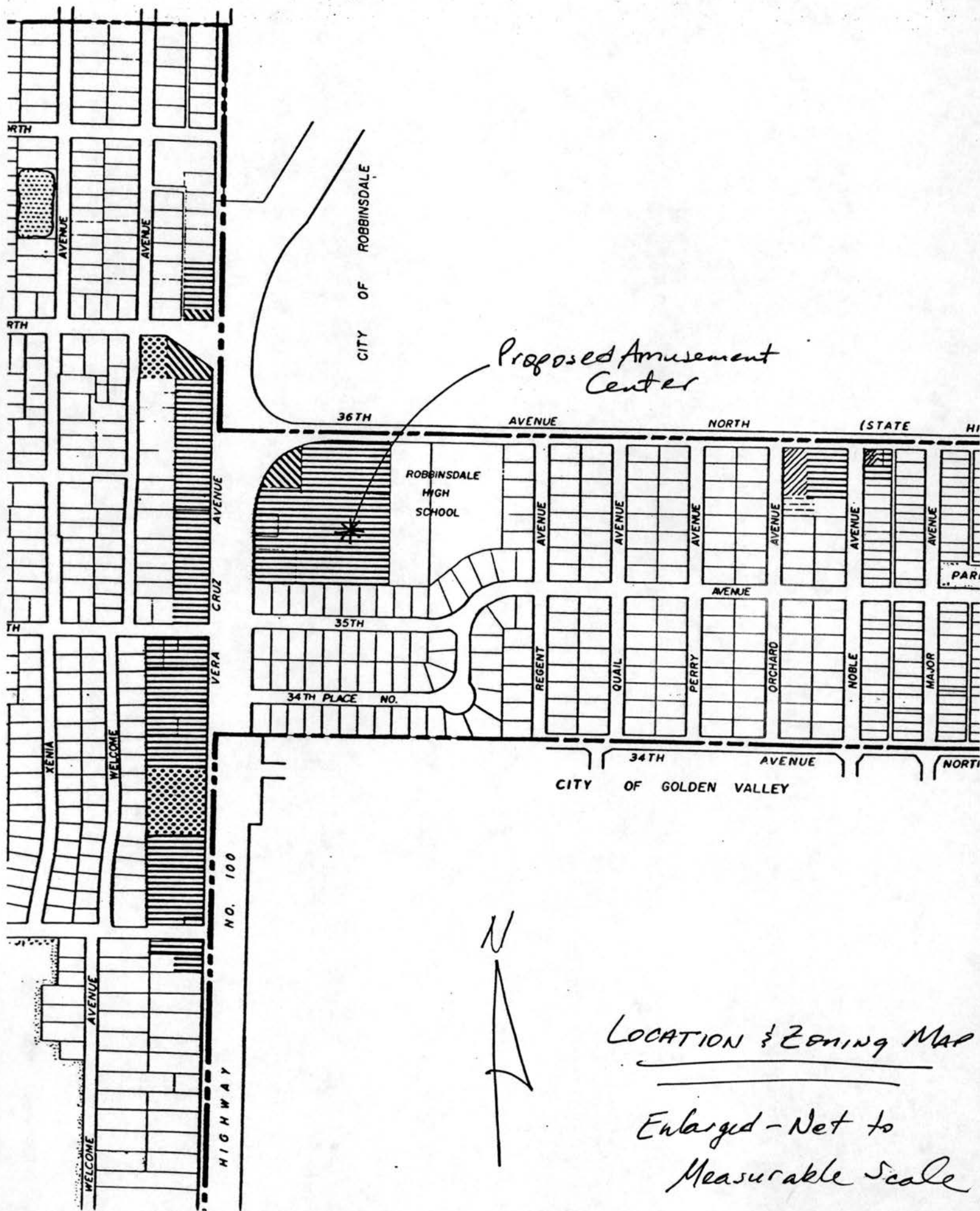
12/13/89 UPDATE

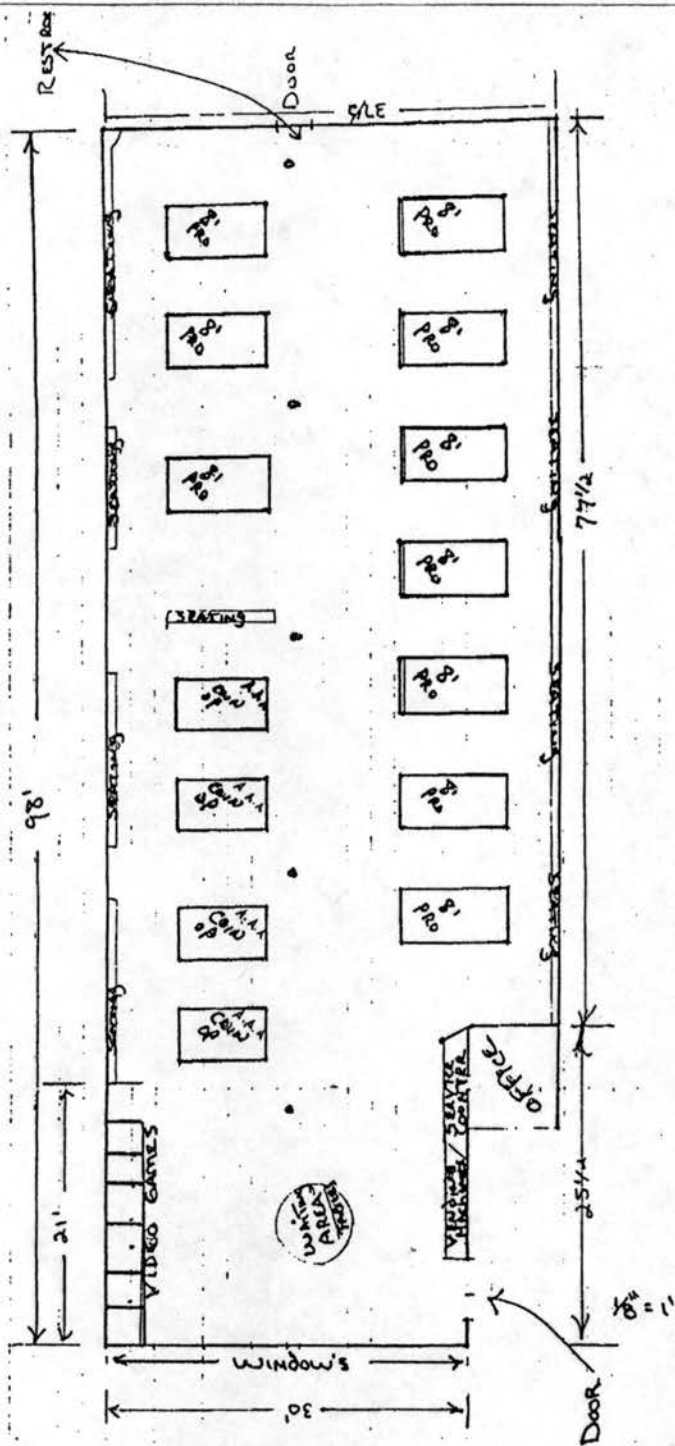
On December 11 the Planning Commission recommended approval of a conditional use permit allowing operation of an amusement center (billiards hall) in the Anthony Shopping Center. The Commission found the proposed use consistent with existing development in the area. The Commission's approval waived the 10-acre site requirement and allowed food vending on the limited scale noted on the layout plan.



WM:jrs

Encls





$\frac{1}{8}'' = 1'$

Nicklow
Billiard parlor

NO. 89-42

CITY OF CRYSTAL

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

Date: November 7, 1989

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

Street Location of Property: 5311 - 36th Ave N
SE Corner of Highway 100 and 36 Avenue (Anthony Shopping
Legal Description of Property: Reg. Land Survey No. 0860 Center)

Tract C

Property Identification Number: 07-029-24 22 0076

Owner: Bill Nicklow
(Print Name)
3516 N. Lilac Drive
Crystal, MN 55427 529-7751
(Address) (Phone No.)

Applicant: Bill Nicklow
(Print Name)
3516 N. Lilac Drive
Crystal, MN 55427 529-7751
(Address) (Phone No.)

DESCRIPTION OF REQUEST: We wish to open an amusement center consisting of
billiard tables, video games, coin-operated pool tables, and vending machines in a
6,000 square foot vacant space in our shopping center at 36th and Highway 100 in
Crystal. No food or alcohol will be served in the premise. Our plan is to run an
up-scale amusement center similar to the one on University Avenue in Fridley (please
see attached photos). This space was formerly occupied by Preferred Kitchens, who
defaulted on their lease. We have been trying for some months to re-tenant the space,
but have had no success. We will run the amusement center ourselves, but will use an
APPLICANT'S STATEMENT WHY THIS REQUEST SHOULD BE APPROVED: experienced pool hall
(attach additional sheets if necessary) manager.

Pool has lately become a very popular pasttime and offers young people alcohol- and
drug-free entertainment. As the attached photographs demonstrate, new pool rooms
have a much cleaner, up-scale look. The Nicklow family has years of experience in
providing quality entertainment through our restaurants; we firmly believe that
we will carry on this tradition in operating an amusement center within the
Anthony Shopping Center in Crystal. We hope that both the Planning Commission and
the City Council will see fit to approve this request for a Conditional Use Permit.
Thank you.

NOTE: Attach plan or survey of proposal.
Please see attached photos of a billiard hall that represents what we will be
imitating in Crystal.

THIS PROPERTY IS:

TORRENS / ABSTRACT
(Circle one)

William A. Nicklow
(Applicant's Signature)
William Nicklow

(Owner's Signature)
William Nicklow

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: 11/8/89 RECEIPT # 48287

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

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

To The Crystal City Clerk,

I, Cheryl Jones of 6013 47th Ave. No.
would like to appear before the Crystal Council
Dec. 19, 1989 on the issue of keeping pet domestic
ferrets in the city of Crystal. I would like for
the council to hear my side and information.
I would also like to propose a permit
situation for the keeping of ferrets in Crystal.
I feel it will be best to address this
issue now being that Mordan Lab will
have a rabies vaccine in mid 1990.

Sincerely,

Cheryl Jones

DEF.F.B.A.M. (PET DOM. FERRET ASSOC.)
% CHERYL JONES, V.P.
6013, 47TH AVE. NO.
CRYSTAL, MN 55422
(612) 537-3594

HEALTH DEPARTMENT
PUBLIC HEALTH CENTER
250 SOUTH FOURTH STREET
MINNEAPOLIS, MINNESOTA 55415

DAVID M. LURIE
COMMISSIONER OF HEALTH

*Adopted
74:50
6/18/75*

minneapolis

city of lakes

October 18, 1985

Stan Diesch, D.V.M.
737 Heinel Drive
Roseville, MN 55113

Dear Dr. Diesch:

Lions, bears, wolves, raccoons, squirrels, **ferrets**, kinkajous, monkeys, foxes, coyotes, baboons, otters, mink, ocelots, bobcats and others are wild animals that have bitten people in the city of Minneapolis.

I believe these bites by "wild animals" resulted in the City Council adopting an ordinance (74.50) which prevents people from maintaining "wild animals" in the city. This ordinance essentially covers all animals that are wild by nature and has reduced bites from wild animals by almost 100%. That is not to say that there are no wild animals being maintained in the city, as there assuredly are people who have wild animals as pets. However, when we come into contact with any individual who owns an animal wild by nature, including poisonous snakes, we would order the animal removed from the city.

We do have a provision in ordinance 74.60 that allows special permits for animals "wild by nature" that will be used for entertainment, exhibition, show or promotional purposes.

If there are other questions, I can be reached at 348-2170 any weekday.

Sincerely,

Dave Nordmeyer
Dave Nordmeyer
Animal Control Officer

DN/bp



Chapter 71:

Minneapolis Code of Ordinances Relating to
Miscellaneous Regulations Regarding Animals, Fowl, and Honey Bees

74.10 Unattended Animals in Streets, Alleys, Sidewalks, Public Places. No person shall permit any animal under his care, custody, or control to be left standing unattended in any street, alley, sidewalk, or public place within the City whether leashed or not.

74.20 Attachment of Animals to Trees, Posts Prohibited. No person shall attach in any manner any animal under his care, custody, or control to any tree, shrub, or other planting, or to any post or pole growing or being in any public place within the City.

74.30 Careless Riding or Driving of Animals. No person shall ride or drive any animal anywhere within the City carelessly or heedlessly, in disregard of the rights or the safety of others or in a manner so as to endanger any person or property.

74.40 Hoofed Animals. No person shall keep, harbor, or maintain care, custody or control over any horse, cow, sheep, pig, or any other hoofed animal anywhere in the City. This section shall not prohibit hoofed animals from being transported expeditiously through the City.

74.50 Vicious Animals; Animals Wild by Nature. No person shall keep or allow to be kept anywhere in the City any animal of a ferocious or vicious character, habit or disposition or any animal wild by nature.

74.60 Exceptions; Permit Required. Any person desiring to keep animal prohibited under Sections 74.40 and 74.50 shall obtain a special permit from the City Council. Such permit shall be issued for a period not to exceed thirty days and shall specify further conditions under which such animal shall be kept. Provided, however, that no such permit shall be issued unless such prohibited animal is brought into the City for entertainment, exhibition, show or promotional purposes only.

74.70 Destruction of Dangerous Animals. The Commissioner of Health or his or her appointee is authorized to order the destruction or disposition of any animal which he or she may deem dangerous. For the purposes of this section, any animal which has bitten a person on two or more occasions or any animal prohibited by Section 74.50 shall be deemed a dangerous animal. The Commissioner of Health, or his or her appointee, after having been advised of the existence of such animal shall proceed in the following manner:

(a) The owner of the offending animal shall be notified in writing as to the dates, times, places, and persons bitten, and shall be given ten days to request a hearing before the Commissioner or his or her appointee for a determination as to the dangerous nature of the animal. If the owner does not request a hearing within ten days of said notice, the Commissioner of Health or his or her appointee shall make such order as he or she deems proper. He or she may order the animal warden to take the animal into custody for destruction in which case the owner shall immediately make the animal available to the animal warden.

(b) If the owner requests a hearing for determination as to the dangerous nature of the animal, the hearing shall be held before the Commissioner of Health or his or her appointee at a date not more than three weeks, after demand for said hearing. The records of the Animal Control Officer shall be admissible for consideration without further foundation. After considering all evidence, the Commissioner of Health or his or her appointee shall make a determination as to whether or not the animal is found to be dangerous and the Commissioner of Health or his or her appointee shall make such order as he or she deems proper. If he or she orders the Animal Control Officer to take the animal into custody

for destruction, the owner shall immediately make the animal available to the animal warden.

(c) A dangerous animal running at large shall be apprehended by the animal warden and if the animal bears no identification which reasonably reveals its ownership, the Animal Control Officers shall impound the animal until the quarantine period is completed. If the animal has not been claimed, it shall be destroyed at the end of the quarantine period.

If the animal is claimed, upon payment of kennel fees, it shall be released to the person paying such fees and the Commissioner of Health shall proceed as in subsection (a).

(d) The requirements of this section shall be in addition to those of Chapter 66 pertaining to Rabies Vaccinations and Rabies Suspects.

74.80 Keeping of Honey Bees. No person shall keep or allow to be kept any hives or other facility for the housing of honey bees.

74.90 Seeing Eye Dogs Permitted in Public Places. Whenever any blind person accompanied by a 'seeing eye' or guide dog presents himself for accommodation or service on any public conveyance vehicle or to any cafe, restaurant, store, or other place of business open to the public, it shall be unlawful for the owner, proprietor, manager, or operator of such vehicle or place of business to refuse admission to the dog or service to the blind person.

74.100 Sale of Baby Chicks or Artificially Colored Animals or Fowl Prohibited. No person shall sell, offer for sale, barter, give away, or be in possession of any artificially colored animals or fowl. No person shall sell, offer for sale, barter, or give away any chicks, ducklings, or other fowl under two months of age."

Passed June 13, 1975. Louis G. DeMars, President of the Council.

Approved June 18, 1975. Albert J. Hofstede, Mayor.

Attest: Lyall A. Schwarzkopf, City Clerk.

Compendium of Animal Rabies Control, 1989*

Prepared by: The National Association of State Public Health Veterinarians, Inc.

A.

The purpose of these recommendations is to provide information on rabies vaccines to practicing veterinarians, public health officials, and others concerned with rabies control. This document serves as the basis for animal rabies vaccination programs throughout the United States. Its adoption will result in standardization of procedures among jurisdictions which is necessary for an effective national rabies control program. These recommendations are reviewed and revised as necessary prior to the beginning of each calendar year. All animal rabies vaccines licensed by the USDA and marketed in the United States are listed in Part II of the Compendium and Part III describes the principles of rabies control.

Part I: Recommendations for Immunization Procedures

- A. VACCINE ADMINISTRATION:** It is recommended that all animal rabies vaccines be restricted to use by or under the supervision of a veterinarian.
- B. VACCINE SELECTION:** In comprehensive rabies control programs, it is recommended that only vaccines with 3-year duration of immunity be used. This eliminates the need for annual vaccination and constitutes the most effective method of increasing the proportion of immunized dogs and cats. (See Part II)
- C. ROUTE OF INOCULATION:** Unless otherwise specified by the product label or package insert, all vaccines must be administered intramuscularly at one site in the thigh.
- D. WILDLIFE VACCINATION:** Vaccination is not recommended since no rabies vaccine is licensed for use in wild animals. It is recommended that wild or exotic animals susceptible to rabies should not be kept as pets. Offspring borne to wild animals bred with domestic dogs or cats will be considered as wild animals.
- E. ACCIDENTAL HUMAN EXPOSURE TO VACCINE:** Accidental inoculation may occur in individuals during administration of animal rabies vaccine. Such exposure to inactivated vaccines constitutes no rabies hazard. There have been no human cases of rabies resulting from needle or other exposure to a licensed modified live virus vaccine in the United States.
- F. IDENTIFICATION OF VACCINATED DOGS:** It is recommended that all agencies and veterinarians adopt the standard tag system. This will aid the administration of local, state, national and international procedures. Dog license tags should not conflict in shape and color with rabies tags. It is recommended that anodized aluminum rabies tags should not be less than 0.064" in thickness.

1. RABIES TAGS

CALENDAR YEAR	COLOR	SHAPE
1989	Blue	Rosette
1990	Orange	Fireplug
1991	Green	Bell
1992	Red	Heart

- 2. RABIES CERTIFICATE:** All agencies and veterinarians should use the NASPHV form #50 Rabies Vaccination Certificate which can be obtained from vaccine manufacturers.

THE NASPHV COMPENDIUM COMMITTEE

Suzanne R. Jenkins, VMD, MPH, Chair
Keith A. Clark, DVM, PhD
Russell W. Currier, DVM, MPH
Russell J. Martin, DVM, MPH
Grayson B. Miller, Jr., MD
F.T. Satalowich, DVM, MSPH
R. Keith Sikes, DVM, MPH

CONSULTANTS TO THE COMMITTEE

Melvin K. Abelseh, DVM, PhD
Kenneth L. Crawford, DVM, MPH
David W. Dreesen, DVM, MPVM, AVMA Council on Public Health and Regulatory Veterinary Medicine
Thomas R. Eng, VMD, MPH, Centers for Disease Control
David A. Espeseth, DVM, APHIS, USDA
Paul Waters, Representative, Veterinary Biologics Section, Animal Health Institute
William G. Winkler, DVM, MS

ENDORSED BY:

American Veterinary Medical Association (AVMA)
Council of State and Territorial Epidemiologists

* Address all correspondence to:

Suzanne R. Jenkins, VMD, MPH
Virginia Department of Health
Office of Epidemiology
109 Governor Street
Richmond, Virginia 23219

Compendium of Animal Rabies Control, 1989

Part II: Vaccines Marketed in U.S. and NASPHV Recommendations

Product Name	Produced By	Marketed By	For Use In ¹	Dosage ²	Age at Primary Vaccination ³	Booster Recommended
A) MODIFIED LIVE VIRUS ENDURALL-R	Norden, License No. 189	Norden	Dogs	1 ml	3 mos. & 1 yr. later	Triennially
			Cats	1 ml	3 months	Annually
B) INACTIVATED TRIMUNE	Fort Dodge License No. 112	Ft. Dodge	Dogs	1 ml	3 mos. & 1 yr. later	Triennially
			Cats	1 ml	3 months	Annually
ANNUMUNE	Fort Dodge License No. 112	Ft. Dodge	Dogs	1 ml	3 months	Annually
			Cats	1 ml	3 months	Annually
BIORAB-1	Schering License No. 165-A	Biologics Corp.	Dogs	1 ml	3 months	Annually
			Cats	1 ml	3 months	Annually
BIORAB-3	Schering License No. 165-A	Biologics Corp.	Dogs	1 ml	3 mos. & 1 yr. later	Triennially
			Cats	1 ml	3 months	Annually
RABMUNE 3	Schering License No. 165-A	Beecham	Dogs	1 ml	3 mos. & 1 yr. later	Triennially
			Cats	1 ml	3 months	Annually
DURA-RAB 1	ImmunoVet License No. 302-A	ImmunoVet & Vedco, Inc. Fermenta Animal Health	Dogs	1 ml	3 months	Annually
			Cats	1 ml	3 months	Annually
DURA-RAB 3	ImmunoVet License No. 302-A	ImmunoVet & Vedco, Inc. Fermenta Animal Health	Dogs	1 ml	3 mos. & 1 yr. later	Triennially
			Cats	1 ml	3 mos. & 1 yr. later	Triennially
RABCINE 3	ImmunoVet License No. 302-A	Beecham	Dogs	1 ml	3 mos. & 1 yr. later	Triennially
			Cats	1 ml	3 mos. & 1 yr. later	Triennially
RABCINE	Beecham License No. 225	Beecham	Dogs	1 ml	3 months	Annually
			Cats	1 ml	3 months	Annually
ENDURALL-K	Norden License No. 189	Norden	Dogs	1 ml	3 months	Annually
			Cats	1 ml	3 months	Annually
RABGUARD-TC	Norden License No. 189	Norden	Dogs	1 ml	3 mos. & 1 yr. later	Triennially
			Cats	1 ml	3 months	Annually
			Sheep	1 ml	3 months	Annually
			Cattle	1 ml	3 months	Annually
			Horses	1 ml	3 months	Annually
CYTORAB	Coopers Animal Health Inc. License No. 107	Coopers	Dogs	1 ml	3 months	Annually
			Cats	1 ml	3 months	Annually
TRIRAB	Coopers Animal Health Inc. License No. 107	Coopers	Dogs	1 ml	3 mos. & 1 yr. later	Triennially
			Cats	1 ml	3 months	Annually
RABVAC 1	Salsbury License No. 195-A	Solvay Veterinary	Dogs	1 ml	3 months	Annually
			Cats	1 ml	3 months	Annually
RABVAC 3	Salsbury License No. 195-A	Solvay Veterinary	Dogs	1 ml	3 months	Triennially
			Cats	1 ml	1 year later	Triennially
			Horses	2 ml	3 months	Annually
IMRAB	Rhône Merieux, Inc. License No. 298	Pitman-Moore	Dogs	1 ml	3 months & 1 year later	Triennially
			Cats	1 ml	3 months	Triennially
			Sheep	2 ml	3 months	Triennially
			Cattle	2 ml	3 months	Annually
			Horses	2 ml	3 months	Annually
IMRAB-1	Rhône Merieux, Inc. License No. 298	Pitman-Moore	Dogs	1 ml	3 months	Annually
			Cats	1 ml	3 months	Annually
EPIRAB	Coopers Animal Health Inc. License No. 107	Coopers	Dogs	1 ml	3 months & 1 year later	Triennially
			Cats	1 ml	3 months & 1 year later	Triennially
C) COMBINATION ECLIPSE 3 KP-R	Salsbury License No. 195-A	Solvay Veterinary	Cats	1 ml	3 months	Annually
ECLIPSE 4 KP-R	Salsbury License No. 195-A	Solvay Veterinary	Cats	1 ml	3 months	Annually
CYTORAB RCP	Coopers Animal Health Inc. License No. 107	Coopers	Cats	1 ml	3 months	Annually
FEL-O-VAX PCT-R	Fort Dodge License No. 112	Fort Dodge	Cats	1 ml	3 months & 1 year later	Triennially
ECLIPSE 4-R	Salsbury License No. 195-A	Solvay Veterinary	Cats	1 ml	3 months	Annually

¹ Refers only to domestic species of this class of animals.

² All vaccines must be administered intramuscularly at one site in the thigh unless otherwise specified by the label.

³ Three months of age (or older) and revaccinated one year later.

Compendium of Animal Rabies Control, 1989

Part III: Rabies Control

A. PRINCIPLES OF RABIES CONTROL

1. **HUMAN RABIES PREVENTION:** Rabies in humans can be prevented either by eliminating exposures to rabid animals or, in exposed persons by prompt local wound treatment combined with appropriate passive and active immunization. The rationale for recommending pre exposure and post exposure rabies prophylaxis and details of their administration can be found in the current recommendations of the Immunization Practices Advisory Committee (ACIP), of the U.S. Public Health Service. These recommendations, along with information concerning the current local and regional status of animal rabies and the availability of human rabies biologics, are available from state health departments.
2. **DOMESTIC ANIMALS:** Local governments should initiate and maintain effective programs to remove strays and unwanted animals and ensure vaccination of all dogs and cats. Since cat rabies cases frequently exceed the annually reported cases in dogs, immunization of cats should be required. Such procedures in the U.S. have reduced laboratory confirmed rabies cases in dogs from 6,949 in 1947 to 170 in 1987. The recommended vaccination procedures and the licensed animal vaccines are specified in Parts I and II of the NASPHV's annually released compendium.
3. **RABIES IN WILDLIFE:** The control of rabies in foxes, skunks, raccoons and other terrestrial animals is very difficult. Selective reduction of these populations when indicated may be useful, but the utility of this procedure depends heavily upon the circumstances surrounding each rabies outbreak. (See C. Control Methods in Wild Animals.)

B. CONTROL METHODS IN DOMESTIC AND CONFINED ANIMALS

1. PRE-EXPOSURE VACCINATION AND MANAGEMENT

Animal rabies vaccines should be administered only by or under the direct supervision of a veterinarian. This is the only way to assure the public that the animal has been properly immunized. Within one month after vaccination, a peak rabies antibody titer is reached and the animal can be considered to be immunized. (See Parts I and II of the compendium for recommended vaccines and procedures.)

(a) DOGS AND CATS

All dogs and cats should be vaccinated against rabies commencing at three months of age and revaccinated in accordance with Part II of this Compendium.

(b) LIVESTOCK

It is not economically feasible, nor is it justified from a public health standpoint, to vaccinate all livestock against rabies. Owners and veterinary clinicians may consider immunizing certain livestock, especially those which are valuable and/or may have high contact with humans, located in areas where wildlife rabies is epizootic.

(c) OTHER ANIMALS

(1) ANIMALS MAINTAINED IN EXHIBITS AND IN ZOOLOGICAL PARKS

Captive animals not completely excluded from all contact with local vectors of rabies can become infected with rabies. Moreover, such animals, may be incubating rabies when captured. Exhibit animals susceptible to rabies should be quarantined for a minimum of 180 days. Since there is no rabies vaccine licensed for use in wild animals, vaccination even with inactivated vaccine is not recommended. Pre exposure rabies immunization of animal workers at such facilities is recommended. This may reduce the need for euthanasia of valuable animals for rabies testing after they have bitten a handler.

(2) WILD ANIMALS

Because of the existing risk of rabies in wild animals (especially raccoons, skunks and foxes), the AVMA, the NASPHV and the Council of State and Territorial Epidemiologists (CSTE) strongly recommend the enactment of state laws prohibiting the importation, distribution and relocation of wild animals and wild animals crossbred to domestic dogs and cats. These same organizations continue to recommend the enactment of laws prohibiting the distribution or keeping of wild animals as pets. Moreover, the NASPHV and CSTE recommend that ferrets not be kept as pets, since they have severely bitten many people, especially inflicting mutilating bites to infants. Ferrets are susceptible to and could transmit rabies. Because the period of rabies virus shedding in infected ferrets is unknown, confinement and observation of ferrets that bite people are not appropriate.

2. STRAY ANIMAL CONTROL

Stray dogs or cats should be removed from the community, especially in rabies epizootic areas. Local health department and animal control officials can enforce the pick up of strays more efficiently if owned animals are confined or kept on leash. Strays should be impounded for at least three days to give owners sufficient time to reclaim animals apprehended as strays and to determine if human exposure has occurred.

3. QUARANTINE

(a) **INTERNATIONAL.** Present USPHS regulations (42 CFR No. 71.51) governing the importation of dogs and cats are minimal for preventing the introduction of rabid animals into the United States. All dogs and cats imported from countries with endemic rabies should be vaccinated against rabies at least 30 days prior to entry into the United States. The Centers for Disease Control (CDC) are responsible for these animals imported into the United States. Their requirements should be coordinated with interstate shipment requirements. The health authority of the state of destination should be notified within 72 hours of any animal conditionally admitted into its jurisdiction.

The conditional admission into the United States of such animals must be subject to state and local laws governing rabies. Failure to comply with these requirements should be promptly reported to the director of the CDC.

(b) **INTERSTATE.** Prior to interstate movement, dogs and cats should be vaccinated against rabies according to the compendium's recommendations at least 30 days prior to movement. While in transit they should be accompanied by a currently valid NASPHV Form #50 Rabies Vaccination Certificate. One copy of the certificate should be mailed to the appropriate Public Health Veterinarian or State Veterinarian of the state of destination.

(c) **HEALTH CERTIFICATES.** If a certificate is required for dogs and cats in transit, it must not replace the NASPHV rabies vaccination certificate.

4. ADJUNCT PROCEDURES

Methods or procedures which enhance rabies control include:

(a) **LICENSURE.** Registration or licensure of all dogs and cats may be used as a means of rabies control by controlling the stray animal population. Frequently a fee is charged for such licensure and revenues collected are used to maintain rabies or animal control programs. Vaccination is an essential prerequisite to licensure.

(b) **CANVASSING OF AREA.** This includes house-to-house calls by members of the animal control program to enforce vaccination and licensure requirements.

(c) **CITATIONS.** These are legal summonses issued to owners for violations including the failure to vaccinate or license their animals. The authority for officers to issue citations should be an integral part of each animal control program.

(d) **LEASH LAWS.** All communities should adopt leash laws which can be incorporated in their animal control ordinances.

5. POSTEXPOSURE MANAGEMENT

ANY DOMESTIC ANIMAL THAT IS BITTEN OR SCRATCHED BY A BAT OR BY A WILD, CARNIVOROUS MAMMAL WHICH IS NOT AVAILABLE FOR TESTING SHOULD BE REGARDED AS HAVING BEEN EXPOSED TO A RABID ANIMAL.

(a) **DOGS AND CATS.** When bitten by a rabid animal, unvaccinated dogs and cats should be destroyed immediately. If the owner is unwilling to have this done, the animal should be placed in strict isolation for six months and vaccinated one month before being released. Dogs and cats that are currently vaccinated should be revaccinated immediately and observed by the owner for 90 days.

(b) **LIVESTOCK.** All species of livestock are susceptible to rabies; cattle are among the most susceptible of all domestic animals. Livestock bitten by rabid animals should be destroyed (slaughtered) immediately. If the owner is unwilling to have this done, the animal should be kept under very close observation for six months.

The following are recommendations for owners of livestock exposed to rabid animals:

(1) If slaughtered within seven days of being bitten, tissues may be eaten without risk of infection providing liberal portions of the exposed area are discarded. Federal meat inspectors will reject for slaughter any animal known to have been exposed to rabies within eight months.

(2) Neither tissues nor milk from a rabid animal should be used for human or animal consumption. However, as pasteurization temperatures will inactivate rabies virus, the drinking of pasteurized milk or eating of completely cooked meat does not constitute a rabies exposure.

6. MANAGEMENT OF ANIMALS THAT BITE HUMANS

A healthy dog or cat that bites a person should be confined and observed for 10 days and evaluated by a veterinarian at the first sign of illness during confinement or before release. Any illness in the animal should be reported immediately to the local health department. If signs suggestive of rabies develop, the animal should be humanely killed and its head removed and shipped, under refrigeration, for examination by a qualified laboratory designated by the local or state health department. Any stray or unwanted dog or cat that bites a person may be killed immediately and the head submitted, as described above, for rabies examination.

C. CONTROL METHODS IN WILD ANIMALS

The public should be warned not to handle wild animals. Bats and wild carnivorous mammals, as well as wild animals cross-bred with domestic dogs and cats, that bite people should be killed and appropriate tissues should be sent to the laboratory for examination for rabies. A person bitten by any wild animal should immediately report the incident to a physician who can evaluate the need for antirabies treatment. (see current Rabies Prophylaxis Recommendations of the Immunization Practices Advisory Committee: Rabies.)

1. TERRESTRIAL MAMMALS

Continuous and persistent government-funded programs for trapping or poisoning wildlife as a means of rabies control are not cost effective in reducing wildlife reservoirs or rabies incidence on a statewide basis. However, limited control in high-contact areas (picnic grounds, camps, suburban areas) may be indicated for the removal of selected high-risk species of wild animals. The state wildlife agency should be consulted early to manage any elimination programs in coordination with the state health department.

2. BATS

(a) Rabid bats have been reported from every state except Hawaii, and have caused human rabies in the United States. It is neither feasible nor desirable, however, to control rabies in bats by areawide bat population reduction programs.

(b) Bats should be excluded from houses and surrounding structures to prevent direct association with people. Such structures should then be made bat proof by sealing entrances.

Adopted
Passed
Feb 25
1985

- A. Scope and Purpose. The provisions of this regulation shall apply to the keeping of animals, requiring a permit, from the City Health Officer. Animals covered under this permit are: hoofed animals, more than 1 live rabbit, chinchilla, mink, chicken, turkey, duck, goose, pigeon or similar small animal or bird; bees, wild or exotic animals, more than 3 cats, and animals not absolutely prohibited by Chapter 198.03.
- B. Definitions. The following definitions shall apply in the interpretation and enforcement of this chapter. The word shall, as used herein indicates a mandatory requirement.

- 1) Bees are defined as Genus and Species Apes Mellifera.
- 2) "Wild animals" means all living creatures, not human, wild by nature, endowed with sensation and power of voluntary motion, and includes quadrupeds, mammals, birds, fish, amphibians, reptiles, crustaceans and mollusks.

When such animals are kept they shall be controlled to prevent them from harming themselves or the public. They shall also be kept in such a manner as to prevent them from becoming a public or private nuisance.

C. Application for Permit.

- 1) The application for a permit shall be on forms supplied by the Saint Paul Division of Public Health.
- 2) The application shall list the number and species the permit is applicable to.
- 3) The permit shall state the number of animals which may be maintained on the premises and the permittee shall immediately inform the Health Officer, in writing, when the number of animals maintained on the premises exceeds the number allowed by the permit or when a different species is substituted for those listed on the permit.

D. Facilities.

- 1) Housing facilities and grounds shall be maintained in a clean and sanitary condition, and in good repair. Flies, rodents and noxious odors shall be controlled. Facilities shall be kept free of fecal matter and collected fecal material shall be properly stored and disposed.
- 2) Construction and maintenance of the holding facilities shall comply with all applicable rules, regulations, ordinances and statutes.
- 3) Stored fecal matter shall not be allowed to accumulate on the property. Stored fecal matter shall be removed at least once each week.
- 4) No permit shall be issued until the owner has demonstrated that the animal shall be kept in a holding area, capable of containing the animals.

E. Flying of Pigeons. Racing and Homing pigeons may be allowed to fly for a period of time not to exceed two hours. The two hour period may take place once in the morning between the hours of 6:00 a.m. to 10:00 a.m. and once in the p.m. between 3:00 p.m. to 7:00 p.m.

F. Rodent Control

- 1) When rodent control measures are indicated, rodent control measures will be instituted by the permit holder or by an approved licensed pest control operator.

G. Bees

- 1) There shall be only one colony of bees for every 2000 square feet of property area.
- 2) The bee hive(s) shall be located in the center of the property furthest away from adjoining property lines.
- 3) The bee hive(s) shall be surrounded by a hedge, or snow fence or other barrier to insure that when the bees enter or leave the hive they assume a vertical flight pattern.

Other Restrictions

- 1) Obtaining and maintaining a permit is also subject to any other restriction or condition not listed in the rules and regulations which are imposed by the Health Officer to protect the public health and safety, or to prevent or control a condition unique to the applicants premises or animals.

I. Revocation of Permit

- 1) Violation of the terms of the permit or the rules and regulations for obtaining and maintaining a residential permit animals shall be grounds for revocation of the permit.
- 2) Substantial reports from owners or renters, within 150 feet of the outer boundary of the permittee's property that the animals frequently or habitually are noisy or create another nuisance condition, shall be cause for revocation of the permit.

GJP/am

Ordinance

Ordinance NO. 17214

Presented By _____

Referred To Energy

Committee: _____

Date 5/24/84

Out of Committee By _____

Date _____

An ordinance pertaining to the keeping of animals; requiring permits in some cases; prohibiting absolutely the keeping of certain animals; amending Chapter 198 of the Saint Paul Legislative Code.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

Section 1.

That Section 198.04 of the Saint Paul Legislative Code, as amended by Ordinance No. 17121, adopted March 22, 1984, is recodified as Section 199.11.

Section 2.

That the remaining sections of Chapter 198 are amended by deleting the same in their entirety and substituting, in lieu and in place thereof, the following:

198.01. DEFINITIONS.

Subdivision 1. TERMS. As used in this chapter, the terms defined in this section shall have the meanings ascribed to them.

Subd. 2. HEALTH OFFICER. "Health officer" means the public health services manager or his delegate.

Subd. 3. WILD OR EXOTIC ANIMAL. "Wild animal" or "exotic animal" means any mammal, amphibian, reptile, or bird which is of a species not usually domesticated, and of a species which, due to size, vicious nature, or other characteristic is dangerous wild.

COUNCILMEN

Yeas

Nays

Fletcher
Drew
Masanz
Nicosia
Scheibel
Tedesco
Wilson

_____ In Favor

_____ Against

Adopted by Council: _____ Date _____

Certified Passed by Council Secretary

By _____

Approved by Mayor: _____ Date _____

By _____

Requested by Department of:

Community Services

By _____

Form Approved by City Attorney

By _____

Approved by Mayor for Submission to Council

By _____

to humans. The term includes animals and birds the keeping of which is licensed by the state or federal government, such as wolves, raptors, and pheasants. By way of example and not of limitation, the term includes: snakes, eagles, ocelots, jaguars, cougars, weasels, ferrets, badgers, monkeys, chimpanzees, deer, and bison. The term also includes crossbreeds such as the cross between dogs and coyotes and dogs and wolves.

198.02. /PERMITS REQUIRED; EXCEPTIONS./

Subdivision 1. /HOOFED ANIMALS./ No person shall stable, keep, or permit any hoofed animal to remain on any lot or premises within the city without a permit.

Subd. 2. /SMALL ANIMALS AND BIRDS OF THE ORDERS ANSERIFORMES AND GALLIFORMES./ No person shall keep or permit more than one live rabbit, or any chinchilla, mink, chicken, turkey, duck, goose, pigeon, or similar small animal or bird, in any dwelling or on the same lot or premises with a dwelling, or other premises within the city without a permit. This subdivision does not apply to any hamster, gerbil, white rat, mouse, or guinea pig maintained as children's pets.

Subd. 3. /BEES./ No person shall keep or allow to be kept any hive or other facility for the housing of bees within the city without a permit.

Subd. 4. /WILD OR EXOTIC ANIMALS./ No person shall keep or allow to be kept any wild or exotic animal within the city without a permit, whether or not the keeping of such animal is licensed by the state or federal government.

NOTE: The keeping of certain animals is prohibited absolutely. See section 198.03.

Subd. 5. /MAXIMUM NUMBER OF CATS./ No person shall keep, harbor, or maintain more than three cats of over the age of three months within any individual dwelling unit within the city without a permit.

Subd. 6. /EXCEPTIONS.7 This section does not apply to animals which are temporarily brought into the city for the purpose of participating in any circus or show; nor does it apply to any public zoo, or persons keeping animals for a public zoo as volunteers, Docents or otherwise; nor to any bona fide research institution, or veterinary hospital; provided protective devices adequate to prevent such animal from escaping or injuring the public are provided

198.03. /KEEPING OF CERTAIN ANIMALS ABSOLUTELY PROHIBITED; EXCEPTIONS.7

Subdivision 1. /PROHIBITED ANIMALS.7 No person shall keep, maintain, or harbor within the city of Saint Paul any of the following animals:

- (1) Any animal or species prohibited by federal or Minnesota law.
- (2) Any exotic animal or species when kept in such numbers or in such a way as to constitute a likelihood of harm to the animals themselves, to human beings, or to the property of human beings, or which constitutes a public or private nuisance.
- (3) Any skunk, whether captured in the wild, domestically raised, descended or not descended, vaccinated against rabies or not vaccinated against rabies.
- (4) Any large cat or member of the family Felidae, such as lions, tigers, jaguars, leopards, cougars, and ocelots, except commonly accepted domesticated cats.
- (5) Any member of the family Canidae, such as wolves, dingoes, coyotes and jackals, except domesticated dogs.
- (6) Any crossbreed such as the crossbreed between dogs and coyotes and dogs and wolves.
- (7) Any raccoon.
- (8) Any red-eared turtle (Pseudemys scriptaelegans) with a shell length of less than four inches.

Subd. 2. /EXCEPTIONS.7 This section does not apply to animals which are temporarily brought into the city

for the purpose of participating in any circus or show; nor does it apply to any public zoo, or persons keeping animals for a public zoo as volunteers, Docents or otherwise; nor to any bona fide research institution, or veterinary hospital; provided protective devices adequate to prevent such animal from escaping or injuring the public are provided.

198.04. /PERMIT, APPLICATION, PROCEDURES, TERM, AND FEE.

Subdivision 1. /APPLICATION. Any person desiring a permit required under the provisions of section 198.02 shall make written application therefor to the health officer upon a form prescribed by and containing such information as required by the health officer. Among other things, the application shall contain the following information:

- (1) A description of the real property upon which it is desired to keep the animal or animals.
- (2) The species and number of animals to be maintained on the premises.
- (3) A statement that the applicant/permittee will at all times keep the animals in accordance with all the conditions prescribed by the health officer, or modification thereof, and that failure to obey such conditions will constitute a violation of the provisions of this chapter and grounds for cancellation of the permit.
- (4) Such other and further information as may be required by the health officer.

Subd. 2. /CONSENT. The applicant for any permit required under the provisions of section 198.02 shall provide with the application the written consent of 75 percent of the owners or occupants of privately or publicly owned real estate within 150 feet of the outer boundaries of the premises for which the permit is being requested or, in the alternative, proof that applicant's property lines are 150 feet or more from any structure. However, where a street separates the premises for which the permit is being requested from other neighboring property, no consent is required from the owners or occupants of property located on the opposite side of the street. Where a property within 150 feet consists of a multiple dwelling, the applicant need obtain only the written consent of the owner or manager, or other person in charge of the building.

Subd. 3. /FEES; TERM OF PERMIT.7 An initial fee of \$5 shall accompany the application for permit for animals defined in section 198.02, subdivision 2. For all other permits issued hereunder, the fee shall be \$25. The term of the permit shall be one year from date of issuance, and the permit may be renewed from year to year without payment of any additional fee upon application to the health officer; provided, however, that upon any adverse action or violation of the conditions of the permit or substantial amendment to the permit application as originally described, a new application, fee, and investigation may be required before the granting of a permit or renewal thereof.

Subd. 4. /INVESTIGATION BY HEALTH OFFICER; MAY GRANT PERMIT.7 The health officer shall make such investigation as is necessary and may grant, deny, or refuse to renew any application for permit under this chapter.

Subd. 5. /PERMIT; CONDITIONS.7 If granted, the permit shall be issued by the health officer and shall state the conditions, if any, imposed upon the permittee for the keeping of animals under the permit. The permit shall specify the restrictions, limitations, conditions, and prohibitions which the health officer deems reasonably necessary to protect any person or neighboring use from unsanitary conditions, unreasonable noise or odors, or annoyance, or to protect the public health and safety. Such permit may be modified from time to time or revoked by the health officer for failure to conform to such restrictions, limitations, or prohibitions. Such modification or revocation shall be effective from and after ten days following the mailing of written notice thereof by certified mail to the person or persons keeping or maintaining such animals.

Subd. 6. /REFUSAL TO GRANT OR RENEW A PERMIT.7 The health officer may refuse a permit to keep or

maintain animals hereunder for failure to comply with the provisions of this chapter, if the facilities for the keeping of the animals are or become inadequate for their purpose, if the conditions of the permit are not met, if a nuisance condition is created, or if the public health and safety would be unreasonably endangered by the granting of such permit.

Subd. 7. /NUMBERS OF ANIMALS; SPECIES; NOTICE TO HEALTH OFFICER. The permit shall state the number of animals which may be maintained on the premises, and the permittee shall immediately inform the health officer in writing when the number of animals maintained on the premises exceeds the number allowed by the permit or when a different species is substituted for those listed on the permit.

198.05. /RULES AND REGULATIONS; CONDITIONS OF PERMITS.

Subdivision 1. /RULES AND REGULATIONS. The health officer shall promulgate rules and regulations prescribing the general conditions, limitations, and prohibitions applicable to the keeping of animals or classes of animals under permits granted pursuant to the provisions of this chapter. Such rules and regulations, and any amendments thereto, are effective 20 days after filing with the city clerk.

Subd. 2. /SPECIAL CONDITIONS. The health officer may prescribe specific conditions, limitations, and prohibitions pertaining to the keeping of particular animals under any permit granted pursuant to the provisions of this chapter as the health officer deems reasonably necessary to protect any person or neighboring use from unsanitary conditions, unreasonable noise or odors, or annoyance, or for the control of rodents and insects, or to protect the public health and safety.

198.06. /NUISANCE. No person shall keep any animal, bird, or other living thing in such a manner as to constitute a nuisance.

198.07. /ENFORCEMENT. The health officer shall enforce the provisions of this chapter.

Ordinance

Presented By _____

Referred To _____ Committee: _____ Date _____

Out of Committee By _____ Date _____

Page 7.

198.08. VIOLATION; PENALTY. Any person who violates any provision of section 198.02, 198.03, ~~or~~ 198.06 is guilty of a misdemeanor.

Section 3.

This ordinance shall be deemed a part of the Saint Paul Legislative Code and shall be incorporated therein and given an appropriate chapter and/or section number at the time of the next revision of said Legislative Code.

Section 4.

This ordinance shall take effect and be in force 30 days from and after its passage, approval and publication.

COUNCILMEN

Yeas	Nays	
Fletcher <u>SIAMEN</u>	<u>7</u>	In Favor
Drew		
Masanz		
Nicosia	<u>0</u>	Against
Scheibel		
Tedesco		
Wilson		

Adopted by Council: _____ Date FEB 19 1985

Certified Passed by Council Secretary

By [Signature]

Approved by Mayor: _____ Date FEB 25 1985

By _____

Requested by Department of:
Community Services

By [Signature]

Form Approved by City Attorney

By _____

Approved by Mayor for Submission to Council

By _____

CENTERS FOR DISEASE CONTROL

August 28, 1987 / Vol. 36, No. 3S

MMWR

Supplement

MORBIDITY AND MORTALITY WEEKLY REPORT

RABIES

SURVEILLANCE

1986



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
PUBLIC HEALTH SERVICE
CENTERS FOR DISEASE CONTROL
ATLANTA, GEORGIA 30333

IV. REPORTS — ANIMALS, UNITED STATES

Mid-Atlantic States Raccoon Rabies

The 1,195 rabid raccoons reported by the mid-Atlantic states of Maryland, Pennsylvania, Virginia, West Virginia, and the District of Columbia represented a moderate increase (11%) from the 1,078 in 1985 (Figures 4 and 5). The increase was most notable in Pennsylvania (44%) and Virginia (36%); the number reported for the District of Columbia increased from four to 29. In Maryland, however, rabies cases in raccoons continued to decline from 964 in 1984 to 672 in 1985 and to 588 in 1986, a 39% decrease in the last 2 years (Table 1). Raccoons represented 77% of the total number of rabid animals reported by the mid-Atlantic area in 1986.

Ferret Rabies

Three ferrets were reported rabid in 1986. Reports of rabid ferrets are rare (11 since 1980). Because no one has tested rabies vaccine in ferrets, vaccination cannot be relied on to protect them from infection. The ferret belongs to the Mustelidae family, along with the skunk, otter, mink, and weasel. The species used for pets, *Mustela putorius furo*, should be distinguished from the black-footed ferret, *M. nigripes* (1). Ferrets, originally imported into the United States from Europe and also known as European ferrets, are descendants of the European polecat.

There has been considerable publicity regarding the aggressive tendencies of ferrets; this aggression is frequently directed at young children (2). According to Dr. George G. Harmon, executive director of the International Ferret Association, ferrets are not suitable pets for children. Harmon says he "won't sell a ferret to anyone who has a child under 6 years old" (3). This has been the policy of the International Ferret Association since it was founded in 1980.

At its meeting in March 1986, the Council on Public Health and Regulatory Veterinary Medicine of the American Veterinary Medical Association reaffirmed its opinion that keeping ferrets as pets poses certain risks and hazards, especially to infants and other young children. The Council concluded that the ferret, although domesticated as a working animal to hunt rodents and snakes, is wild in nature and is not a suitable household pet (4).

TABLE 1. Cases of raccoon rabies in mid-Atlantic states, 1983-1986

State	1983	1984	1985	1986
Maryland	732	964	672	588
Pennsylvania	81	281	285	409
Virginia	545	158	102	139
West Virginia	88	27	15	30
District of Columbia	158	12	4	29
Total	1,604	1,442	1,078	1,195

In total, 134 Canadians received postexposure treatment with rabies vaccine and rabies immune globulin: 60 nursing home contacts, 62 neighborhood contacts (mostly children), six veterinary clinic staff, and six animal shelter staff. Also, one boy visiting from England and four vacationers from Massachusetts had been exposed; all were vaccinated.

The average cost of a course of rabies immune globulin and vaccine ranges from \$400 to \$700 per person, depending on body weight. Total cost of prophylaxis provided by the Ontario Ministry of Health is estimated at \$65,000.

This incident emphasizes the problems that may result from failure to report the rabies risk of animals and the need to immunize pets against rabies before they have contact with large numbers of people. If the fox contact had been reported promptly, the large number of treatments and the consequent expense and anxiety may have been avoided.

Source: CG Clark, Director of Environmental Health, Peel Regional Health Unit, and C LeBer, DVM, DVPM, Senior Veterinary Consultant, Disease Control and Epidemiology Service, Public Health Branch, Ontario Ministry of Health.

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2. Anonymous. Need for data on ferrets that bite, eat human flesh, or develop rabies. *Calif Morbid* 1986;21[Feb]:7.
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1987 HEALTH HAZARDS OF PET FERRETS (32 SLIDES)

1. Ferrets in U.S.A.
2. Ferret (bitten a child)
3. Ferret - size
4. Colorado case - 1981
5. Colorado case: bites inflicted on 5 week old female infant.
40% of ears chewed off
6. Colorado case
7. Colorado case
8. Nevada case - 1983 (five month old male)
9. Nevada case: 1983 injuries on face
10. Nevada case: 1983 injuries on hands
11. Nevada case - 1981 (7 month old male)
12. Nevada case - 1981 facial injuries
13. Nevada case - 1981 close up of facial injuries
14. Nevada case - 1981 close up of facial injuries
15. Nevada case - 1981 healing, one month later
16. Nevada case - 1985 (29 day old female)
17. Nevada case - 1985 nose chewed off
18. Nevada case - 1985 close up of facial injuries
19. Nevada case - 1985 about one month post injury
20. London England - 1978 death of child
21. Indiana case - 1985
22. Oregon case - 1986
23. Oregon case - 1986 injuries to hand (also facial - not shown)
24. Oregon case - 1986 biting ferret - note teeth
25. Ferret rabies (USA) 1958-1986
26. Compendium of Animal Rabies Control, 1987

27. AVMA dates of opposing the keeping of wild-exotic animals as pets
28. USAHA resolution on wild exotic animals as pets
29. CDC stand on not keeping wild animals as pets
30. St. Paul-MN : legislation on ferrets and other wild animals as pets
31. Feral population establishment
32. Dr. Kenneth Kizer's quote on ferret fad