



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

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# ROLL CALL SHE

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## COUNCIL AGENDA

March 13, 1990

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on March 13, 1990, at 7:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota.

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

### Councilmembers

P Carlson  
P Moravec  
A Irving  
P Grimes  
P Herbes  
P Langsdorf  
P Joselyn

### Staff

P Dulgar  
P Olson  
P Kennedy  
P Monk  
P Barber  
P George  
P *Mc Girty*  
P *Jones*

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

The Mayor acknowledged contributions from Charles Knaeble Post 494 and its Ladies' Auxiliary to the Crystal DARE Program in respective amounts of \$3,000 and \$100.

The Mayor acknowledged a contribution from Knights of Columbus, Father William Blum Council, No. 3656, to the Crystal Fire Department for fire equipment in the amount of \$2,000.

1. The City Council considered the minutes of the Regular City Council meeting of February 20, 1990.

Moved by Councilmember M and seconded by Councilmember G to  
(approve) (approve, making the following exceptions: \_\_\_\_\_)

to) the minutes of the Regular City Council meeting of February 20, 1990.

Motion Carried.

CONSENT AGENDA

1. Consideration of holding City of Crystal's 18th Annual Rabies Vaccination Clinic on Saturday, May 19, 1990 at the Crystal City Garage, 6125 - 41st Avenue North.
2. Consideration of the following requests from the Crystal Firefighters' Relief Association and Crystal Fire Department relating to their open house on May 19, 1990 at the North Fire Station:
  - 1) temporary sign licenses, with waiver of fee, to be on display from May 12th to May 19th;
  - 2) conduct a raffle from 12 noon to 6 p.m.;
  - 3) to have a dance in the parking lot from 7 p.m. to 11 p.m. or midnight if crowd warrants it.
3. Set 7:00 P.M., or as soon thereafter as the matter may be heard, March 27, 1990 as the date and time for a public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a variance request of 10' to the rear yard setback to build an addition onto the existing garage at 5600 - 34th Avenue North, as requested by Robert Towler.
4. Set 7:00 P.M., or as soon thereafter as the matter may be heard, April 3, 1990 as the date and time for a public hearing at which time the City Council will consider Year XVI Urban Hennepin County Community Development Block Grant Program proposal.
5. Consideration of the resignation of Walter Sochacki from the Park & Recreation Advisory Commission effective February 14, 1990.
6. Consideration of taxi cab rates for Travel Express Taxi, 4109 - 42nd Avenue North, Robbinsdale, Minnesota.

*\$1.25 - first  $\frac{1}{6}$  of a mile  
'.20 - each additional  $\frac{1}{6}$  of a mile  
\$15.00 - per hour of waiting time including time lost in delays.*

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

Motion Carried.

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

Motion Carried.

PUBLIC HEARINGS

1. It being 7:00 p.m., or as soon thereafter as the matter may be heard, Mayor Herbes declared this was the date and time as advertised for a public hearing at which time the City Council will sit as a Board of Adjustments and Appeals to consider a variance of 10' in the required 20' side street side yard setback for a 28' x 34' detached garage, at 3154 Louisiana Ave. N. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. Those present and heard were: (5 votes needed for approval)

*Mr. Larry Clark, applicant*

The Mayor closed the Public Hearing.

Moved by Councilmember C and seconded by Councilmember M to (grant) (deny) (continue until \_\_\_\_\_ the discussion of) the authorization pursuant to Section 515.55 of the Crystal City Code to vary or modify the strict application of Section 515.13, Subdivision 3 a) 2) ii) to grant a variance of 10' in the required 20' side street side yard setback for a 28' x 34' detached garage, at 3154 Louisiana Ave. N. as requested in application #90-2.

Motion Carried.

2. It being 7:00 p.m., or as soon thereafter as the matter may be heard, Mayor Herbes declared this was the date and time as advertised for a public hearing at which time the City Council will consider increases in license fees for vending machines.

*Gene Wentzel, American <sup>Amusement</sup> Arcades*

The Mayor closed the Public Hearing.

*Notify  
the action  
of the City  
Council's  
adoption of  
Res. No. 89-85  
on Nov. 21, 1989.*

Moved by Councilmember M and seconded by Councilmember L to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) an increase in the vending machine license fees for 1990 as adopted by the Crystal City Council on November 21, 1989. Motion Carried.

**REGULAR AGENDA**

1. The City Council considered a sign variance request to allow another free standing sign at 5502 West Broadway, as requested by Lincoln Properties.

*Randy Johnson, Schad Tracy Signs*

Moved by Councilmember M and seconded by Councilmember G to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) a variance to Section 406.17, Subdivision 1 of the sign ordinance to install a 6' x 7' monument type sign at 5502 West Broadway, as requested by Lincoln Properties.

Motion Carried.

2. The City Council considered the Second Reading of an Ordinance Amending the Zoning Code Related to Changes in Variance Procedures.

*Paulette Magnuson, Chair, Planning Commission*

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

ORDINANCE NO. 90-5

AN ORDINANCE RELATING TO ZONING: BOARD  
OF ADJUSTMENTS AND APPEALS: AMENDING  
CRYSTAL CITY CODE, SUBSECTION  
305.71 AND CRYSTAL CITY CODE  
(APPENDIX I - ZONING) BY ADDING A  
SUBSECTION; REPEALING CRYSTAL CITY  
CODE, APPENDIX I - ZONING), SUBSECTIONS  
515.53, SUBDIVISION 1, CLAUSE M) AND 515.55.

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

Motion Carried.

3. The City Council considered the First Reading of an Ordinance Relating to Public Safety: Fire Prevention Repealing Crystal City Code, Section 905: Amending Crystal City Code by adding a section.

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

ORDINANCE NO. 90-

AN ORDINANCE RELATING TO PUBLIC SAFETY:  
FIRE PREVENTION: REPEALING CRYSTAL  
CITY CODE, SECTION 905: AMENDING CRYSTAL  
CITY CODE BY ADDING A SECTION

and further, that the second and final reading be held on March 27, 1990.

Motion Carried.

4. The City Council considered the approval of an amusement center license for Sharks at 100 Pool Hall, 5311 - 36th Avenue North (Anthony Shopping Center), and consideration of fees.

*Bill Nicklow,  
Gene Winsted, American Amusement  
Arcades*

*Discussion was held regarding closing hours.*

*C/M to adapt First Reading of the following ordinance:*

*Ordinance No. 90-*

*An Ordinance Amendment  
Relating to Hours of Operation*

*and further that the second & final reading be held on March 27, 1990.*

*Aye: C, M, L, J No: G, H Absent: I*

Moved by Councilmember G and seconded by Councilmember C to  
(approve) (deny) (continue until \_\_\_\_\_ the

discussion of) an amusement center license for Sharks at 100 Pool Hall, 5311 - 36th Avenue North (Anthony Shopping Center) with a fee of \$2,500 to cover March thru Dec. of 1990 until staff researcher administrative costs and comes back to Council with a recommendation on fees for an amusement center license. **Motion Carried.**

5. The City Council considered initiating a feasibility study process for reconstruction of 36th Avenue between Welcome and Louisiana Avenues.

*Richard Russell, 5812 - 36<sup>th</sup> Av. N.*

*Ronald Hartzberg, 5616 - 36<sup>th</sup> Av. N.*

*Barry Kline, 5905 - 36<sup>th</sup> Av. N.*

*Greg Lundeen, 6125 - 36<sup>th</sup> Av. N.*

*Don Meunier, owner of Rental (Double Bungalow) property on 36<sup>th</sup>*

*Janice Evans, 5918 - 36<sup>th</sup> Av. N.*

*Russ Bluit, 5816 - 36<sup>th</sup> Av. N.*

*Betty Lund, 6403 - 36<sup>th</sup> Av. N.*

*Mayor announced the E.D.A. mtg. scheduled for 9 p.m. would be delayed until this item is completed.*

*Recess 9:05 - Reconvened 9:15 p.m.*

Moved by Councilmember J and seconded by Councilmember G to  
(approve) (deny) (continue until \_\_\_\_\_ the  
discussion of) authorization to prepare a feasibility study  
detailing construction and cost aspects for reconstruction of 36th  
Avenue between Welcome and Louisiana Avenues.

*M/G to amend the motion to include upgrade of Section I and have a meeting with citizens for their input. Aye: M, G, No: C, L, J, H Absent: I Motion failed.  
Voting on the main motion: Aye: C, G, L, J, H No: M Absent: I Motion Carried.*

*the City Council Meeting was closed to conduct the meeting of the Economic Development Authority*  
*City Council meeting reconvened at 10:17 p.m.*  
Council Agenda

7

March 13, 1990

at 9:25 p.m.

6. The City Council considered insurance and indemnity letter and Hold Harmless Agreement for Earth Day 1990 event at Brookdale Shopping Center on April 22, 1990.

Moved by Councilmember L and seconded by Councilmember J to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) insurance and indemnity letter and Hold Harmless Agreement as presented by staff, and further to authorize Mayor and City Manager to sign such agreements.

Motion Carried.

7. The City Council considered the Second Reading of an Ordinance Requiring Refuse Haulers to Pick-up Yard Waste.

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

ORDINANCE NO. 90- 6

AN ORDINANCE RELATING TO RECYCLING:  
DISPOSAL OF YARD WASTE: AMENDING  
CRYSTAL CITY CODE, SECTION 607  
BY ADDING A SUBSECTION

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

Motion Carried.

8. The City Council considered the Second Reading of an Ordinance Relating to Traffic Regulation.

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

ORDINANCE NO. 90-7

AN ORDINANCE RELATING TO  
TRAFFIC REGULATION: AMENDING  
CRYSTAL CITY CODE, SUBSECTION 1305.03

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

Motion Carried.

9. The City Council considered the Second Reading of an Ordinance relating to the Crystal Community Center.

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

ORDINANCE NO. 90-8

AN ORDINANCE RELATING TO  
THE CRYSTAL COMMUNITY CENTER:  
AMENDING CRYSTAL CITY CODE,  
SUBSECTION 815.13

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

Motion Carried.

10. The City Council considered a resolution in opposition to the use of Motor Vehicle Excise Tax (MVET) funds to balance the budget.

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

RESOLUTION NO. 90-11

RESOLUTION IN OPPOSITION TO THE USE OF MVET  
FUNDS TO BALANCE BUDGET

By roll call and voting aye: C, M, G, H, L,  
J, \_\_\_\_\_; voting no: \_\_\_\_\_; absent, not  
voting: I, \_\_\_\_\_.

Motion carried, resolution declared adopted.

11. The City Council considered changing the time or date of the regular City Council meeting of May 15, 1990.

*M/G to begin the regular City Council meeting of May 15, 1990  
at 8:00 p.m. due to the District 281 School Board Election.  
Motion Carried*

12. The City Council considered a resolution on consultant contract related to the space needs analysis.

*L/J to adopt the following res. etc.*

*Res. No. 90-12*

*Resolution Awarding Contract for  
City Hall Space Needs Analysis*

*Aye: M, G, L, J, H No: C. Absent: I*

*Motion carried, resolution declared adopted.*

13. The City Council ~~considered~~ discussed Tax Increment Financing legislation.

14. The City Council discussed Fiscal Disparities proposal to use fiscal disparities as a revenue source for Light Rail Transit.

15. The City Council discussed the District 281 Youth Partnership.

OPEN FORUM

INFORMAL DISCUSSION AND ANNOUNCEMENTS

- comments on Newsletter - Langedorf inquired about the use of soy ink - staff check.
- Mgr - reminded Council of LMC Leg. Conference.

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

Motion Carried.

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

Motion Carried.

Meeting adjourned at 11:00 p.m.

APPLICATIONS FOR LICENSE  
MARCH 13, 1990

FOOD ESTABLISHMENT - Itinerant (Exempt)

Crystal Firefighter's Relief Assoc. one day only at the  
North Fire Station, 5454 West Bdwy, May 19, 1990.

GAS FITTER'S LICENSE - \$30.25

Merit HVAC, Inc., 7801 Park Dr., Chanhassen, MN 55317

PLUMBER'S LICENSE - \$30.25

Suburban Plumbing, 1685 E. 4th St., St. Paul, MN 55106  
Rescue Plumbing, 5321 France Ave. S., Edina, MN 55410  
Murdock & Son Plumbing, 2037 N. Snelling Ave., Roseville, MN 55113  
Robert Schaaf Plumbing, 12555 92nd Pl. N., Maple Grove, MN 55369  
Twin City Plumbing & Heating, 3600 Labore Road, St. Paul, MN 55110

GAS FITTER'S LICENSE - \$30.25 - Renewals

Centraire, Inc., 7402 Washington Ave. N., Eden Prairie, MN 55344  
Louis DeGidio, 6501 Cedar Ave., Minneapolis, MN 55423  
Marsh Heating & Air, 6248 Lakeland Ave. N., Brooklyn Park, MN 55428

PLUMBER'S LICENSE - \$30.25 - Renewals

R. J. Miller Plumbing, 6293 NE Jackson St., Minneapolis, MN 55432  
Gavic & Sons Plumbing, 3536 Madison Pl. NE., Minneapolis, MN 55418

SIGN LICENSE RENEWALS

General Nutrition, 223 Willow Bend	15.00
Lens Crafters, 143 Willow Bend	45.00

SIGN LICENSE RENEWALS - 25% penalty

10,000 Auto Parts, 6600 56th Ave. N.	37.50
Arnold's 5518 Lakeland Ave. N.	88.13
Sun Health-Sun Shoppe, 127 Willow Bend	18.75

SIGN LICENSE RENEWALS - 50% penalty

Muffler Clinic, 5531 Lakeland Ave. N.	45.00
Minneapolis Drafting School, 5702 West Broadway	22.50
Superamerica, 5359 West Broadway	48.15
Furniture Barn, 5101 Lakeland Ave. N.	52.65

APPLICATIONS FOR LICENSE  
MARCH 13, 1990  
(renewal)

MECHANICAL AMUSEMENTS - \$104.50 each machine

Summit Amusement dba Bella's Pizza & Pasta House, 2732  
Douglas Dr. N.

Sent with preliminary agenda on March 9, 1990:

Letter from K of C donating \$2,000 to the Fire Dept.  
Memo from Chief Mossey dated 2-28-90 re: \$3,000 and \$100 donations respectively from VFW Post #494 and the Ladies' Auxiliary for the DARE Program.  
Minutes of the Feb. 20, 1990 meeting.  
Memo from Supervising Sanitarian dated 3-7-90 re: Annual Rabies Vaccination Clinic.  
Info from Crystal Firefighter's Relief Assoc. and Fire Dept. re: Open House - May 19, 1990.  
Memo from Comm. Dev. Coord. dated 3-7-90 re: Year XVI CDBG Program.  
Letter of resignation from Red Sochacki of the Park & Rec. Adv. Comm. dated 2-14-90.  
Memo from City Clerk dated 3-2-90 re: Taxicab License for Travel Express Taxi.  
Memo from Bldg. Inspector dated 3-7-90 re: Variance, 3154 Louisiana Ave. N.  
Memo from City Clerk dated 2-22-90 re: Public Hearing on License Fee Increases for Vending Machines.  
Memo from Bldg. Inspector dated 3-7-90 re: 5502 West Broadway variance.  
Memo from City Engr. dated 3-5-90 re: Variance Procedure ordinance.  
Memo from Fire Chief dated 3-9-90 re: Proposed ordinance revisions to City Fire Prevention Code.  
Memo from City Clerk dated 3-8-90 re: Amusement Center License - Sharks at 100 Pool Hall, 5311 - 36th Ave. N. (Anthony Shopping Center)  
Memo from City Engr. dated 3-5-90 re: 36th Ave. Reconstruction.  
Memo from Recycling Coordinator dated 3-2-90 re: insurance requirements for Earth Day 1990 Event at Brookdale.  
Ordinance relating to recycling: Disposal of yard waste.  
Ordinance relating to traffic regulation.  
Ordinance relating to the Crystal Community Center Legislative Alert re: MVET revenues. dated 2-8-90.  
Memo from City Clerk dated 3-2-90 re: Change in time and/or date of May 15, 1990 Council Mtg.  
Memo from City Engr. dated 3-6-90 re: Space Needs.

Bulletin from LMC re: TIF legislation.

Letter from Larkin, Hoffman, Daly & Lindgren dated 2-1-90 re: fiscal disparity pool for light rail transit.

THE DISTRICT 281 YOUTH PARTNERSHIP dated February, 1990.

Notice of North Metro Assoc. Brd. of Directors Mtg. March 29 - 6-8 p.m., Greenhaven Golf & Country Club, Anoka.

Capital for a day at Robbinsdale Project Summary dated 2-23-90.

Human Relations Comm. minutes of 1-22-90.

Memo from Bldg. Inspector dated 2-28-90 re: Phase II Construction at Keng's Chow Mein, 6121 - 42nd Av.N.

Memo from Miles Johnson dated 3-6-90 re: Sewer Refunds for Senior Citizens - Rental Only.

Letter of appreciation dated 3-6-90 from Mary Balmes for funding women's abuse program.

Crystal Park & Rec. monthly report for February, 1990.

Park & Rec. Advisory Comm. minutes of 2-7-90.

Memo from Miles Johnson dated 3-2-90 re: Medicare FICA.

Action Needed Memo from the 2-20-90 Council Mtg. The Crystal City Newsletter.

Given in packet on 3-13-90:

Donations to the Community Center Open House.

Letter from Hennepin County Board dated 3-7-90 re: Recycling Recognition Luncheon, April 18, 1990 at Sheraton Park Place Hotel, St. Louis Park.

*Darlene*

Memorandum

DATE: March 9, 1990  
TO: Mayor and Council  
FROM: Jerry Dulgar, City Manager  
SUBJECT: Preliminary Agenda for the March 13, 1990 Council Meeting

Acknowledgement of contributions from Charles Knaeble Post 494 and its Ladies' Auxiliary to the Crystal DARE Program in respective amounts of \$3,000 and \$100. We'll send our usual thank you letters to the folks at the Post. I think it may be appropriate for the Council to discuss the possibility of putting together some certificates of accommodation, plaques, or something and give to some of the folks who have given us some very major contributions over the last two or three years.

Public Hearings:

Item #1: Public Hearing regarding a variance at 3154 Louisiana Ave. N. I believe, from what Bill has said, that some residents, who have found out about this or got concerned about it after the Planning Commission acted on it, will be at the meeting to express their concerns. I should also point out that there is room, I believe, to build a garage without the variance. It may be more convenient to build it with a variance.

Item #2: Public hearing to consider increases in license fees for vending machines. Because of all the furor that is going on in the Twin Cities area over banning cigarette machines, etcetera, we might have representatives from some of the vending industry here. Their typical tactics are to explain to you that it is unconstitutional to charge them for services that you are not rendering, etcetera, etcetera, etcetera. I think that our fees are within line and I would recommend that we go ahead and approve them.

Regular Agenda:

Item #3: Consideration of the First Reading of an Ordinance Relating to Public Safety: Fire Prevention Repealing Crystal City Code, Section 905: Amending Crystal City Code by adding a section. Enclosed in your information is a memo from the Fire Chief relative to this. He'll be in attendance at the meeting to answer any questions. I would recommend approval.

Item #4: Consideration of approval of an amusement center license for Sharks at 100 Pool Hall, 5311 - 36th Avenue North (Anthony Shopping Center), and consideration of fees. The pool hall, I believe, is ready for licensing and opening. At this

late date though the proprietors are now questioning the license fee which they have been informed of since day one. I'm sure they'll feign ignorance or misunderstanding but I think they've known about it and just recently became concerned about it. Maybe because other communities' fees are less. I don't really know why. I recommend approval.

Item #5. Consideration of initiating feasibility study process for reconstruction of 36th Avenue between Welcome and Louisiana Avenues. We would not as a normal process notify residents that we are simply initiating a feasibility study. Typically the residents are called in for the first time when the feasibility study is done. However, we didn't want anybody to claim we were trying to pull anything over on them by starting the feasibility process. You can expect that there will be a number of residents at the meeting to express their opinions relative to the improvement of the street. It would be our recommendation that you authorize the feasibility study.

Item #7: Consideration of the Second Reading of an Ordinance Requiring Refuse Haulers to Pick-up Yard Waste. I recommend that we go ahead with the second reading of this and depending on what happens between the county, the haulers, the cities, etcetera on yard waste for the summer, we will publish it as needed so that it would be effective for the summer.

Item #10: Consideration of a resolution in opposition to the use of Motor Vehicle Excise Tax (MVET) funds to balance the budget. We possibly will know something more about what's happening with MVET, before the meeting and I'll be prepared to discuss it. If the MVET funds don't continue to be used for road improvements as they were originally intended for, projects such as our Highway 100 and 36th Avenue Project could be in jeopardy. The main reason for having it on the agenda is to make sure that you are aware of it and that we let our Legislature know that we are concerned about the MVET funds being used for road improvements as they were intended.

Item #11: Consideration of changing time or date of regular City Council meeting of May 15, 1990. Because of the School Board election we cannot meet at our regular time. However, we could meet at 8 p.m. or meet the following night. I think it might be more appropriate to meet at 8 p.m. that night.

Item #12: Consideration of a resolution on consultant contract related to space needs analysis. Bill will be prepared to discuss with you another possible alternative in looking at the space needs analysis. We'll be prepared for questions and discussion.

Item #13: Discussion of Tax Increment Financing legislation. Many hearings are occurring relative to Tax Increment Financing. John has been attending those and will be prepared to discuss TIF with the Council at the meeting.

Item #14: Discussion of Fiscal Disparities proposal to use fiscal disparities as a revenue source for Light Rail Transit. The long and the short of the story is that using the fiscal disparities for the Light Rail Transit will short change the City in the long run and will probably lead to the eventual use of fiscal disparities for a lot of other purposes other than equalizing tax base. It would be our recommendation that we do **not** go along with such a proposal and let our legislators know that.

Item #15: Discussion of the District 281 Youth Partnership. There's information enclosed relative to the Youth Partnership. This is a program that came out of the meetings of City officials with the superintendent and staff. It's really just an attempt to better coordinate the City and School District programs so that we can do the most for the least dollar for the young people in the communities during the summer. Some people have portrayed it as the cities being asked to take over summer school. I don't view it that way at all. I think we should support the program.

Have a nice weekend.

JD/js

COUNCIL AGENDA - SUMMARY

COUNCIL MEETING OF  
MARCH 13, 1990

Call to order

Roll call

Pledge of Allegiance to the Flag

Acknowledgement of contributions from Charles Knaeble Post 494 and its Ladies' Auxiliary to the Crystal DARE Program in respective amounts of \$3,000 and \$100.

Approval of the minutes of the regular meeting of February 20, 1990.

Consent Agenda

1. Consideration of holding City of Crystal's 18th Annual Rabies Vaccination Clinic on Saturday, May 19, 1990 at the Crystal City Garage, 6125 - 41st Avenue North.
2. Consideration of the following requests from the Crystal Firefighters' Relief Association and Crystal Fire Department relating to their open house on May 19, 1990 at the North Fire Station:
  - 1) temporary sign licenses, with waiver of fee, to be on display from May 12th to May 19th;
  - 2) conduct a raffle from 12 noon to 6 p.m.;
  - 3) to have a dance in the parking lot from 7 p.m. to 11 p.m. or midnight if crowd warrants it.
3. Set public hearing for March 27, 1990 to consider a variance request of 10' to the rear yard setback to build an addition onto the existing garage at 5600 - 34th Avenue North, as requested by Robert Towler.
4. Set public hearing for April 3, 1990 to consider Year XVI Urban Hennepin County Community Development Block Grant Program proposal.
5. Consideration of the resignation of Walter Sochacki from the Park & Recreation Advisory Commission effective February 14, 1990.
6. Consideration of taxi cab rates for Travel Express Taxi, 4109 - 42nd Avenue North, Robbinsdale, Minnesota.

### **Public Hearings**

1. Public Hearing for consideration of granting a variance of 10' in the required 20' side street side yard setback for a 28' x 34' detached garage, at 3154 Louisiana Ave. N., as requested by Larry J. Clark.
2. Public hearing to consider increases in license fees for vending machines.

### **Regular Agenda Items**

1. Consideration of sign variance request to allow another free standing sign at 5502 West Broadway, as requested by Lincoln Properties.
2. Consideration of the Second Reading of an Ordinance Amending Zoning Code Related to Changes in Variance Procedures.
3. Consideration of the First Reading of an Ordinance Relating to Public Safety: Fire Prevention Repealing Crystal City Code, Section 905: Amending Crystal City Code by adding a section.
4. Consideration of approval of an amusement center license for Sharks at 100 Pool Hall, 5311 - 36th Avenue North (Anthony Shopping Center), and consideration of fees.
5. Consideration of initiating feasibility study process for reconstruction of 36th Avenue between Welcome and Louisiana Avenues.
6. Consideration of insurance and indemnity letter and Hold Harmless Agreement for Earth Day 1990 event at Brookdale.
7. Consideration of the Second Reading of an Ordinance Requiring Refuse Haulers to Pick-up Yard Waste.
8. Consideration of the Second Reading of an Ordinance Relating to Traffic Regulation.
9. Consideration of the Second Reading of an Ordinance relating to the Crystal Community Center.
10. Consideration of a resolution in opposition to the use of Motor Vehicle Excise Tax (MVET) funds to balance the budget.

11. Consideration of changing time or date of regular City Council meeting of May 15, 1990.
12. Consideration of a resolution on consultant contract related to space needs analysis.
13. Discussion of Tax Increment Financing legislation.
14. Discussion of Fiscal Disparities proposal to use fiscal disparities as a revenue source for Light Rail Transit.
15. Discussion of the District 281 Youth Partnership.

Open Forum

Informal Discussion and Announcements

Licenses

Adjournment

APPLICATIONS FOR LICENSE  
MARCH 13, 1990

FOOD ESTABLISHMENT - Itinerant (Exempt)

Crystal Firefighter's Relief Assoc. one day only at the  
North Fire Station, 5454 West Bdwy, May 19, 1990.

GAS FITTER'S LICENSE - \$30.25

Merit HVAC, Inc., 7801 Park Dr., Chanhassen, MN 55317

PLUMBER'S LICENSE - \$30.25

Suburban Plumbing, 1685 E. 4th St., St. Paul, MN 55106  
Rescue Plumbing, 5321 France Ave. S., Edina, MN 55410  
Murdock & Son Plumbing, 2037 N. Snelling Ave., Roseville, MN 55113  
Robert Schaaf Plumbing, 12555 92nd Pl. N., Maple Grove, MN 55369  
Twin City Plumbing & Heating, 3600 Labore Road, St. Paul, MN 55110

GAS FITTER'S LICENSE - \$30.25 - Renewals

Centraire, Inc., 7402 Washington Ave. N., Eden Prairie, MN 55344  
Louis DeGidio, 6501 Cedar Ave., Minneapolis, MN 55423  
Marsh Heating & Air, 6248 Lakeland Ave. N., Brooklyn Park, MN 55428

PLUMBER'S LICENSE - \$30.25 - Renewals

R. J. Miller Plumbing, 6293 NE Jackson St., Minneapolis, MN 55432  
Gavic & Sons Plumbing, 3536 Madison Pl. NE., Minneapolis, MN 55418

SIGN LICENSE RENEWALS

General Nutrition, 223 Willow Bend	15.00
Lens Crafters, 143 Willow Bend	45.00

SIGN LICENSE RENEWALS - 25% penalty

10,000 Auto Parts, 6600 56th Ave. N.	37.50
Arnold's 5518 Lakeland Ave. N.	88.13
Sun Health-Sun Shoppe, 127 Willow Bend	18.75

SIGN LICENSE RENEWALS - 50% penalty

Muffler Clinic, 5531 Lakeland Ave. N.	45.00
Minneapolis Drafting School, 5702 West Broadway	22.50
Superamerica, 5359 West Broadway	48.15
Furniture Barn, 5101 Lakeland Ave. N.	52.65

APPLICATIONS FOR LICENSE  
MARCH 13, 1990  
(renewal)

MECHANICAL AMUSEMENTS - \$104.50 each machine

Summit Amusement dba Bella's Pizza & Pasta House, 2732  
Douglas Dr. N.



# KNIGHTS OF COLUMBUS

FATHER WILLIAM BLUM COUNCIL, No. 3656

4947 West Broadway

Crystal, Minnesota 55429

March 6, 1990

Mrs. Bette Herbes, Mayor  
City of Crystal  
4141 Douglas Drive  
Crystal, MN 55422-1696

Dear Mayor Herbes:

We recently received a request from your fire department for our organization to grant a contribution to be used for much-needed fire equipment.

Until recently, we would not have been able to consider such a request because our gambling account was more than depleted. We were borrowing from our general fund to meet long-standing charity commitments. However, we recently made a change in our bingo format, and revenue has been increasing.

Therefore, we are pleased to be able to contribute \$2,000.00 for fire equipment. Since we are unsure of the proper channel for these funds, we are forwarding this check to you for proper distribution.

Hopefully, if our income continues at the same pace, we may be able to make more contributions to our community.

Sincerely yours,

KNIGHTS OF COLUMBUS

*Thomas N. Tophen*

Thomas N. Tophen,  
Grand Knight

Enc.

<b>KNIGHTS OF COLUMBUS</b> FATHER WM. BLUM, COUNCIL NO. 3656 GAMBLING ACCOUNT 4947 WEST BROADWAY MINNEAPOLIS, MN 55429		2574
PAY TO THE ORDER OF <u>Crystal Fire Department</u>		March 8 1990
<u>Two - Thousand and no</u>		\$ <u>2,000.00</u>
		DOLLARS
<b>CITIZENS STATE BANK</b> OF ST. LOUIS PARK MAIN OFFICE 805-6581, 3050 Excelsior Blvd., St. Louis Park, MN 55416 Minneapolis Office 805-6521, 4201 Minnesota Blvd., St. Louis Park, MN 55416 Robbinsdale Office 588-2715, 3700 West Broadway, Robbinsdale, MN 55422		<u>Thomas N. Tophen</u> <u>Robert C. Thompson</u>
FOR <u>Up. Grading Emergency Dept.</u>		

**CITY OF CRYSTAL  
POLICE DEPARTMENT  
MEMORANDUM**

DATE:       **FEBRUARY 28, 1990**

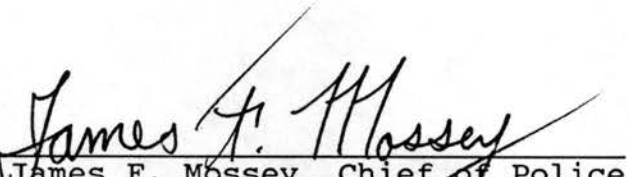
TO:         **JERRY DULGAR  
CITY MANAGER**

FROM:       **JAMES F. MOSSEY  
CHIEF OF POLICE**

SUBJECT:    **ATTACHED LETTERS**

Please be advised that the Charles Knaeble Post 494 and their Ladies' Auxiliary have made contributions to the Crystal DARE Program in respective amounts of \$3,000 and \$100.

Attached please find copies of the thank you letters I sent on February 28th and a copy of the checks we received. The checks were turned over to Carol in the Finance Department on 2-28-90.

  
James F. Mossey, Chief of Police

JFM/ee

Attachments



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

POLICE DEPARTMENT

February 28, 1990

Commander Richard Hendrickson  
VFW 494 Charles R. Knaeble Post  
5222 56th Avenue North  
Crystal, MN 55429

Dear Commander Hendrickson:

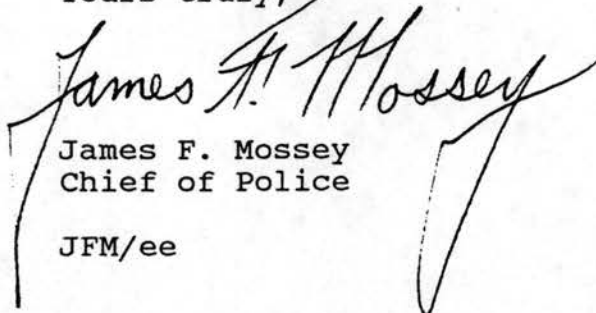
Please accept this letter as thanks for the contribution of \$3,000 made to the Crystal DARE Program by your members.

It is organizations such as yours, with a dedication to improving the quality of life in our community, that truly makes a difference in how we, as public servants, are able to carry out our tasks. Our coming together in a joint effort to fight one of the deadliest plagues ever visited on mankind will certainly assure us a final victory.

The drug problem we are addressing is being fought on two fronts. Both in enforcement and education. Your contribution towards that education will go a long way in eradicating this plague.

A sincere thanks from all of us.

Yours truly,

  
James F. Mossey  
Chief of Police  
JFM/ee



**CITY of CRYSTAL**

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

POLICE DEPARTMENT

February 28, 1990

Jan Reed  
President  
Ladies Auxiliary  
Charles R. Knaeble Post 494  
5222 56th Avenue North  
Crystal, MN 55429

Dear Ms. Reed:

Please accept this letter as a sincere thanks for the \$100 donation made by your organization to our drug education efforts here in Crystal.

As I stated to your Post Commander, Richard Hendrickson, this plague will be eradicated by the combined efforts of concerned citizens such as yourself and we public officials who are charged with the responsibility to address these problems.

Again, thank you very much for your interest and efforts.

Yours truly,

James F. Mossey  
Chief of Police

JFM/ee

VFW 494 CHARLES R. KNAEBLE POST  
CHARITABLE GAMBLING ACCOUNT  
5222 - 56TH AVENUE N.  
CRYSTAL, MINNESOTA 55429

10277

75-1662/910

PAY  
TO THE  
ORDER OF City of Crystal \$ 3000.00

Three thousand dollars & no cts

DOLLARS

**The Bank**  
**EASY PLACE North**

Crystal Offices  
7000 Bass Lake Road  
42nd & Douglas  
Crystal, MN 55428

C. E. O. - GAMBLING MANAGER

*J. W. Hawk*

FOR D.A.R.E.-Program

*Richard R. Rasmussen*

LADIES AUXILIARY TO THE CHARLES R. KNAEBLE  
VFW POST 494  
5222 - 56TH AVE. N.  
MINNEAPOLIS, MN 55429

2561

Feb 20 19 90

75-1497  
910

PAY TO THE  
ORDER OF

D.A.R.E.

\$

100.00

*One Hundred & 00/100*

DOLLARS

**Brooklyn Park Bank**

612/566-1600  
7575 Brooklyn Blvd.  
Brooklyn Park, MIN 55443-3199

*Jan Reed*

FOR

*Mary E. Larson*

*Darlene*

February 20, 1990

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Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on February 20, 1990 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, Irving, Grimes, Herbes, Joselyn; absent were: Carlson, Langsdorf. Also in attendance were the following staff members: John Olson, Assistant City Manager; David Kennedy, City Attorney; William Monk, Public Works Director; William Barber, Building Inspector; Darlene George, City Clerk; Ed Brandeen, Park & Recreation Director; Miles Johnson, Finance Director; Nancy Gohman, Assistant Manager.

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

The City Council considered the minutes of the Regular City Council meeting of February 6, 1990.

Moved by Councilmember Moravec and seconded by Councilmember Irving to approve the minutes of the Regular City Council meeting of February 6, 1990, making the following exception: Item #15, change wording from "staff should deny the homestead" to "it not change the Assessor's action".

Motion Carried.

The City Council considered the following Consent Agenda:

1. Consideration of the appointment of Ed Brandeen, Park & Recreation Director, as the Assistant City Weed Inspector for 1990.
2. Consideration of a request from the Crystal Police Department to hold its annual Bicycle Auction on Saturday, April 21, 1990, at the Crystal City Garage.
3. Set 7:00 p.m., March 13, 1990 as the date and time for a Public Hearing for consideration of granting a variance of 20' in the required 30' side street side yard setback for a 28' x 34' detached garage, at 3154 Louisiana Ave. N., as requested by Larry J. Clark.
4. Consideration of waiver of fees and approval of authorization to issue off-premise temporary sign licenses to the Crystal Lions Club to advertise their Pancake Breakfast at the following locations March 3 through 11, 1990: 5844 Orchard Ave. N., 5410 Lakeland Ave. N., 7200 - 56th Ave. N., 3600 Douglas Drive N., 5924 West Broadway, 4920 West Broadway, and 2756 Douglas Drive.

February 20, 1990

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

Motion Carried.

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

1. Peter MacMillan of Rosenthal, Rondoni, MacMillan & Joyner, Attorneys at Law, appeared to present the Annual Prosecution Report.
2. The City Council considered the applications for appointment to the Human Relations Commission from Bob Techam, 6707 Corvallis Avenue North, and William F. Johnson, 2702 Kentucky Avenue North.

Moved by Councilmember Grimes and seconded by Councilmember Irving to appoint Bob Techam, 6707 Corvallis Avenue North, to the Human Relations Commission for an unexpired term expiring December 31, 1991 and to appoint William F. Johnson, 2702 Kentucky Avenue North, for an unexpired term expiring December 31, 1992.

Motion Carried.

3. Bob Thistle of Springsted, Incorporated, appeared before the City Council to discuss setting bond sale for the City of Crystal equipment certificates.

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

RESOLUTION NO. 90-7

RESOLUTION PROVIDING FOR THE ISSUANCE  
AND SALE OF \$760,000 GENERAL OBLIGATION EQUIPMENT  
CERTIFICATES OF INDEBTEDNESS SERIES 1990A

By roll call and voting aye: Moravec, Irving, Grimes, Herbes, Joselyn; absent, not voting: Carlson, Langsdorf. Motion carried, resolution declared adopted.

4. The City Council considered the increase of season ticket prices at the Crystal Municipal Pool.

Moved by Councilmember Grimes and seconded by Councilmember Irving to approve authorization to increase the rates at the Crystal Municipal Pool for the 1990 season as follows:  
Resident Family \$36.00; Non-Resident Family \$46.00; Resident Single \$23.00; Non-Resident Single \$28.00; Daily Rate \$2.00.

Motion Carried.

5. The City Council considered a request to use the Crystal Municipal Pool for a swim meet by the New Hope, Crystal, Plymouth Swim Club on July 27, 28, and 29, 1990.

February 20, 1990

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Moved by Councilmember Irving and seconded by Councilmember Grimes to approve a request to use the Crystal Municipal Pool for a swim meet by the New Hope, Crystal, Plymouth Swim Club on July 27, 28, and 29, 1990.

Motion Carried.

6. The City Council considered award of a bid for a double flume waterslide at the Crystal Municipal Pool. Liz Reid and Bill Gentry of the Park & Recreation Advisory Commission appeared and were heard.

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

RESOLUTION NO. 90-8

RESOLUTION AWARDDING A BID AND  
DISBURSING FUNDS FROM THE PERMANENT IMPROVEMENT  
REVOLVING FUND, PART B

By roll call and voting aye: Moravec, Irving, Grimes, Herbes, Joselyn; absent, not voting: Carlson, Langsdorf. Motion carried, resolution declared adopted.

The Mayor called a recess at 7:45 p.m. and the meeting was reconvened at 7:55 p.m.

7. The City Council considered the insurance renewal for 1990-1991. Cary Shaich, Insurance Agent, appeared and was heard.

Moved by Councilmember Irving and seconded by Councilmember Moravec to approve the insurance renewal for 1990-1991 policy year from League of Minnesota Cities Insurance Trust program (LMCIT) as recommended by the Assistant Manager.

Motion Carried.

8. The City Council considered a resolution setting a Public Hearing for April 3, 1990 to discuss tax increment financing for the 36th Avenue/~~Highway 100~~ Project. (*Anthony Shopping Center*)

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

RESOLUTION NO. 90-9

RESOLUTION CALLING FOR A PUBLIC HEARING  
ON THE ESTABLISHMENT OF REDEVELOPMENT PROJECT  
NO. 2 AND TAX INCREMENT FINANCING DISTRICT NO. 2-1,  
AND ADOPTION OF PLANS FOR THOSE DISTRICTS

February 20, 1990

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By roll call and voting aye: Moravec, Irving, Grimes, Herbes, Joselyn; absent, not voting: Carlson, Langsdorf. Motion carried, resolution declared adopted.

9. The City Council considered Hennepin County Board resolutions #90-2-31R1 and #90-2-32R1 regarding yard waste compost sites and the First Reading of a proposed ordinance requiring refuse haulers to pick-up yard waste.

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

ORDINANCE NO. 90-

AN ORDINANCE RELATING TO RECYCLING: DISPOSAL  
OF YARD WASTE: AMENDING CRYSTAL CITY  
CODE, SECTION 606 BY ADDING A SUBSECTION

and further, that the second and final reading be held on  
March 13, 1990.

Motion Carried.

10. The City Council considered the First Reading of an Ordinance Relating to Traffic Regulation.

Moved by Councilmember Joselyn and seconded by Councilmember Irving to adopt the following ordinance:

ORDINANCE NO. 90-

AN ORDINANCE RELATING TO TRAFFIC  
REGULATION: AMENDING CRYSTAL CITY CODE,  
SUBSECTION 1305.03

and further, that the second and final reading be held on  
March 13, 1990.

Motion Carried.

11. The City Council considered a resolution and agreement for Twin Lake Outlet Modification Project.

Moved by Councilmember Irving and seconded by Councilmember Grimes to adopt the following resolution, the reading of which was dispensed with by unanimous consent; and further, to appropriate money for Crystal's share in the amount of \$48,325 from the Infrastructure Fund.

RESOLUTION NO. 90-10

RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER  
TO ENTER INTO A CONTRACT WITH THE CITY OF ROBBINSDALE  
FOR THE CONSTRUCTION OF THE TWIN LAKE/RYAN LAKE  
IMPROVEMENT PROJECT AS AUTHORIZED BY THE  
SHINGLE CREEK WATERSHED MANAGEMENT COMMISSION

February 20, 1990

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By roll call and voting aye: Moravec, Irving, Grimes, Herbes, Joselyn; absent, not voting: Carlson, Langsdorf. Motion carried, resolution declared adopted.

12. The City Council considered Yunkers Park improvements as a joint project with New Hope to address drainage problems.
13. The City Council reviewed a proposal to contract with Anderson Dale Architects to conduct analysis of space needs report.

Moved by Councilmember Moravec and seconded by Councilmember Grimes to continue to the March 13, 1990 meeting when the full Council could be present and to allow further study of the previous space needs report by Anderson Dale Architects.

Motion Carried.

14. The City Council considered the First Reading of an Ordinance relating to the Crystal Community Center.

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

ORDINANCE NO. 90-

AN ORDINANCE RELATING TO THE CRYSTAL COMMUNITY CENTER:  
AMENDING CRYSTAL CITY CODE, SUBSECTION 815.13

and further that the second and final reading be held on March 13, 1990.

Motion Carried.

15. The City Council discussed the Employee of the Month Award to be presented to Pam Foster. Pam is a sanitarian in the Health Department.

Moved by Councilmember Moravec and seconded by Councilmember Irving 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.

The City Council recessed at 8:53 p.m. to go into an Executive Session to discuss a pending lawsuit with Veit and Company, Inc. The Executive Session was closed and the regular Council meeting reconvened at 9:49 p.m.

Moved by Councilmember Irving and seconded by Councilmember Joselyn to adjourn the meeting.

Motion Carried.

Meeting adjourned at 9:50 p.m.

February 20, 1990

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Mayor

ATTEST:

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City Clerk

M E M O R A N D U M

DATE: March 7, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Tom Heenan, Supervising Sanitarian  
SUBJECT: Annual Rabies Vaccination Clinic

The City of Crystal's 18th Annual Rabies Vaccination Clinic will be held between the hours of 12:30 P.M. to 3:30 P.M., on Saturday, May 19, 1990, at the Crystal City Garage, 6125 41st Avenue North, \$7.00 per injection.

The clinic will be conducted by Drs. Miskowiec and Haight from the Beltline Pet Hospital and is open to all Crystal and New Hope residents.

It will be necessary for two clerks to assist us in collecting monies and writing out dog licenses. Karen Kivi and Joan Tatley have offered their assistance. We will also need the garage opened approximately one half hour before the clinic starts plus three large tables and nine chairs, 2 large garbage cans and necessary cleaning materials.

We will inform local news media, cable TV, City newsleetter and staff newsletter.

TLH:jt

cc: Darlene George, City Clerk  
John Olson, Asst. City Mgr/Community Dev. Director  
Bill Monk, City Engineer  
Sante Davidson, Street Superintendent  
Crystal/New Hope Animal Warden  
New Hope Police Department

CRYSTAL FIREFIGHTER'S RELIEF ASSOCIATION  
AND  
CRYSTAL FIRE DEPARTMENT

On Saturday, May 19, 1990, from 12:00 noon to 6:00 p.m. we will be having an open house at our North Fire Station. We will be giving away the following items:

1. orange drink
2. cookies
3. popcorn
4. balloons
5. coffee
6. caps

The caps will be donated by the Crystal Lions Club. Every half hour we will have a drawing for those present to win a smoke detector or a fire extinguisher. We will have fire trucks from Robbinsdale and Crystal to give rides to kids. There will be games for the kids and also demonstrations on fire safety. We also hope to have two old cars outside so that we can demonstrate to the people our "Rescue Tool" the city purchased for our fire department.

We will be renting a band shell from Robbinsdale and we will have a light show by a local DJ from 7:00 until 11:00 p.m. in the fire station parking lot unless the crowd warrants the music to go until midnight. That will be the latest the band will play. During our open house and dance we will also be selling pop and food. This year the Crystal Lions may also be selling beer as they did last year. We will be asking Time-Savers for the use of their parking lot during these hours.

We would like the street closed from West Broadway to Fire Department Ramp on Douglas for safety reasons. The time would be about 11:00 a.m. to 7:00 p.m.

Thank you.

A handwritten signature in dark ink, appearing to read "Jim Lane", is written below the "Thank you." text.

DATE: March 7, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Julie Jones, Community Development Coordinator  
SUBJECT: Year XVI Community Development Block Grant Program  
Public Hearing Notice

Attached is a copy of the public hearing notice required for publication prior to a public hearing regarding the intended use of Year XVI Urban Hennepin County Community Development Block Grant funds. Crystal's Year XVI allocation is \$112,939. I am recommending the following breakdown of funds:

Home Improvement Deferred Loan Program	\$ 40,000
Scattered Site Acquisition Revolving Fund	63,439
Senior Transportation	<u>9,500</u>
	\$112,939

The above breakdown eliminates funding of the daycare program, which has been funded by the City for a number of years. Unfortunately, with the reduction in funding year, continued funding of the daycare program would mean reducing the amount of funding to community development programs which would greatly hamper their effectiveness.

I am also concerned that the Economic Development Authority consider the possibility of using funds for a Neighborhood Preservation Program. I have been told that there will be \$10 million available statewide for Cities to establish Neighborhood Preservation Programs. The preliminary guidelines of the program, however, indicate that cities must match funds by 25%. That means that if the City of Crystal would wish to establish an \$80,000 revolving home improvement loan fund, the City would need to have matching funds in the amount of \$20,000. John Olson and myself have discussed the possibility of reallocating part of the CDBG funding for the Home Improvement Deferred Loan Program to the Neighborhood Preservation Program if the City does not have qualified applicants to use the Deferred Loan funds in Year XVI.

I would also like to attempt to apply for \$10,000 in county-wide discretionary account funds for the purpose of establishing a Neighborhood Preservation Program. There will be \$158,251 available in discretionary account funds this year. Cities must apply for discretionary account funds by May 1. It will be helpful if the EDA could finalize their recommendations regarding CDBG discretionary account funds at the March 13 meeting.

JJ/kk

NOTICE OF PUBLIC HEARING  
YEAR XVI (1990) URBAN HENNEPIN COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Notice is hereby given that the City of Crystal in cooperation with Hennepin County, pursuant to Title I of the Housing and Community Development Act of 1974, as amended, is holding a public hearing on Tuesday, April 3, 1990 at 7:00 p.m. in the City Council Chambers at Crystal City Hall, 4141 Douglas Dr. N.

The public hearing is on the housing and community development needs of the City and Urban Hennepin County, the Urban Hennepin County Community Development Block Grant Program Statement of Objectives, and the proposed use of the Year XVI Urban Hennepin County Community Development Block Grant Program planning allocation of \$112,939 by the City.

The Statement of Objectives consists of seven program areas, basically: (1) Administration, to maximize program benefit and effectively administer program funds; (2) Housing, to rehabilitate and assist in the development of housing which is affordable to low- and moderate-income households; (3) Neighborhood Revitalization, to maintain and preserve viable neighborhoods through concentrated community development activities; (4) Public Facilities, to improve existing and assist in the development of new public facilities which benefit low- and moderate-income persons; (5) Economic Development, to provide financial assistance to businesses which will provide or retain employment to the benefit of low- or moderate-income persons; (6) Public Services, to expand and improve the quantity and quality of public services available to low- and moderate-income persons; and (7) Removal of Architectural Barriers, to remove material and architectural barriers which restrict the mobility and accessibility of elderly or handicapped persons.

The City of Crystal is proposing to undertake the following activities with Year XVI Urban Hennepin County CDBG funds starting about July 1, 1990.

<u>Activity</u>	<u>Budget</u>
Home Improvement Deferred Loan Program	\$40,000
Scattered Site Acquisition Revolving Fund	63,439
Senior Transportation	9,500

For additional information on the proposed activities, level of funding, program objectives and performance, contact the city of Crystal or the Hennepin County Office of Planning and Development at 348-6418.

The public hearing is being held pursuant of MS 471.59.

Memorandum

DATE: March 2, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Darlene George, City Clerk *Darlene*  
SUBJECT: Taxicab License  
Travel Express Taxi  
4109 - 42nd Avenue North  
Robbinsdale, MN 55422

On January 9, 1990, the above referenced taxicab license was inadvertently placed on the list of licenses and approved by the City Council. Travel Express Taxi has complied with everything required by the City Code, but the rates being charged should be approved by the City Council. This is a one cab/one driver operation. He has provided a notice of rates with his license materials as follows (copy attached):

\$ 1.25 - first one-sixth of a mile  
.20 - each additional one-sixth of a mile  
15.00 - per hour of waiting time including time lost in delays

The only other taxicab company licensed to operate in Crystal at the present time is Town Taxi Company. Its rates are as follows:

\$ 1.20 - per mile  
1.25 - flag throw  
15.00 - waiting time

DG/js

*3070 2500 2500*  
*Travel Express Taxi*  
*as follows: \$1.25 for*  
*the first 1/6 of a mile;*  
*\$.20 for each additional*  
*1/6 of a mile; \$15.00 per*  
*hr. waiting time including*  
*time lost in delays.*

## **NOTICE OF RATES**

**Charges based on time and mileage**

- 1.25** 1st 1/6 mile
- .20** each additional 1/6 mile
- 15.00** Per hour of waiting time  
including time lost in delays

**Receipt may be requested**

Department of Regulatory Services  
City of Minneapolis

DATE: March 7, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Bill Barber, Building Inspector  
SUBJECT: 3154 Louisiana Ave. N.  
Larry Clark  
Variance 90-2

Larry Clark, homeowner, is requesting a variance of 20 feet of the required 30 foot side street side yard setback. Section 515.13 Subd. 3(a)2(ii) requires a minimum of 10 feet plus one foot for each foot of lot width over 60 feet with a maximum of 30 feet. Because this lot is 104.61 feet in width, he would be required to set the garage 30 feet back from 32nd Ave. N.

Requiring this garage to be set back 30 feet would require a considerable amount of additional work to be done since the lot drops off dramatically to a depth of about 15 feet. By permitting it to be located as proposed the additional costs would be less.

I have been unable to determine the reason for the additional lot setback when if the lot were only 60 feet in width, given the same conditions, the required setback would only be 10 feet. I understand the reasons if the garage entrance was off 32nd Ave. N. or if the long dimension of the principle building paralleled the long dimension of the lot with the front of the house facing 32nd Ave. N., then you need the additional yard in front of the house. The curb cut and driveway are existing and will not change. He will however be required to install a minimum bituminous driveway.

I'm sure the homeowner will be present to answer any questions you have of him.

Update:

On February 12, 1990 the Planning Commission made the recommendation to Council to grant the variance request. Their findings of fact were:

1. Hardship exists
2. Indigenous to the lot itself

When the homeowner originally made the request, I read the Zoning Ordinance to require a 30 foot side street side yard setback for this lot. After further investigating the situation I found that section 515.13 subd 3(a) 2 (V) allows a detached garage to be located within 20 feet of the side lot line. In this case, the variance request is actually a 10 foot variance instead of 20 feet.

This request to build this garage if granted hopefully will help to clean up the property of exterior storage. I certainly have no problem with granting the variance.

BB/kk



Date: Jan 22, 1990

APPEAL FOR A VARIANCE TO THE ZONING ORDINANCE

Street Location of Property: 3154 Louisiana Avenue North

Legal Description of Property: \_\_\_\_\_

Property Identification Number: \_\_\_\_\_

Applicant: Larry James Clark

(Print Name)

3154 Louisiana Avenue North

(Address)

546-6794

(Phone No.)

Owner: Same as above (Larry and Roberta Clark)

(Print Name)

(Address)

(Phone No.)

REQUEST: Applicant requests a variance on the above-described property from Section 55.13  
Sub 3(a) in of the Zoning Ordinance, as amended, which requires \_\_\_\_\_

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

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

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

THIS PROPERTY IS:

TORRENS / ABSTRACT

(Circle one)

Larry James Clark  
(Applicant's Signature)

+  
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00

DATE RECEIVED: 1-22-90

RECEIPT # 49529

(Approved) (Denied) - Planning Commission

(Date)

(Approved) (Denied) - City Council

(Date)

City of Crystal

Appeal for a Variance to the zoning ordinance

Larry Clark

546-6794

3154 Louisiana Avenue North

I want to build my new garage <sup>10</sup> ft. from the lot line instead of ~~30-20~~ ft. , per ordinance. This is 10 ft. closer to the line than existing structures along 32nd Avenue.

Question 1.

Because of a steep grade downhill north to south, I would like to place a new garage as close to lot line as possible. If garage were placed according to ordinance, more fill would be needed, and more concrete wall. Because of these conditions, it is more likely to settle and crack the slab and foundation causing the building to sag. The more exposed wall, the more freeze and thaw under the structure. A retaining wall on south side of drive increases in height. Also fill to enter garage door increases.

Question 2.

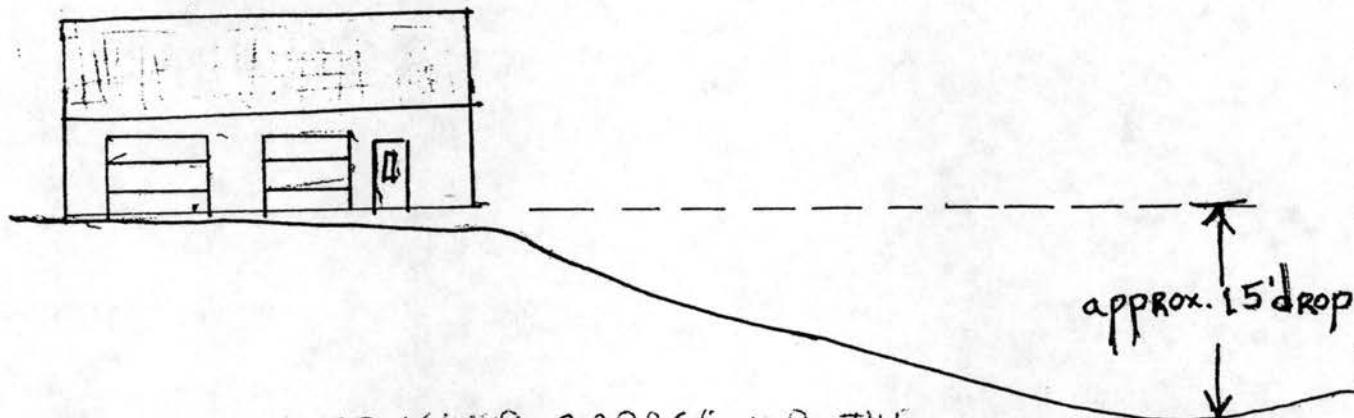
Because of the width of my lot, I am required to be farther off the street than other neighbors. My existing garage is 16 ft. off property line as are all homes and structures along 32nd Avenue North. I am required to be 20 ft. off property line because of lot size.

Question 3.

By placing a new garage in this location, it will not block the view as far as traffic is involved nor will it block the neighbors view anymore than any other garage would.

It will make my property and the neighborhood look better. It will make my yard cleaner and it will get rid of my old rundown looking garage and will generally make my life easier!

← North to South elevation 1"=16'



WOULD LIKE TO KEEP GARAGE UP THE  
HILL, ON A MORE LEVEL AREA.

Memorandum

DATE: February 22, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Darlene George, City Clerk  
SUBJECT: Public Hearing on License Fee Increases for  
Vending Machines, March 13, 1990

On November 21, 1989, the City Council adopted a fee schedule (Resolution #89-85) establishing license fees and permit fees to become effective on January 1, 1990 and thereafter.

In mid January, it was brought to my attention that a public hearing was required to increase vending machine license fees. This law went into effect in 1984. In checking the City ordinance it was found this requirement was not reflected. The City Attorney was contacted at which time this office was informed that a notice of public hearing should go out to all vending machine licensees. This was done on January 24, 1990 (copy attached).

In the meantime the City Attorney prepared an amendment to the City code relating to fees, Section 1000, to include the public hearing requirement. The first reading of the ordinance was considered by the City Council on January 23, 1990 and adopted on February 6, 1990, being published on February 14, 1990.

The City Attorney's inclination in his letter of January 17, 1990, was to conduct the hearing and make the increases previously adopted retroactive to the date of original adoption, unless, of course, the Council wishes to reconsider the previous increases after the public hearing.

Very few vending fees increased and if so only by \$.50 to \$2.50 per year with the exception of cigarettes which increased from \$12 per year to \$30 per year. If people show for the hearing it will most likely be cigarette licensees. My recommendation is to maintain the vending license fees as set and make them retroactive to the date of original adoption of the fee schedule.

DG/js



4141 Douglas Drive North • Crystal, MN 55422-1696 • 537-8427

ADMINISTRATIVE OFFICE

January 24, 1990

TO: Holders of City of Crystal Vending Machine Licenses

NOTICE OF PUBLIC HEARING  
ON LICENSE FEE INCREASE

Please take notice that the City Council of the City of Crystal will conduct a public hearing on the question of increases in license fees for vending machines on

TUESDAY, MARCH 13, 1990

at 7:00 p.m. in the Council Chambers at City Hall, 4141 Douglas Drive North, Crystal, Minnesota. Present vending machine licensees and any other member of the public will be heard orally or in writing at the public hearing.

BY ORDER OF THE CITY COUNCIL

/s/ Darlene George  
City Clerk

DATE: March 7, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Bill Barber, Building Inspector  
SUBJECT: 5502 West Broadway  
Crystal Gallery Center  
Variance #90-6

Lincoln Companies is requesting a variance to 406.17 Subd. 1 of the Sign Ordinance to install another free standing sign in front of the office building. The sign will be 6'x7' monument type with a setback of at least 10 feet from the property line.

This request is similar to the one in 1986 for a sign which was granted. The sign never was installed.

The center already has 3 free standing signs on the corner of West Broadway and Bass Lake Road (56th Ave. N.). Even though they are all three on the same support, by definition they are three separate signs.

Randy Johnson of Schad Tracy Signs should be present to answer any questions you might have.

BB/kk



NO. 90-6

CITY OF CRYSTAL

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

Date: January 11, 1990

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

Street Location of Property: 5502 West Broadway

Legal Description of Property: \_\_\_\_\_

Property Identification Number: \_\_\_\_\_

Owner: Lincoln Companies

(Print Name)

840 E Lake Street Suite 200  
(Address)

Wayzata, MN 55391

476-0000  
(Phone No.)

Applicant: Lincoln Companies

(Print Name)

840 E Lake Street Suite 200  
(Address)

Wayzata, MN 55391

476-0000  
(Phone No.)

DESCRIPTION OF REQUEST: Request to install single faced monument

office building sign as per elevation drawing and site plan

attached.

406.17 SUBD 1 - REQUESTING

A VARIANCE TO PERMIT 1 ADDL FREE-STANDING SIG. TO  
IDENTIFY THE TENANTS ON SECOND FLOOR OF THE OFFICE  
APPLICANT'S STATEMENT WHY THIS REQUEST SHOULD BE APPROVED: AREA  
(attach additional sheets if necessary)

The tenants of the Crystal Gallery Professional Building have no  
independant identifier to separate themselves from the retail portion  
of the development. This sign is similar to a sign approved through  
variance in 1986.

NOTE: Attach plan or survey of proposal. LPMC Limited Partnership  
Agent for Crystal Gallery Developers

THIS PROPERTY IS:

TORRENS / ABSTRACT  
(Circle one)

By: Lincoln Property Management Co.

Its: General Partner

(Applicant's Signature)

By: Dennis A. Houck

Its: Vice President  
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00

DATE RECEIVED: 3-2-90

RECEIPT # 7.50002

(Approved) (Denied) - Planning Commission

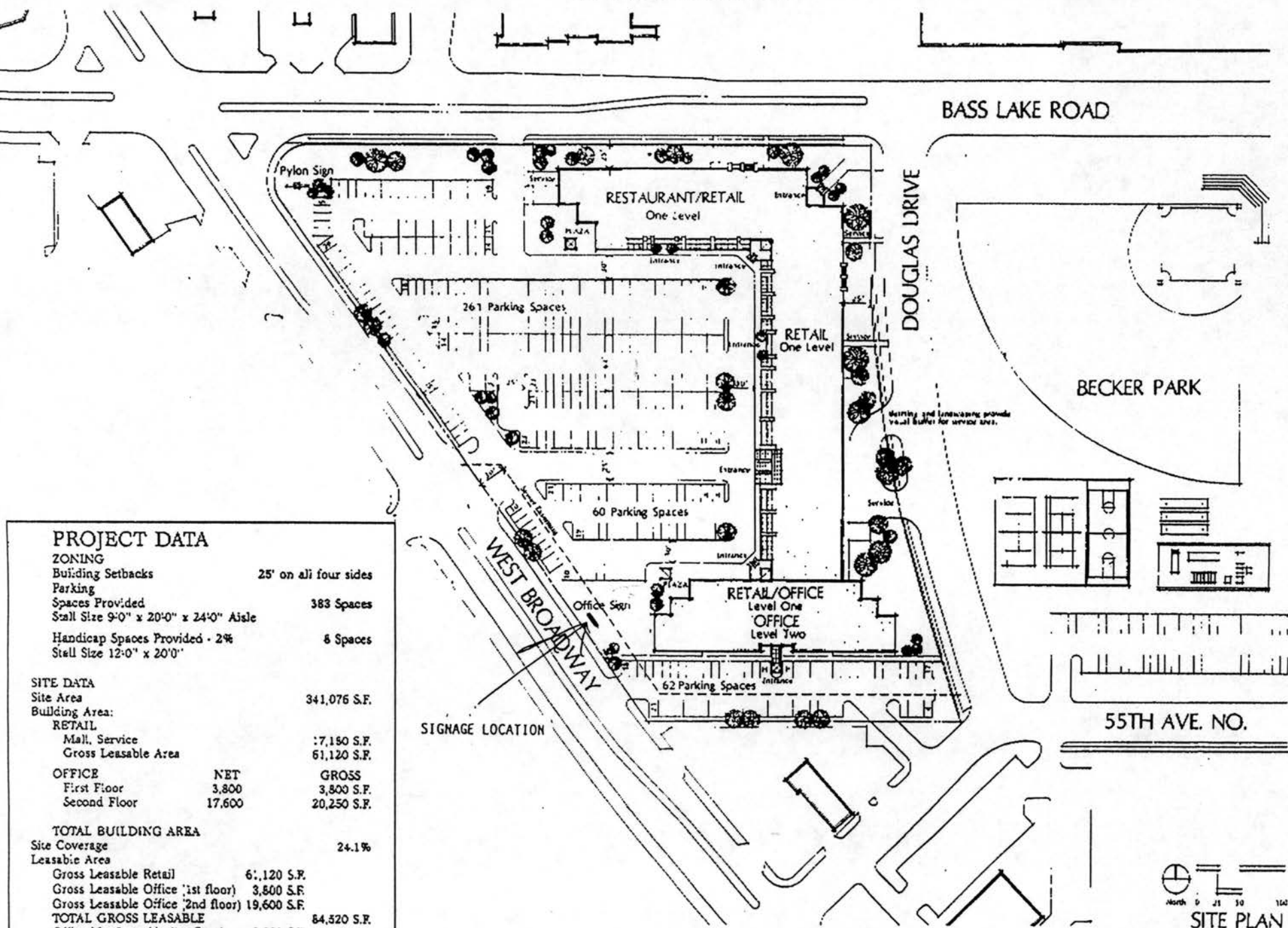
(Date)

(Approved) (Denied) - City Council

(Date)

# SITE PLAN

Oct 19, 89 15:14 THE LINCOLN COMPANIES



## PROJECT DATA

### ZONING

Building Setbacks 25' on all four sides

### Parking

Spaces Provided 383 Spaces

Stall Size 9'-0" x 20'-0" x 24'-0" Aisle

Handicap Spaces Provided - 2%

8 Spaces

Stall Size 12'-0" x 20'-0"

### SITE DATA

Site Area 341,076 S.F.

### Building Area:

#### RETAIL

Mall, Service 17,180 S.F.

Gross Leasable Area 61,120 S.F.

#### OFFICE

First Floor 3,800

Second Floor 17,600

NET GROSS 3,800 S.F. 20,250 S.F.

### TOTAL BUILDING AREA

Site Coverage 24.1%

### Leasable Area

Gross Leasable Retail 61,120 S.F.

Gross Leasable Office (1st floor) 3,800 S.F.

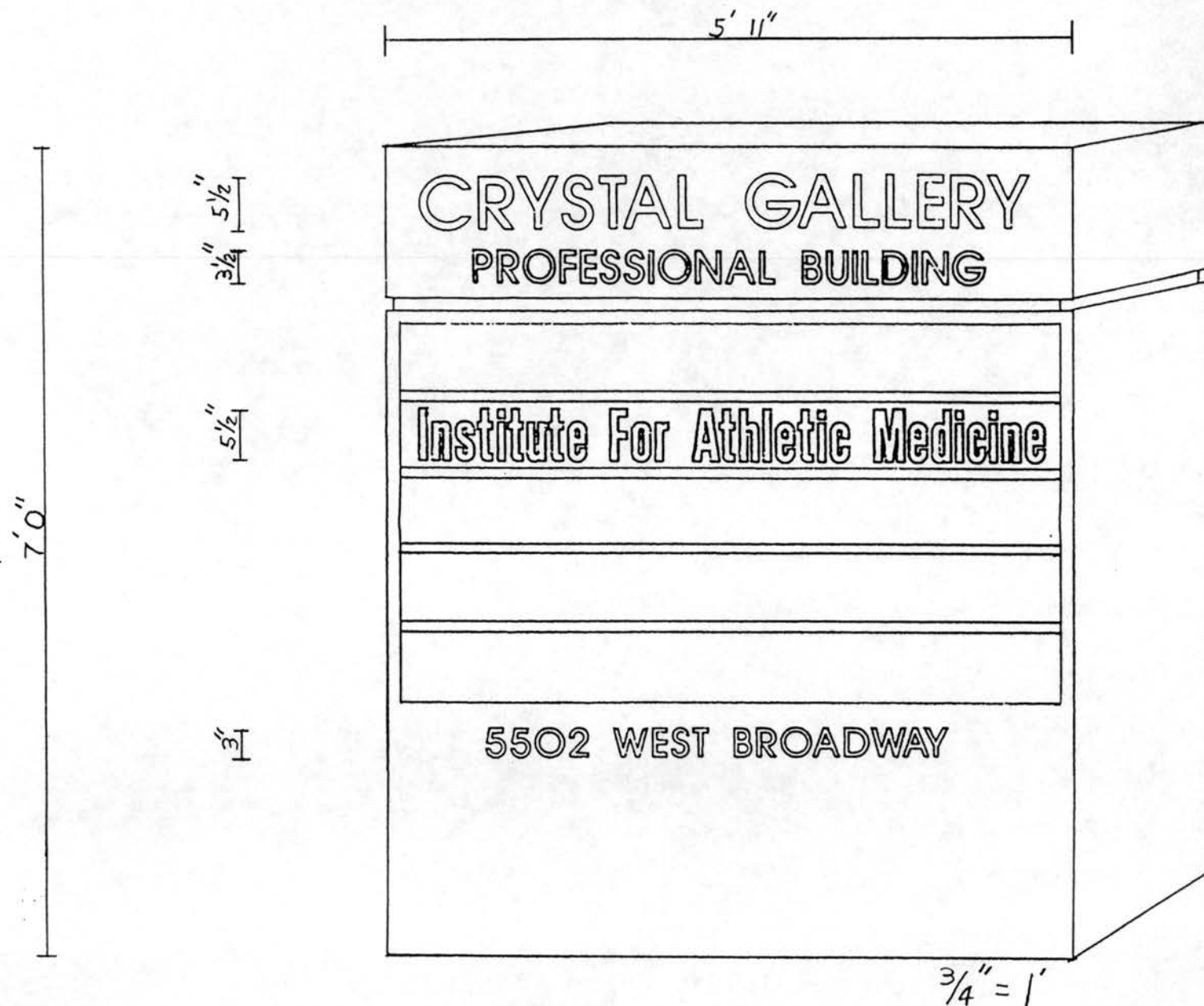
Gross Leasable Office (2nd floor) 17,600 S.F.

TOTAL GROSS LEASABLE 84,520 S.F.

Office Net Leasable (1st floor) 3,800 S.F.

Office Net Leasable (2nd floor) 17,600 S.F.

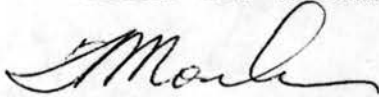
TOTAL OFFICE NET LEASABLE 21,400 S.F.



SINGLE FACE MONUMENT SIGN  
 HEADING/ADDRESS COPY  
 ROUTED ALUMINUM BACKED  
 WITH WHITE PLEX  
 TENANT COPY PLEX PANELS  
 DARK BRONZE BACKGROUND  
 INTERNALLY ILLUMINATED

DATE: March 5, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Bill Monk, City Engineer  
SUBJECT: Variance Procedure

The City Attorney and I will be ready to review the details of the attached ordinance amendment regarding variance procedures. Additionally, members of the Planning Commission have been asked to attend the Council Meeting to voice their reasons for recommending the change.

A handwritten signature in cursive script, appearing to read 'Bill Monk', is written over the typed name.

WM:jrs

Encl

**HOLMES & GRAVEN**

**CHARTERED**

470 Pillsbury Center, Minneapolis, Minnesota 55402

(612) 337-9300

**DAVID J. KENNEDY**

Attorney at Law

Direct Dial (612) 337-9232

February 23, 1990

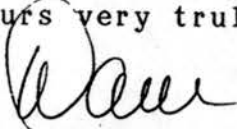
Mr. Bill Monk  
City Engineer  
City of Crystal  
4141 Douglas Drive North  
Crystal, Minnesota 55422

Dear Bill:

Enclosed is my redraft of the board of appeals ordinance change. I think it embodies everything in your first draft. In addition, the language about variances and undue hardship in subdivisions 4, 5 and 6 is taken directly from the statutes, Minnesota Statutes, Section 462.357, Subdivision 6 and the repeal of Subsection 515.53, Subdivision 1, clause m) sets up a uniform rule of majority votes on conditional use permits, variances and appeals. (As I've said, I think our present practice of 2/3 votes on these matters is questionable.)

The net effect of this ordinance is to provide that the statutorily required public hearings on variances, conditional use permits and zoning amendments are held by the Planning Commission, but the Commission's findings and recommendations are advisory to the City Council whose decision is final subject to judicial review.

Yours very truly,



David J. Kennedy

DJK:caw

Enclosure

cc: Jerry Dulgar (w/encl.)

DJK - DRAFT: 2/23/90

ORDINANCE NO. 90-\_\_\_\_\_

AN ORDINANCE RELATING TO ZONING: BOARD  
OF ADJUSTMENTS AND APPEALS: AMENDING  
CRYSTAL CITY CODE, SUBSECTION  
305.71 AND CRYSTAL CITY CODE  
(APPENDIX I - ZONING) BY ADDING A  
SUBSECTION; REPEALING CRYSTAL CITY  
CODE, APPENDIX I - ZONING), SUBSECTIONS  
515.53, SUBDIVISION 1, CLAUSE M) AND 515.55.

THE CITY OF CRYSTAL ORDAINS:

Section 1. Crystal City Code, Subsection 305.71 is amended to read:

"305.71. Board of Adjustments and Appeals. Subdivision 1. Policy. Pursuant to Minnesota Statutes, Section 462.354, a Board of Adjustments and Appeals is hereby created and continued. The Board consists of the ~~City Council~~ Planning Commission.

Subd. 2. Duties of the Board.

- a) The Board ~~shall~~ hears and ~~make~~ makes recommendations with respect to appeals from any order, decision or determination made by any an administrative officer in the enforcement of the Zoning Code.
- b) The Board ~~shall~~ hears requests for variances from the literal provisions of the Zoning Code in accordance with the provisions of Minnesota Statutes, Section 462.357.
- c) The Board ~~shall~~ hears appeals from the denial of a building permit for structures within the limits of a mapped street pursuant to Minnesota Statutes, Section 462.359.

Subd. 3. Rules; Records. The Board ~~shall~~ must adopt rules governing its procedure. ~~It shall~~ The Board must provide for a record of its proceedings ~~which shall include~~ including minutes of its meetings, its findings, and the action taken on each matter heard by it actions.

Subd. 4. Hearings. No ~~A~~ matter may not be heard by the Board until the applicant ~~therefrom~~ therefor has been given ten days' mailed notice in writing of the date and place of the hearing. The notice is given by mailing to applicant at his the applicant's last known address.

Subd. 5. Review of Decisions. Pursuant to Minnesota Statutes, Section 462.354, Subdivision 2, the decisions of the Board are advisory to the City Council."

Sec. 2. Crystal City Code, Section 515 is amended by adding a subsection to read:

"515.56. Administration - Variances and Appeals. Subdivision 1. Board of Adjustment and Appeals. The Planning Commission is a Board of Adjustment and Appeals as provided by law, and is referred to in this subsection as "the Board".

Subd. 2. Records. Written reports and recommendations to the Board from City staff must be entered in and made part of the permanent written record of the Board's proceedings.

Subd. 3. Findings. In considering requests for a variance or an appeal, the City staff and the Board must make written findings of fact to determine if the proposed action will:

- a) Impair an adequate supply of light and air to adjacent property.
- b) Unreasonably increase the congestion in public streets.
- c) Increase the danger of fire or otherwise endanger the public safety.
- d) Unreasonably diminish or impair established property values within the neighborhood, or in any other way be contrary to the intent of this Zoning Code.

Subd. 4. Variances: General Rule. After reviewing the written recommendations of the City Staff the Board must consider requests for variances from the literal provisions of the Zoning Code in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration and may approve the granting of variances where such an action will be in keeping with the spirit and intent of this Zoning Code.

Subd. 5. Variances: Undue Hardship. For the purposes of Subdivision 4 the term "undue hardship" means that: (i) the property in question cannot be put to a reasonable use if used as required by this Zoning Code; (ii) the plight of the landowner is due to circumstances unique to the property not created by the property owner; and (iii) the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute an undue hardship if a reasonable use for the property exists under this Zoning Code. Undue hardship includes inadequate access to direct sunlight for solar energy systems.

Subd. 6. Variances: Other Rules. Variances must be granted for earth sheltered construction as defined in Minnesota

Statutes, Section 116J.06, Subdivision 2 when in harmony with this Zoning Code. The Board may recommend as a variance the temporary use of a one family dwelling unit as a two family dwelling. The Board may not recommend and the City Council may not permit as a variance any use that is not permitted for property where the affected person's land is located.

Subd. 7. Variances: Conditions. The Board may recommend and the Council may impose conditions in the granting of variances to insure compliance and protect adjacent properties.

Subd. 8. Appeals. The Board must, after receiving the written report of City staff, make written findings of fact and make a decision on appeals where it is alleged by the appellant that error has occurred in any order, requirement, decision or determination made by the Building Official in the enforcement of this Zoning Code. The appeal must be filed not later than 90 days after the applicant has received written notice from the Building Official.

Subd. 9. Procedures.

- a) Requests for a variance or appeal must be filed with the City Clerk on an official application form. The applications must be accompanied by the fee specified in Appendix IV to the City Code. The application shall also be accompanied by 20 copies of detailed written and graphic materials necessary for the explanation of the request.
- b) The City Clerk must refer the application, together with related information, to City Staff for a report and recommendation to the Board.
- c) Within 60 days after receiving the City staff's report and recommendations concerning a request for variance or an appeal, the Board must hold a hearing on the application. The Board must hear such persons as wish to be heard, either in person in writing or by agent or attorney. Notice of the hearing must be mailed not less than ten days before the date of hearing to (i) the person or persons who filed the appeal or request, (ii) owners of property according to the City assessment records within 350 feet of the property to which the variance relates.
- d) Failure of a property owner to receive a notice does not invalidate the proceedings.
- e) The Board must make written findings of fact and approve or deny an application for a variance or an appeal within 30 days after the public hearing on the application.

- f) A recommendation to approve or deny a variance or an appeal must be by a majority vote of the full Board.
- g) Actions on variances and appeals by the Board must be referred to the City Council for final action.
- h) The City Clerk must notify the applicant in writing of the decision of the Board.

Subd. 10. Lapse of Variance of Appeal. If within one year final approval of a variance or appeal the work as permitted by the variance or appeal has not been completed, the variance or appeal will become null and void unless a petition for extension of time in which to complete the work as been granted by the City Council. The extension must be requested in writing and filed with the City Clerk at least 30 days before the expiration of the variance or appeal. The request for extension must state facts showing a good faith attempt to complete the work permitted in the variance or appeal. The petition must be presented to the Board for decision.

Subd. 11. Performance Bond.

- a) Except in the case of non-income producing residential property, upon approval of a variance or appeal the City must be provided with a surety bond, cash escrow, certificate of deposit, securities or cash deposit prior to the issuing of building permits or initiation of work on the proposed improvements or development. The security must guarantee conformance and compliance with the conditions of the variance or appeal and the codes of the City.
- b) The security must be in the amount of the City Engineer's or Building Official's estimated costs of labor and materials for the proposed improvements or development.
- c) The City will hold the security until completion of the proposed improvements or development and a certificate of occupancy indicating compliance with the variance or appeal and codes of the City has been issued by the Building Official.
- d) Failure to comply with the conditions of a variance or appeal and the City Code results in forfeiture of the security.

Subd. 12. Special Circumstances: No Variance. Where:

- a) a parcel of land in an R-1 District was a separate lot of record on February 15, 1976; and
- b) there exists on that land a structure which was on the land on February 15, 1976; and

- c) the existing non-conformity is less than 50% of the current ordinance requirements; and
- d) the land or the structure or either or both the land and structure are non-conforming within the meaning of Subsection 515.55; and
- e) the City Manager recommends to the Council in writing that the enlargement or expansion of the non-conforming use would not adversely affect the public health or safety;

the enlargement or expansion of the non-conforming structure does not require a variance under the provisions of this subsection if the structure after enlargement or expansion otherwise complies with all requirements of the City Code and the Zoning Code.

Sec. 3. Crystal City Code, (Appendix IV - Zoning) Subsection 515.55 is repealed.

Sec. 4. Crystal City Code (Appendix IV - Zoning) Subsection 515.53, Subdivision 1, clause m) is repealed.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

CR205-7:Ord7.

City of Crystal

Memorandum

DATE: March 9, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Kevin J. McGinty, Fire Chief  
SUBJECT: Proposed Ordinance Revisions to City Fire  
Prevention Code

Attached is the draft ordinance revising the City Fire Prevention Ordinance. This revision is an attempt to accomplish the following four goals:

- 1) Bring our City Code into compliance with the updated Minnesota Uniform Fire Code which was adopted by the State in late 1989.
- 2) Eliminate conflicting and obsolete language.
- 3) Clarify the process for property owners to appeal fire prevention orders.
- 4) Clarify the intent of our commercial cooking ventilation system inspection program.

The areas that underwent substantial changes were the following:

- The sections on MODIFICATIONS, NEW MATERIALS AND PROCESSES, AND ESTABLISHING FIRE LANES are all now covered in the Uniform Fire Code and need not be added to the City Code.
- The section prohibiting barbecue grills on apartment building balconies has been eliminated from the City Code as it is now covered by State Amendment to the Uniform Fire Code.

- The appeals process has been codified into one section setting out the first step of the process to the City Manager with further appeal to the City Council.

- The section on cleaning and inspection of commercial cooking ventilation systems has been re-written to specify the intent of the code. The previous language could have been misinterpreted to mean that permits and fire inspections would be required for cleaning of any ventilation system including heating and air conditioning ventilation systems. This was clearly not the intent of the ordinance. The new language narrows the scope specifically to commercial cooking systems.

A copy of the Uniform Fire Code and the Minnesota State Amendments has been placed on file with the City Clerk for informational purposes.

If you have any questions or concerns, please do not hesitate to contact me.

KJM:jls

ORDINANCE NO. 90-\_\_\_\_\_

AN ORDINANCE RELATING TO PUBLIC SAFETY:  
FIRE PREVENTION: REPEALING CRYSTAL  
CITY CODE, SECTION 905: AMENDING CRYSTAL  
CITY CODE BY ADDING A SECTION

THE CITY OF CRYSTAL ORDAINS:

Section 1. Crystal City Code is amended by adding a section to read:

Section 906 - Fire Prevention

906.01. Adoption of Minnesota Uniform Fire Code. Subdivision 1. Minnesota Uniform Fire Code Adopted. The Minnesota Uniform Fire Code, as promulgated by the Minnesota Department of Public Safety, Fire Marshal Division, is adopted and made a part of this code as if fully set forth herein, except for those provisions as modified, deleted, or amended by this section.

906.03. Bureau of Fire Prevention. Subdivision 1. Established. The Uniform Fire Code is enforced by the Bureau of Fire Prevention in the Fire Department which is operated under the supervision of the Fire Chief.

Subd. 2. Inspectors. The Fire Chief may detail members of the Fire Department as inspectors as may be necessary. The Fire Chief recommends to the Manager the employment of such technical inspectors. The technical inspectors are responsible to and subject to the orders of the Fire Chief.

Subd. 3. Report. A report of the Bureau of Fire Prevention must be made annually at the end of each year and transmitted through the Fire Chief of the Fire Department to the Manager. The report must contain all proceedings under this Code, with such statistics as the Fire Chief may wish to include therein. The Chief must also recommend necessary amendments to the Code.

906.05. Definitions. The term "municipality" as used in the Uniform Fire Code means the City of Crystal. The term "Corporation Counsel" as used in the Uniform Fire Code, means the City Attorney.

906.07. Storage of Flammable Liquids, Liquified Petroleum and Explosives. Subdivision 1. Flammable or Combustible Liquids in Outside Above Ground Tanks. The storage of flammable or combustible liquids in outside above ground tanks is permitted within I-1 and I-2 zoning districts only.

Subd. 2. Storage of Liquified Petroleum Gases. The storage of liquified petroleum gases is permitted in I-1 and I-2 zoning districts only.

Subd. 3. Storage of explosives and Blasting Agents. The storage of explosives and blasting agents is permitted in I-1 and I-2 zoning districts only.

906.09. Special Use Permits. Storage of flammable liquids in outside above-ground tanks, the establishment of a bulk plant for flammable liquids, the bulk storage of liquified petroleum gases, and the storage of explosives and blasting agents is not permitted within the corporate limits of the City, except in an I-1 and I-2 Zoning District, after approval of the Fire Chief, Marshal, Building Inspector, the Planning Commission and with a special use permit granted by the Council.

906.11. Appeals. Subdivision 1. Subject of Appeal. An appeal of the following actions may be made by any party aggrieved to the City Manager in writing within 14 days of the aggrieved party being notified of the actions:

- a) Issuance of fire prevention orders.
- b) Refusal of Fire Chief to extend the time limits for compliance with a fire prevention order issued by the Fire Department.
- c) Refusal of the Fire Chief to issue permits authorized in this code.
- d) Revocation of a permit pursuant to this code.
- e) Aggrieved party claiming that the provisions of the Uniform Fire Code do not apply or that the true intent and meaning of the code has been misconstrued or wrongly interpreted.

Subd. 2. Review by Council. The aggrieved party may further appeal any decision to the City Council by notifying the City Manager of such further appeal, in writing, within 14 days of being notified of the City Manager's findings.

906.13. Permit Fees; Enforcement. There is no charge for the issuance of a burning permit. The fee for all other permits issued under this Section is set by Appendix IV. Permits expire on December 31 of each calendar year. No permit may be issued or renewed for any premises that are in violation of the provisions or requirements of this Section. No penalty will be imposed under this Section until after an up-to-date inspection of the premises has been made by the Fire Chief and the owner or occupant of the premises has been notified in writing of the deficiencies found in the inspection and 30 days has been allowed the owner or occupant to correct the deficiencies after notification thereof.

906.15. Fire Lanes. It is unlawful to park or leave any motor vehicle in an established fire lane. An owner or operator of a motor vehicle may not leave or park the vehicle in a fire lane.

906.17. Conduct at the Scene of an Emergency. Subdivision 1. Traffic. It is unlawful to drive a vehicle over a fire hose except at the direction or command of a police officer or member of the Fire Department. Upon the approach of any Fire Department vehicle giving signal by bell, siren, horn, or flashing lights, the driver of every other non-emergency vehicle must immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the street, clear of any intersection, and must stop and remain in such position unless otherwise directed by a police officer or member of the Fire Department, and until the Fire Department vehicles have passed. It is unlawful for the driver of a non-emergency vehicle to follow closer than 500 feet of any fire apparatus traveling in response to a fire alarm. It is unlawful to drive into or park such vehicle within the block in which such fire apparatus is stopped in answer to a fire alarm, unless permitted to do so by a police officer or member of the fire department.

Subd. 2. Spectators at Fire. The officer of the Fire Department in command at the scene of a fire or other emergency may establish a zone of danger, within which no person except members of the Fire Department or Police Department may enter, unless directed or permitted to do so by the member in command. No person may enter upon the premises that is the scene of a fire or alarm of fire, or other emergency, unless and until directed or permitted to do so by the member of the Fire Department in command of the fire.

Subd. 3. Utilizing Citizens to Assist Fire Department. The officer of the Fire Department in command at the scene of a fire or other emergency may utilize any citizen in assisting in protecting life and property when an emergency dictates the necessity of such assistance.

906.19. Removal of Property Endangered by Fire. The officer of the Fire Department in command at any fire or other emergency, may remove property, whenever it becomes necessary for the preservation of the property from fire, or to prevent the spreading of fire, or to protect adjoining property, and to that end may enter or order any member of the Fire Department to enter premises involved in danger or endangering other property.

906.21. Demolition of Buildings. The officer of the Fire Department in command at the scene of any fire or other emergency may order the demolition of any building or structure during a fire or other extreme emergency to prevent a conflagration, provided, however, that no building or structure may be blown up or otherwise destroyed for the purpose of checking the progress of any fire, except in case of necessity, and then only upon order of the officer of the department in command at the scene of the fire.

906.23. Police Aid at Emergency Scene. It is hereby made the special duty of the Chief of Police, policemen, and such other peace officers as are on duty at the time, to respond to all fire alarms and assist the Fire Department in the protection of life and property of the citizens, and the property of the Fire Department, and in controlling and regulating traffic and maintaining order.

906.25. Inspection and Cleaning of Commercial Cooking Ventilation Systems. Subdivision 1. Periodic Servicing. Commercial cooking ventilation systems, hoods, filters, grease removal devices, and ducts must be periodically cleaned prior to surfaces becoming heavily contaminated with combustible grease deposits. Commercial cooking ventilation systems, hoods, and ducts shall be cleaned at least annually. Cleaning may be required more often depending on grease build-up. Annual cleaning may be waived after inspection and approval by the Fire Chief.

Subd. 2. Permits. A person cleaning a commercial cooking ventilation system or its components as referred to in Subdivision 1 for the removal of combustible grease, must first obtain a permit from the Fire Department. Permits must be obtained a minimum of three days prior to starting work. Upon completion of cleaning, the Fire Department shall be notified for inspection and approval of work. The permit fee is fixed in Appendix IV.

Sec. 2. Violation of the provisions of this ordinance is a misdemeanor.

Sec. 3. This ordinance is effective in accordance with Crystal City Code, Subsection 110.11.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk

CR205-7:ORD9

Memorandum

DATE: March 8, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Darlene George, City Clerk *D.G.*  
SUBJECT: Amusement Center License Fee  
Sharks at 100 Pool Hall  
5311 - 36th Avenue North  
(Anthony Shopping Center)

Yesterday, Tony Nicklow came to my office to complete paperwork and pay for the amusement center license for the above referenced establishment. He was taken by surprise at the license fee for the amusement center. Somewhere, along the way, there appears to have been a misunderstanding. The Nicklows have asked to appear before the Council regarding a change in the fee which I agreed they could discuss when the item appears on the agenda for the license approval.

Attached are staff reports on the conditional use permit and the amusement center licenses, all of which the City Engineer indicates were copied to the applicant. You will note that the City Engineer's memo of December 5, 1989 specifies license requirements, among which is the \$3,000 annual fee. The fee can be pro-rated at \$250 per month. If the Nicklows open next week, which is their intention, the fee for the remainder of 1990 would be \$2500.

If the Council approves a change in this fee it will require a resolution making a change in the fee schedule which was adopted by the City Council in November of 1989. The City Attorney will be able to advise the Council at the meeting.

cc: Bill Monk, City Engineer



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

ADMINISTRATIVE OFFICE

January 10, 1990

Mr. William Nicklow  
3516 North Lilac Drive  
Crystal, MN 55422

Dear Mr. Nicklow:

As you are aware, on January 9 the Crystal City Council approved a conditional use permit to allow operation of your billiard hall as an amusement center in the Anthony Center. The approval was specific in relation to the layout plan submitted which included the tables, limited food vending and a number of video machines.

At this time you are in a position to contact the City Clerk regarding a license for the amusement center, food vending and video machines. You may also need to contact the Building Inspector if remodeling of the structure is required to accommodate the use. Should you have any questions regarding the Council's approval, please let me know.

Sincerely,

William Monk  
City Engineer

WM:jrs

cc: Darlene George  
Bill Barber

DATE: January 2, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Bill Monk, City Engineer  
SUBJECT: Ordinance Amendment for Amusement Centers

In recommending approval of the proposed billiard hall in the Anthony Shopping Center, this office proposed waiving conditional use provisions regarding the minimum lot size and food vending. In reviewing the matter with the City Attorney, the City would be better served to reduce the code provisions on minimum lot size and the food vending prohibition than to arbitrarily waive the requirements based on individual circumstances.

It is therefore recommended the first reading of an ordinance amendment to Section 515.37, Subd. 4 h) of the Zoning Code be approved deleting the minimum lot size requirement and allowing food vending (this change will also modify the provisions of an amusement center license). Neither change is viewed by staff as having a significant impact on the existing ordinance.

  
WM:jrs

Encls

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

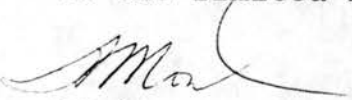
- Smoking is prohibited, and tobacco products may not be sold.
- Center shall be well lit.
- No food or beverage sales.
- A \$3,000 annual license fee.
- A police review shall be included.

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

CITY OF CRYSTAL

AMUSEMENT CENTER LICENSE  
APPLICATION

(To be submitted in Duplicate)

Fee: \$3,000 (Annual)

Date: 3/8/90

Plus: \$30.00 Each Machine or  
Device Over 30

Approved by:

Police Chief \_\_\_\_\_/Date \_\_\_\_\_

Type of Machine or Device:

Electronic or Coin Operated Device Game Tables Pool Table Number 9 14

Children's Riding Device\* none Number \_\_\_\_\_

(\*Liability insurance as provided by  
Subsection 1101.05 is required)

I, Anthony A. Nicklow, hereby submit this application  
Print Name of Applicant

for a license to operate an amusement center in accordance with the provisions  
of City of Crystal City Code, Subsection 1101, for the license year ending  
December 31, 1990.

1. Address of Applicant

1150 Heritage Dr. Orono  
(street) (city)  
Mn. 55391 Telephone No. 475-9903  
(state) (zip code)



## **Partially Scanned Material**

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## CITY OF CRYSTAL

## AMUSEMENT CENTER

Date: 3/8/90Name of Business: Sharks on 100Address of Business: 5311 36<sup>th</sup> Ave. No. Crystal 55422

Phone No.: \_\_\_\_\_

Kind of Machine	Serial No.	Model No.	(For City Use Only) License No.
1. Pool Table	2736	Coin operated	
2. Pool Table	4564	Coin operated	
3. Pool Table	3009	Coin operated	
4. 10 Pool tables	#1 - #10	not coin operated	
5. Pool table	3017	Coin operated	
6. Juke Box - <sup>CD Player</sup> Seeburg	#2370		
7. P.O.U.	P.O.U. #4716		
8. V/W F	V/W F #1454		
9. Gorilla War	#363		
10. Spy Hunter	3222		
11. Robo Pop	800406		
12. Cyberball	4146		
13. Rock	3447		
14. Cybernaut	50-2907		
15.			

Signature of Manager

Anthony A. Picklow  
 Print Name of Manager

*Manager handed out at meeting.*

## AMUSEMENT &amp; COMMERCIAL RECREATION

## AMUSEMENT CENTER

CITIES 0 - 2,500FEES

St. Francis  
Spring Park N/A  
Woodland N/A

CITIES 2,500 - 10,000

Arden Hills 100.00  
Bayport N/A  
Chanhassen N/A  
Circle Pines  
Dayton N/A  
Deephaven N/A  
Falcon Heights 15/machine  
Mahtomedi N/A  
Mendota Heights N/A  
Mound 100.00  
Newport NONE  
Orono 100.00  
Osseo  
Rosemount N/A  
St. Anthony 50/device  
St. Paul Park 300.00  
Savage  
Shorewood  
Spring Lake Park N/A  
Wayzata

CITIES 10,000 - 20,000FEES

Anoka  
Champlin N/A  
Chaska N/A  
Columbia Heights 500 + 5000 bond  
Hastings  
Hopkins N/A  
Mounds View 110/year  
No. St. Paul 100.00  
Oakdale N/A  
Prior Lake N/A  
Ramsey  
Robbinsdale per machine  
Shakopee theme park 75  
Stillwater N/A  
West St. Paul N/A  
Woodbury 250.00

CITIES OVER 20,000

Apple Valley N/A  
Blaine 100 + 35/ea ad'l  
Bloomington 25/device  
Brooklyn Center N/A  
Brooklyn Park  
Burnsville N/A  
Coon Rapids 200.00  
Cottage Grove NONE  
Crystal 3,000 + 30 ea. ad'l  
Eagan  
Eden Prairie 25/machine  
Edina 35/place; 5/machine  
Fridley N/A

Golden Valley 50/ea  
Inver Grove Hgts. N/A  
Lakeville  
Maple Grove 500.00  
Maplewood  
Minnetonka 11/machine  
Minneapolis  
New Brighton 1,200.00  
New Hope N/A  
Plymouth 1,100 + 55/mach  
Richfield 300.00  
Roseville 50.00  
St. Louis Park  
St. Paul  
South St. Paul N/A

# BILLIARDS/POOL TABLES

CITIES 0 - 2,500		CITIES 10,000 - 20,000	
	FEES		FEES
St. Francis	12.00	Anoka	25.00
Spring Park	N/A	Champlin	N/A
Woodland	N/A	Chaska	40/tbl.
		Columbia Heights	.50 per
		Hastings	10.00
		Hopkins	90 1-6;15 add'l
		Mounds View	N/A
		No. St. Paul	15 per
		Oakdale	N/A
		Prior Lake	N/A
		Ramsey	
		Robbinsdale	50 per
		Shakopee	N/A
		Stillwater	N/A
		West St. Paul	50 per
		Woodbury	60 machine
CITIES 2,500 - 10,000			
Arden Hills	100.00		
Bayport	N/A		
Chanhassen	N/A		
Circle Pines			
Dayton	25.00		
Deephaven	N/A		
Falcon Heights	1st.tb 25/ea.ad.15		
Mahtomedi	N/A		
Mendota Heights	N/A		
Mound	10/tbl.		
Newport	25.00		
Orono	N/A		
Osseo	10/tbl.		
Rosemount	N/A		
St. Anthony	NONE		
St. Paul Park	NONE		
Savage			
Shorewood	NONE		
Spring Lake Park	N/A		
Wayzata	1st./25 10 +		
CITIES OVER 20,000			
Apple Valley	N/A	Golden Valley	35/ea
Blaine		Inver Grove Hgts.	N/A
Bloomington	20.00	Lakeville	
Brooklyn Center	25/tbl	Maple Grove	50/ea
Brooklyn Park		Maplewood	
Burnsville	N/A	Minneapolis	80/1st; 20 ea ad.
Coon Rapids	200.00	Minnetonka	11/machine
Cottage Grove	35/device	New Brighton	1200.00
Crystal	10.50/tbl	New Hope	N/A
Eagan		Plymouth	1,100 + 55/machine
Eden Prairie	N/A	Richfield	300.00
Edina	35/place;5 tbl.	Roseville	50.00
Fridley	40/1st;10 add'l	St. Louis Park	15/tbl
		St. Paul	136.50 + 37.75/tb
		South St. Paul	N/A

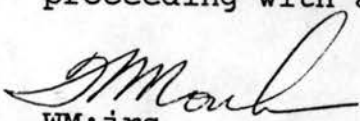


DATE: March 5, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Bill Monk, City Engineer  
SUBJECT: 36th Avenue Reconstruction

The attached staff recommendation was sent to all property owners within 350 feet of 36th Avenue between Louisiana and Welcome Avenues. I will be prepared to summarize and discuss the report at Tuesday's meeting.

At this point staff is seeking authorization to solicit proposals from a limited number of consultants to prepare the feasibility study detailing all construction and costs aspects of a reconstruction project. If authorization is granted, a recommendation to designate a specific firm would be presented to the Council on a future agenda.

It should be noted that all comments of the public will be reviewed by the consultant as the report is prepared. Additionally, a public hearing must be held by the Council to consider the findings of the feasibility study and authorize proceeding with an improvement project.



WM:jrs

Encls

DATE: February 1, 1990  
TO: Jerry Dular, City Manager  
FROM: Bill Monk, City Engineer  
SUBJECT: 36th Avenue Reconstruction

The section of 36th Avenue North between Welcome and Louisiana Avenues represents the most deteriorated and hazardous roadway segment within Crystal. The City must take positive action to correct the unsafe conditions impacting vehicular and pedestrian movements along this collector street which acts as an east/west corridor between CR 81 and TH 169 (old CR 18). For purposes of this memorandum, the discussion of 36th Avenue improvements will be separated into two sections with Douglas Drive as the dividing point.

#### Section 1 Welcome Avenue to Douglas Drive

This half mile section of street carries approximately 15,000 vehicles per day across four traffic lanes. Each lane measures only 11 feet in width and no continuous provisions exist for movement of pedestrians along either side of the street. Essentially only 44 feet of the existing 66-foot wide right-of-way is presently being used.

Traffic volumes along this section of street are not going to decrease. Four traffic lanes are needed to safely carry even the existing volumes given the number of driveway openings and side streets. An upgrade to a street section similar to that on Douglas drive (see attached detail) continues to be recommended by staff as the minimum section required to meet the vehicular and pedestrian needs in this area. Reconstruction to this degree will require use of the full existing right-of-way which means using 11 feet on both sides of the existing street for street widening and sidewalk construction.

Construction of a 48-foot wide street section with concrete curb & gutter, sidewalks and full storm sewer service is estimated to cost \$550,000. This office has been unable to assemble a local financing package that does not include significant property assessments and City-wide subsidy. Use of Crystal's Municipal State-Aid street allocation, which would cover 100% of the project costs, represents the only viable funding option.

As noted in correspondence from the State Aid Office, truck traffic cannot be prohibited if MSA funds are used for a street upgrade. MSA policies dictate all users who pay vehicular and gas taxes, which is the MSA revenue source, must be accorded full roadway access. While this office is

Jerry Dulgar, City Manager  
February 1, 1990  
Page 2

sensitive to the noise and traffic problems associated with truck traffic, Crystal cannot afford to forego a major funding source to maintain local control of truck access.

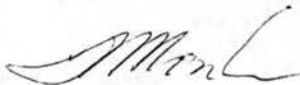
Section 2 Douglas Drive to Louisiana Avenue

This half-mile section of roadway carries approximately 11,000 vehicles per day. Although the street width measures 44 feet, the street is striped for two lanes of traffic and a pedestrian walkway on either side. With only two lanes for traffic the road stays quite busy but the layout does function adequately.

While this section of roadway may well need to be widened to four lanes in the future, the two-lane railroad bridge in New Hope to the west renders any thought of a major upgrade less immediate.

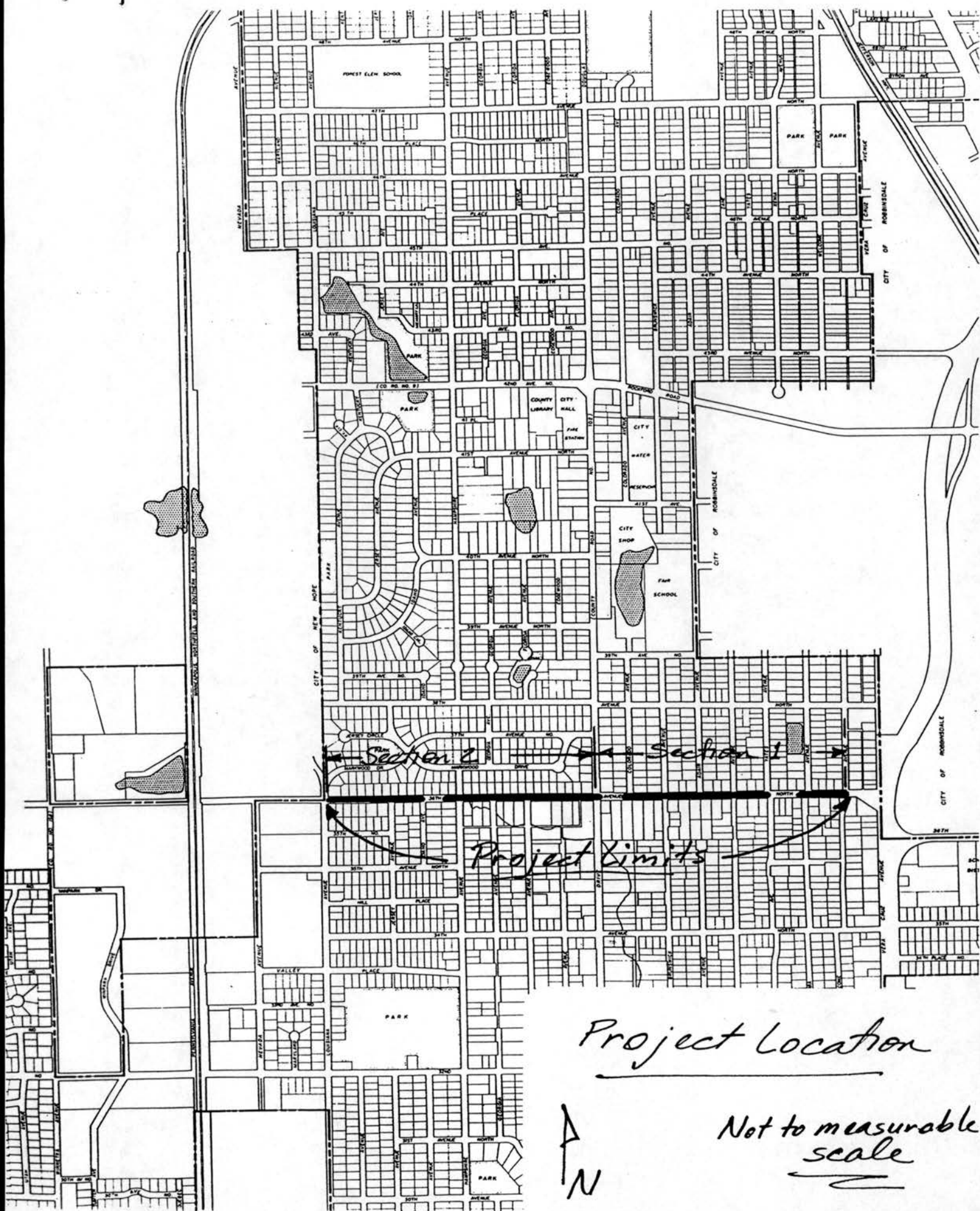
With this in mind, staff is recommending this section of 36th Avenue be reviewed for local improvements including spot replacement and a bituminous overlay at a cost of about \$150,000. Funds for such work could be secured from the Infrastructure Fund which would also allow Crystal to maintain local control in terms of truck traffic.

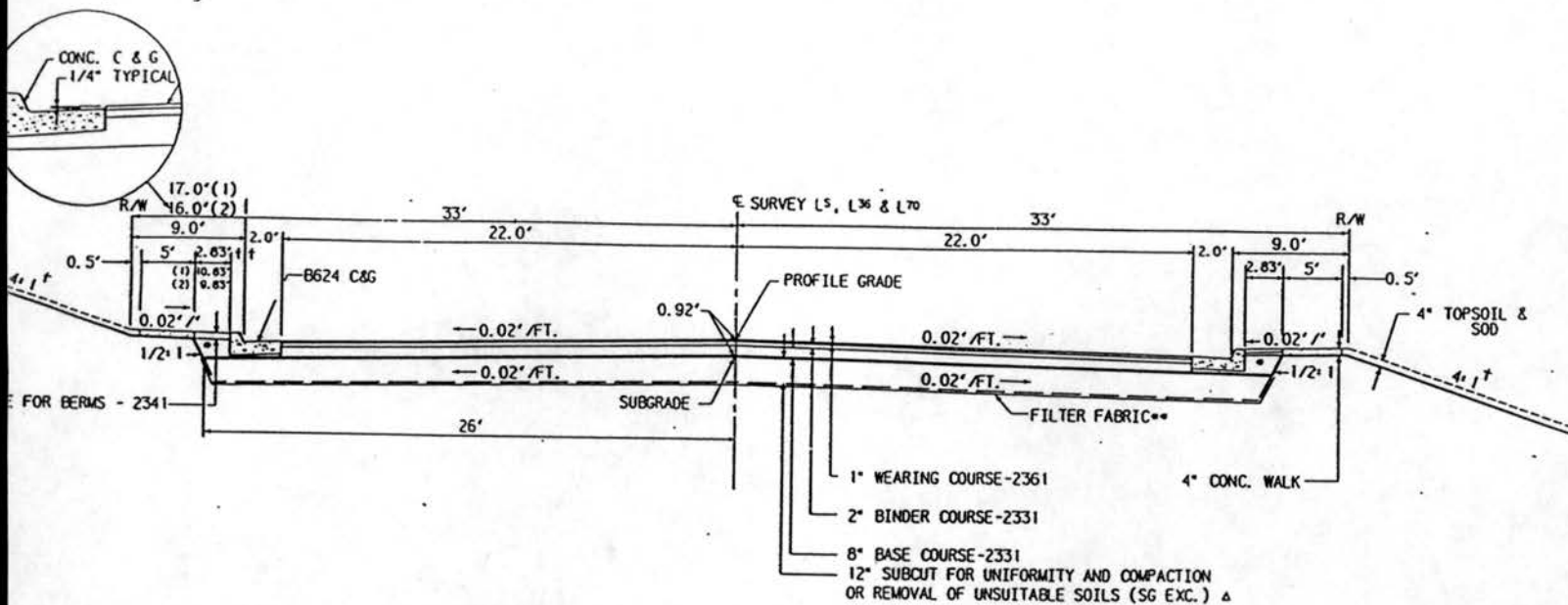
At this point, staff is recommending the Council consider authorizing preparation of a feasibility study to detail all the items discussed above. Given the scope of such a project, consultant involvement will undoubtedly be required. Prior to seeking proposals, however, it is recommended impacted property owners be notified of the staff recommendation and afforded the opportunity to address the Council before any formal action is taken.



WM:jrs

Encls





## TYPICAL SECTION

(for 48' wide street)

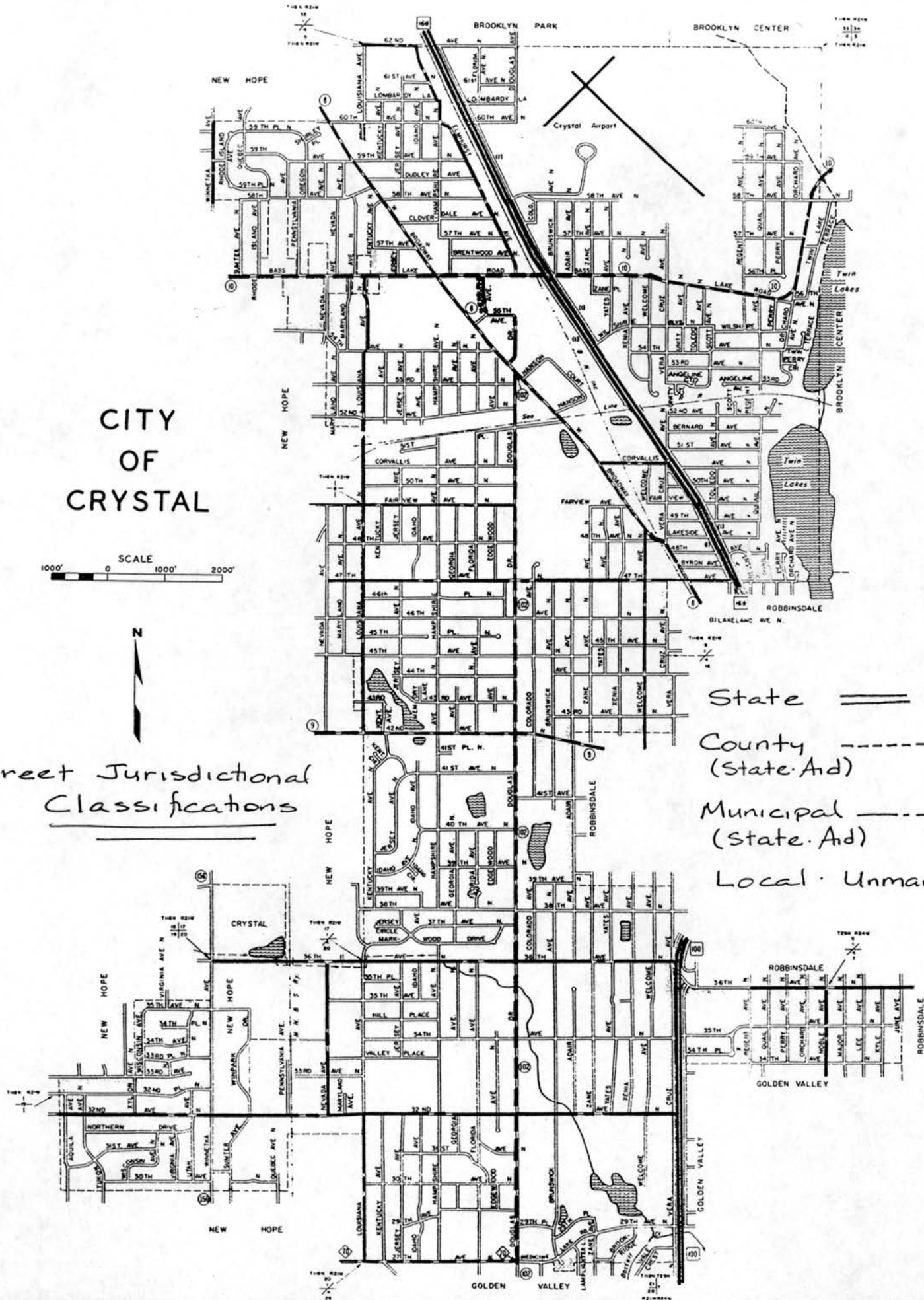
# CITY OF CRYSTAL

SCALE  
1000' 0 1000' 2000'



Street Jurisdictional Classifications

State ==  
County - - - - -  
(State Aid)  
Municipal - - - - -  
(State Aid)  
Local · Unmarked

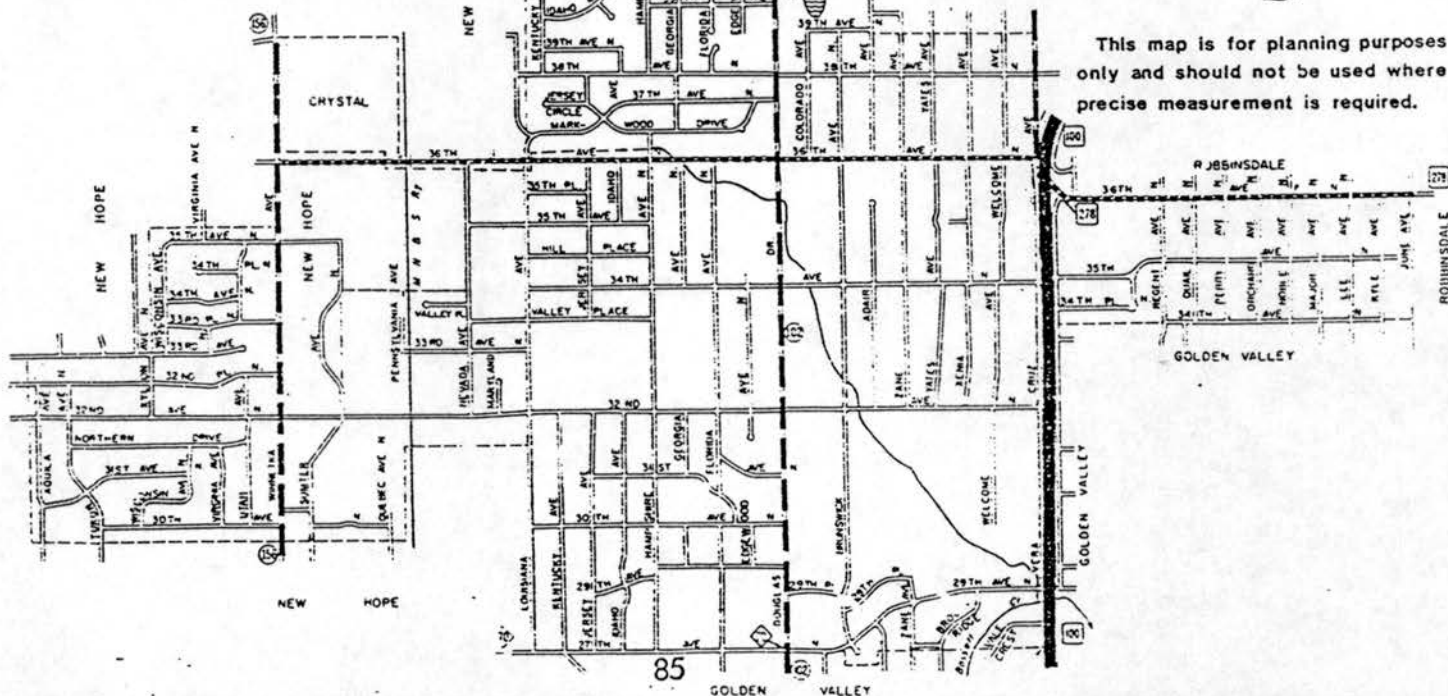


- Local street
- ..... Collector street
- Minor arterial
- Principal arterial

streets, functional  
classification

crystal  
minnesota

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



TO: Jerry Dulgar, City Manager  
FROM: Bill Monk, City Engineer  
DATE: March 22, 1988  
RE: 36th Avenue Reconstruction

The importance of 36th Avenue to Crystal's roadway system is painfully evident. The deteriorated condition of the 20-year old, 44-foot wide street section represents a serious drain on the City's street maintenance operation as continual repairs are performed to keep the surface driveable. Permanent resolution of the street section problems, along with drainage and pedestrian safety issues, is in order.

In terms of functional classification, 36th Avenue has been designated as an east-west collector street. Not only does 36th Avenue carry a significant portion of the through traffic for the area suburbs, but it also acts as a connector between major north-south roadways such as TH 100, Douglas Drive and Winnetka Avenue. In 1985, 36th Avenue carried an average daily traffic load of 10,900 vehicles on the section west of Douglas Drive and 14,900 vehicles on the segment east of Douglas Drive.

The traffic carrying capacity of 36th Avenue has prompted the street's designation as part of Crystal's Municipal State Aid System (MSA). As a street with MSA designation, the City can apply special funding allocations from State gas/vehicle tax revenues towards specific roadway improvements. It is important to note, however, that the City does not receive these allocations until the improvements are constructed, and if the allocations are not used within set time frames, penalties are incurred.

Additionally, there are strings attached to use of state-aid funds. Based on the projected ADT, certain street width and depth (strength) standards must be met. In the case of 36th Avenue, those standards would include construction of a 52-foot wide street to a 9-ton load capacity. The restriction prohibiting truck traffic would also have to be rescinded as it discriminates against a segment of users that contribute to the MSA funding pool. A variance to this truck policy will not be entertained according to State Aid personnel in St. Paul.

In reviewing the truck access issue, it is important the City consider the overall truck route system as it services the industrial and commercial sectors. This office believes the truck access section of the City's Comprehensive Plan, a copy of which is attached, remains a viable and acceptable layout for trucks to access the heavy use portions of the City. As noted on said

Re: 36th Avenue Reconstruction  
March 22, 1988  
Page 2

plan, 36th Avenue is included as a truck route but only after completion of a major upgrading. It is estimated that truck and bus traffic on 36th could account for up to 5 to 10 percent of the total ADT.

As I have stated previously, engineering projections for 36th Avenue have long been based on a 48-foot wide street section lined with concrete curb and gutter and sidewalk on both sides. It is believed that a narrower street width would not be considered by the State-Aid Variance Committee given the existing and projected traffic volumes and the fact that the existing 66-foot wide right-of-way accommodates the vehicular and pedestrian features that State-Aid views as standard. This street section would also be consistent with MnDOT plans for 36th Avenue over TH 100 and New Hope projections for widening of the railroad bridge between Louisiana and Winnetka Avenues.

Should the City decide not to construct the street to MSA standards nor secure a variance, project financing becomes a major issue. To construct a 48-foot wide street to MSA standards, the estimated cost is \$1,000,000 of which approximately \$200,000 would be assessed to abutting property. The balance would be covered using MSA funds. For the City to build a two-lane road without MSA participation, the estimated project cost is \$750,000. Major construction items such as storm sewer, curb and gutter and sidewalk remain unchanged regardless of street width. Alternate funding sources for the project would include increased assessments, PIR Fund, Infrastructure Fund and/or G.O. Funds.

Due to the importance of the funding issue, this office has reviewed numerous funding combinations using the above-mentioned funds that would cover the estimated project costs should State-Aid not be used. A major increase in the assessable portion of the project is not seen as feasible in terms of achieving a palatable overall assessment rate. Instead, use of Infrastructure and/or PIR Funds could combine to cover a significant portion of the project costs. The present balance of the Infrastructure Fund is \$330,000 with anticipated revenues of approximately \$220,000 a year if the 1-1/2 mill levy continues to be approved on an annual basis as a part of the Budget. The PIR Fund on the other hand has a sizeable balance as the Council recently reviewed as a part of the space needs process.

There is no question a funding package could be assembled using the above-mentioned financial alternatives. However, this office continues to view State-Aid funds as the most viable economic

Re: 36th Avenue Reconstruction  
March 22, 1988  
Page 3

tool for a reconstruction project of this magnitude. All other alternatives redirect funds readily usable for other City projects where State Aid cannot be applied and therefore seem counterproductive.

Unless the truck access issue is viewed as an insurmountable obstacle, it is recommended the City Council consider submission of a specific variance request to State-Aid relating to street width. Whether such a request is for a 48-foot wide street the entire length or a 48-foot wide section east of Douglas Drive and a 36-foot wide section west of Douglas Drive, a submittal should be prepared. The results of such a variance request would assist in determining future action. According to State-Aid personnel, consideration of a variance request could be scheduled for July if the City can submit the necessary paperwork within the next thirty days. Should the Council feel public input should be solicited prior to acting on this item, I would suggest the Engineering Department be directed to hold an informal hearing at which the issues noted above can be reviewed by impacted residents and businesses.



WM:jrs

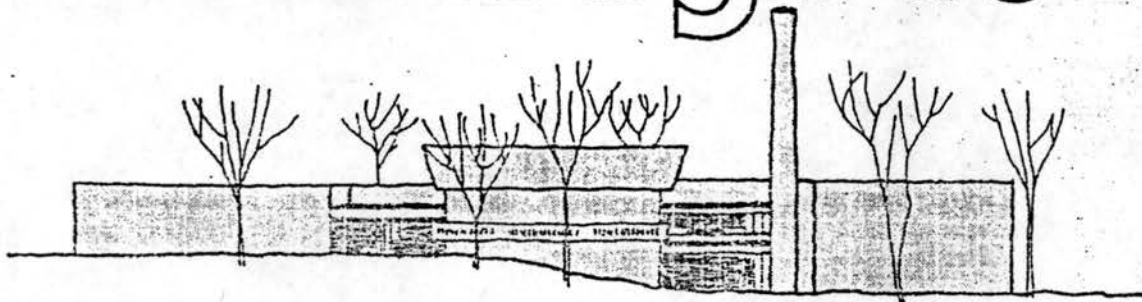
6/12/89

STATE AID DATA SHEET  
(Costs Relate to 48-Foot Wide Street Section)

<u>Description</u>	<u>East of Douglas Drive</u>	<u>West of Douglas Drive</u>
Length	.5 Miles	.5 Miles
1985 ADT	14,900	10,900
Projected ADT (20 Year)	22,350	16,350
Street Prep. & Details	\$ 53,220	\$ 71,320
Concrete Curb & Gutter	31,680	31,680
Storm Sewer	98,000	98,000
Street Reconstruction	200,000	200,000
Sidewalk	68,500	68,500
Engineering & Administration	<u>38,300</u>	<u>40,100</u>
Subtotal	\$489,700	\$509,600

Note: Above costs do not include rehabilitation of sanitary sewer or water main, if needed.

# crystal minnesota



comprehensive  
plan  
update

policy plan/  
development framework

june 1980

## TRUCK ACCESS

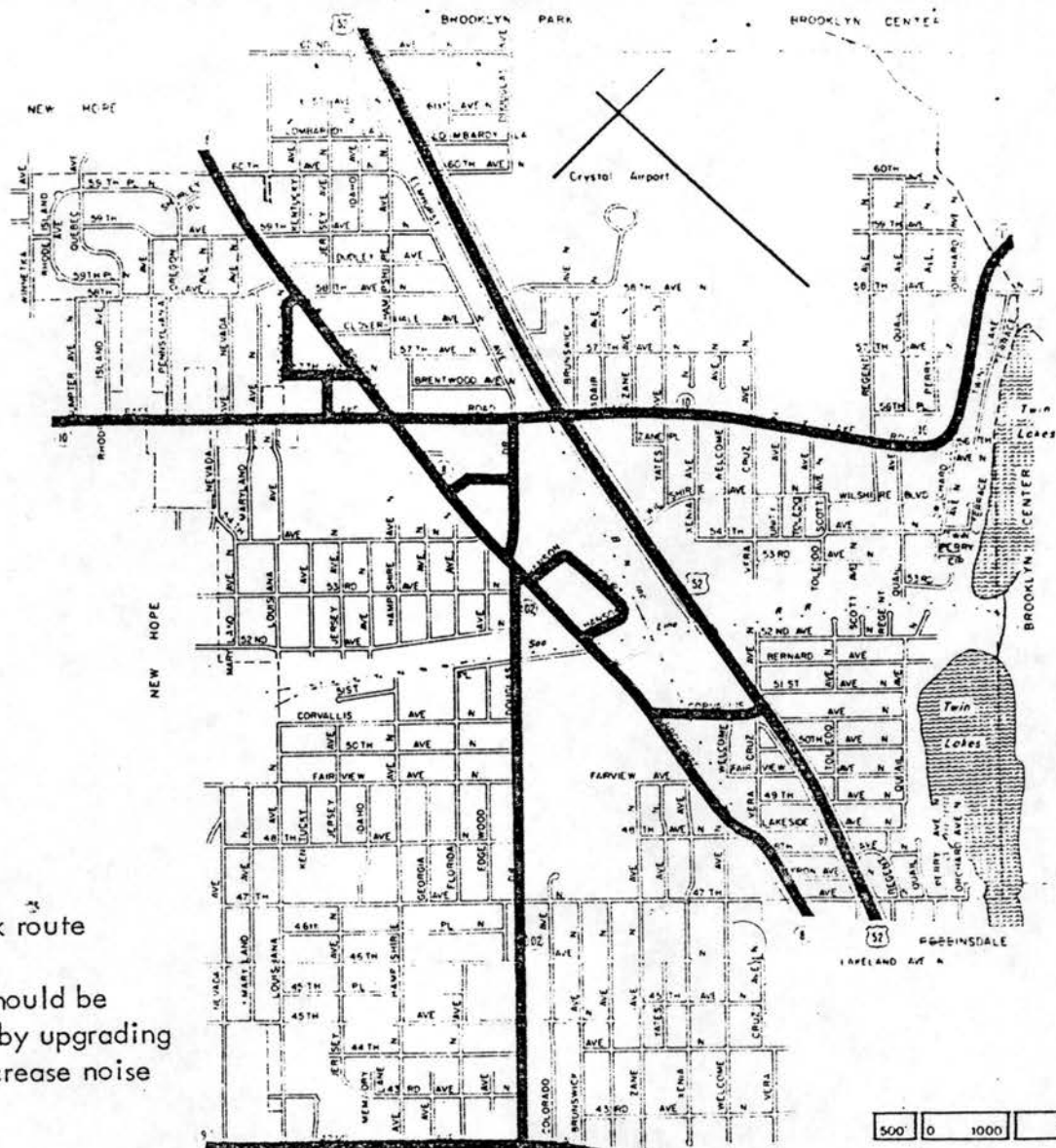
Because noise caused by trucks has presented a problem in residential neighborhoods in Crystal, the City Council has retained BRW, Inc. to develop a city-wide truck route plan, and has acted to prohibit trucks from the following streets:

- 36th Avenue between Highway 100 and Nevada Avenue.
- 32nd Avenue between Highway 100 and Louisiana Avenue.
- Fairview Avenue between Douglas Drive and the M.N. & S. Railroad.

The primary difficulty in establishing an appropriate truck route was meeting the needs and concerns of residents while providing adequate access to industrial areas. Truck routes had to be designated on roads with a proper bearing capacity, and they had to be coordinated with truck routes in adjacent communities. The proposed route, as illustrated on the following map, should reduce violations of truck traffic using residential streets, maintain continuity in roadway systems, and meet the needs of industries in the area. Although some complaints were made about noise generated by truck traffic using 36th Avenue North, it was felt that some roadway improvements could be implemented which would reduce the impact of this noise. According to the BRW report, actions which could be implemented to reduce truck traffic on 36th Avenue include the following:

- Complete the interchange at Highway 100 and 42nd Avenue. This would divert traffic from 36th Avenue.
- Reconstruct 36th Avenue with design features to reduce noise and vibration impacts. This could include the following measures:
  1. Reduce roadway grades.
  2. Provide firm and smooth roadway surface.
  3. Provide smooth traffic flow.
  4. Control vehicle speeds within the 30 mph limit.

A land use issue which should be considered in relation to truck traffic is the existence of some undeveloped industrial land south of 36th Avenue, at 33rd Avenue and Nevada. Although efforts have been made to rezone this land to multi-family uses, this has not taken place. In view of the fact that increased industrial development in this area would generate additional truck traffic, rezoning of this land should be considered seriously.



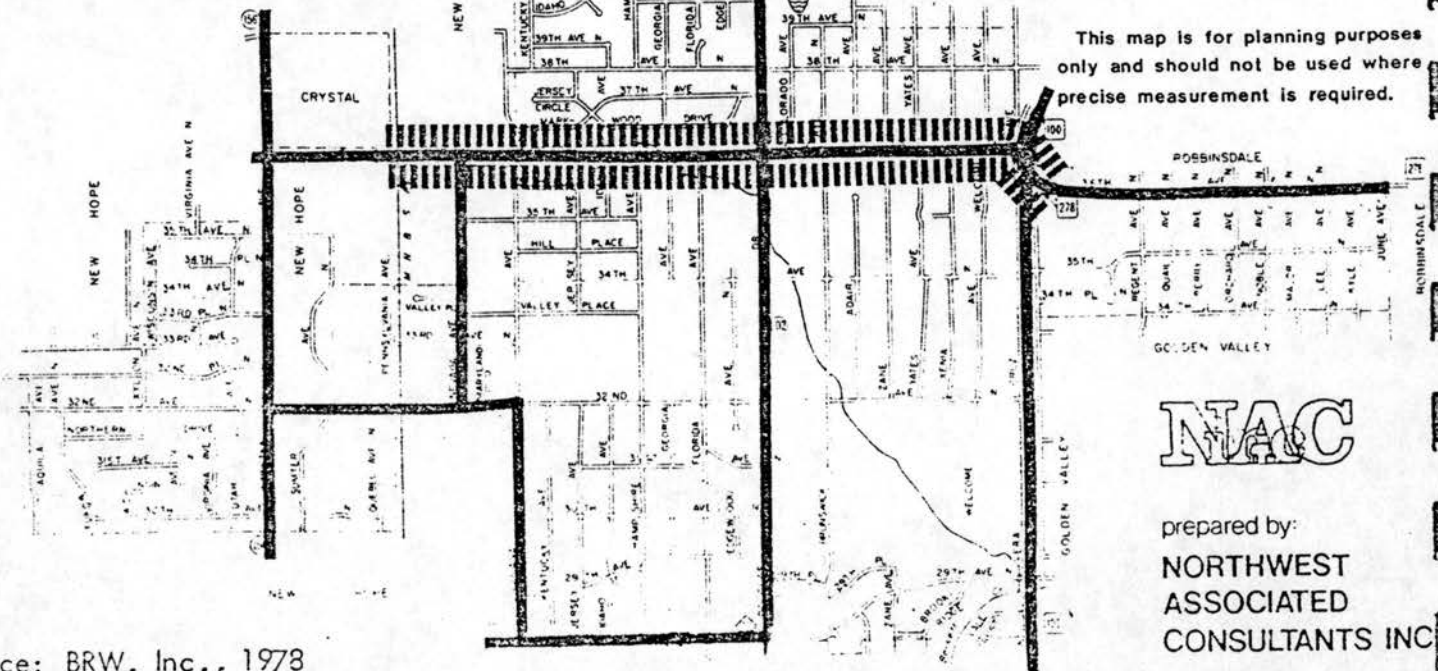
Proposed truck route

Designation should be accompanied by upgrading of road to decrease noise

proposed  
truck routes

crystal  
minnesota

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



NAC

prepared by:  
NORTHWEST  
ASSOCIATED  
CONSULTANTS INC.

May 5, 1988 Meeting  
36TH AVENUE RECONSTRUCTION

Bill Monk, City Engineer, stated the Council is reviewing options for improvement of 36th Avenue although no decisions have been formalized. 36th Avenue North was originally improved in the mid-1950's to a 44-foot width between Louisiana and Welcome Avenues. The street currently functions as an area collector carrying between 11,000 and 16,000 vehicles per day. Street is also classified as a Municipal State Aid street which provides for special funding allocations if certain construction standards are met. Additionally, use of State-Aid funds will not allow for continuing the truck prohibition as it discriminates against a group of fund contributors. Various State-Aid and local improvement options were discussed involving the need for two or four lanes, curb and gutter, storm sewer and sidewalk. The effect on residential property was reviewed. Significant impact was noted for local funding if City proceeds with project without State-Aid participation. Costs for a four-lane improvement are estimated at \$1,000,000 while a two-lane alternate is estimated to exceed \$700,000. Past assessment practice for State-Aid and local projects was reviewed in general.

Following questions or comments were presented by owners of property in the area with answers by staff as provided at the meeting noted:

- What size trucks if street built to State Aid specifications? Any size.
- Who sets State-Aid specifications? MnDOT.
- It would be establishing a through truck route from Robbinsdale to New Hope if built street to State-Aid specifications.
- City of Robbinsdale has restrictions on truck size using Regent, built with State-Aid funds.
- Is there a time limit to State-Aid rules about truck access following construction? No.
- Would intersections have to be widened? No.
- Would railroad overpass have to be redone? Reviewed New Hope's plan and timetable.
- How much would it cost if not using State Aid funds? 48' wide street \$1,000,000 and 36' wide street over \$700,000.
- Questioned method of assessing streets. Residential equivalent assessed over 10-20-year period to abutting properties.

- How much is spent on road repair on 36th? \$6,000 was spent one week and questioned continuing to do that given the condition of the base.
- Would there be parking on 36th? Probably not.
- What about the hill on 36th? Minimal grade change, if any, due to impact on existing homes.
- Can't get in and out of driveway on 36th now because of traffic.
- Suggested traffic lights or signs to slow traffic or more policemen to enforce 30 mph speed limits.
- Felt property would be devalued.
- What about Highway 100 project? Probably have another meeting when get details from the State this summer. Improvements will include bridge on 36th over highway, widening highway between 29th & 39th and relocation of frontage road.
- What would be the repercussions of using all of Infrastructure funds on 36th? Use about three years' balance and back-up scheduled projects.
- Can State force Crystal to upgrade a street? Force, no. Pressure, yes.
- Why can't just re-pave street and not put in curb and gutter and storm sewer? Too costly with such a bad base and does not address pedestrian traffic and bike riders.
- Can put sidewalks on one side only? Could be done, but increases number of people crossing street.
- Near Ridgedale believe the County restricts size of trucks because of noise and quality of air.
- If house is condemned for Highway 100, will have to pay special assessment and also pay before can sell property to State? Details on highway project due this summer well in advance of final work on 36th Avenue by City.
- How long will street be worked on? Depends on phasing but could be completed in one construction season.
- Wants sidewalk on 36th and Adair to protect children going to school catching the bus.
- Would walks be plowed? City has equipment to plow sidewalks and assists residents on major pedestrian routes.

- Why does City plow 36th so often? Traffic volumes, narrow width and ice build-up on hills.
- When will City Council decide? Feels too many "soft answers" before proposal can be made to Council. Staff hoping to move to construction stage in 1989.
- Was 36th a county or state road about 6 years ago? Not in last 20 years.
- Believes assessment unfair when takes part of property and does not use street any more than rest of City.
- Believe there are signs posted coming off Highway 100 that no trucks are allowed on 42nd.
- Could a citizen committee be formed to assist in the decision-making process? Names were collected for such a committee although establishment not set.

Review of major issues discussed included truck access, width of final design, need to retain residential identity, assessments, noise and air quality and project financing.

THE FOLLOWING ATTENDED THE INFORMATIONAL MEETING  
RE 36TH AVENUE RECONSTRUCTION MAY 5, 1988

<u>Name</u>	<u>Address</u>
Greg Lundeen	6125 - 36th Ave N, 55422
David Laughlin	6115 - " " "
Margaret Westphal	5910 - " " "
Jerry P. Smith	5910 - " " "
Lars P. and Anne M. Lodoen	3541 Idaho Ave N, 55427
Max Leary	7018 - 36th Ave N, "
Richard Lund	6403 - " " "
Dorothy Norton	6402 - " " "
Leona Jay	5608 - " " 55422
Alvin Schempp	6326 - " " "
Jim Price (Canadian Products)	3600 Douglas Drive, 55422
Janet Lane	3631 Welcome Ave N, "
Diane Christopher	3506 Zane Ave N, "
Phylis Wright	3513 Yates Ave N, "
Mr. & Mrs. Dennis Albers	6810 - 36th Ave N, 55427
Tom Shiek	4856 Jersey Ave N, 55428
(Owner of	6000-6002 - 36th Ave N)
H. Gamec	5723 - 36th Ave N, 55422
Carol Newman	6003 - " " "
Craig Schendel	6610 - " " 55427
Hope T. Rother	3560 Welcome Ave N #203, 55422
Ade Rygg	3701 Adair Ave N, 55422
Jeri Woodfill	3613 Xenia Ave N, "
Ruth Yanko	7002 - 36th Ave N, 55427
W. R. Haupt	3525 Hampshire Ave N, "
Jonathan Stiegler	6726 - 36th Ave N, "
Larry & Bonnie Menshek	5607 - " " 55422
Agnes R. Miller (Williams)	5617 - " " "
Mr. & Mrs. Richard Revell	5812 - " " "
Raymond Nelson	5700 - " " "
Douglas J. Perkins	6701 - " " 55427
Mary Jo Nalezny	6918 - " " "
Angela Martin	6426 - " " "
Harry N. & Ann Trullinger	6410 - " " "
Casimir Remiarz	3617 Colorado Ave N, 55422
Russell G. Blixt	5816 - 36th Ave N, "
Minerva H. Blixt	5816 - " " "
Richard Leaf	6310 - " " 55427
Arley Erikson	3637 Welcome Ave N, 55422
Barry & Shirley Kline	5905 - 36th Ave N, "
Linda & Durwin Ward	3356 Welcome Ave N, "
M. A. Thornton	3551 " " "
Janet Rudd	6507 - 36th Ave N, 55427
Pattie Murphy	6507 - " " "
Allen J. Franz	3550 Hampshire Ave N, "
Rita Nystrom	3618 Adair Ave N, 55422
Pat & Carol Casey	5716 - 36th Ave N, "
John Moravec	6801 - 35th Ave N, 55427
Mary & John Egan	3555 Brunswick Ave N, 55422



**CITY of CRYSTAL**

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

ADMINISTRATIVE OFFICE

October 3, 1988

Mr. Gordon Fay  
MnDOT Director of State Aid  
Transportation Building  
John Ireland Blvd.  
St. Paul, MN 55155

Dear Mr. Fay:

In a recent meeting to review improvements to 36th Avenue between Louisiana and Welcome Avenues (MSAS 313-012 and 020), the Crystal City Council voiced many concerns related to truck traffic and street section issues. While the street section questions can be addressed through the established variance process, the truck traffic issues are not as easily answered.

At present, truck traffic is prohibited on the 30-year old street section because of safety concerns related to condition and width. These issues will undoubtedly be resolved as the street is improved to state-aid standards. However, recent concerns related to truck traffic and resultant noise levels have surfaced.

As you may be aware, single family residences along 36th Avenue are presently located approximately 63 feet from the street's center line. Based on recent noise level readings performed by the MN PCA, the L10 and L50 readings match maximum allowable levels for residential areas. By allowing truck traffic through this area, there is no question that PCA noise standards will be exceeded especially on the steep slopes near Douglas Drive.

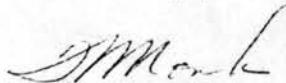
Crystal's question at this point involves whether noise levels or other criteria will be considered by the State-Aid Office in restricting truck traffic on an MSAS street. Further, the City Council is interested in whether other State-Aid streets are subject to truck traffic restrictions and the established justifications in any such cases.

Mr. Gordon Fay  
October 3, 1988  
Page 2

Please be aware Crystal is not interested in unilaterally banning truck traffic on State-Aid streets but is very concerned with the issue in this particular situation. Your attention and response to the issues raised are appreciated.

Should you have further questions regarding this request, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read 'W. Monk'.

William Monk  
City Engineer

WM:jrs

Encl

## NOISE SURVEY FORM

## A. General Information

Date: 5-17-88Investigator: Rebecca NishimotoNoise Source: traffic - 36<sup>th</sup> Ave NoTemperature: 58° F. clear/sunnyLocation: A = 36<sup>th</sup> Ave N @ Georgia AveWind Speed/Dirctn: 0-5mph/west

Crystal

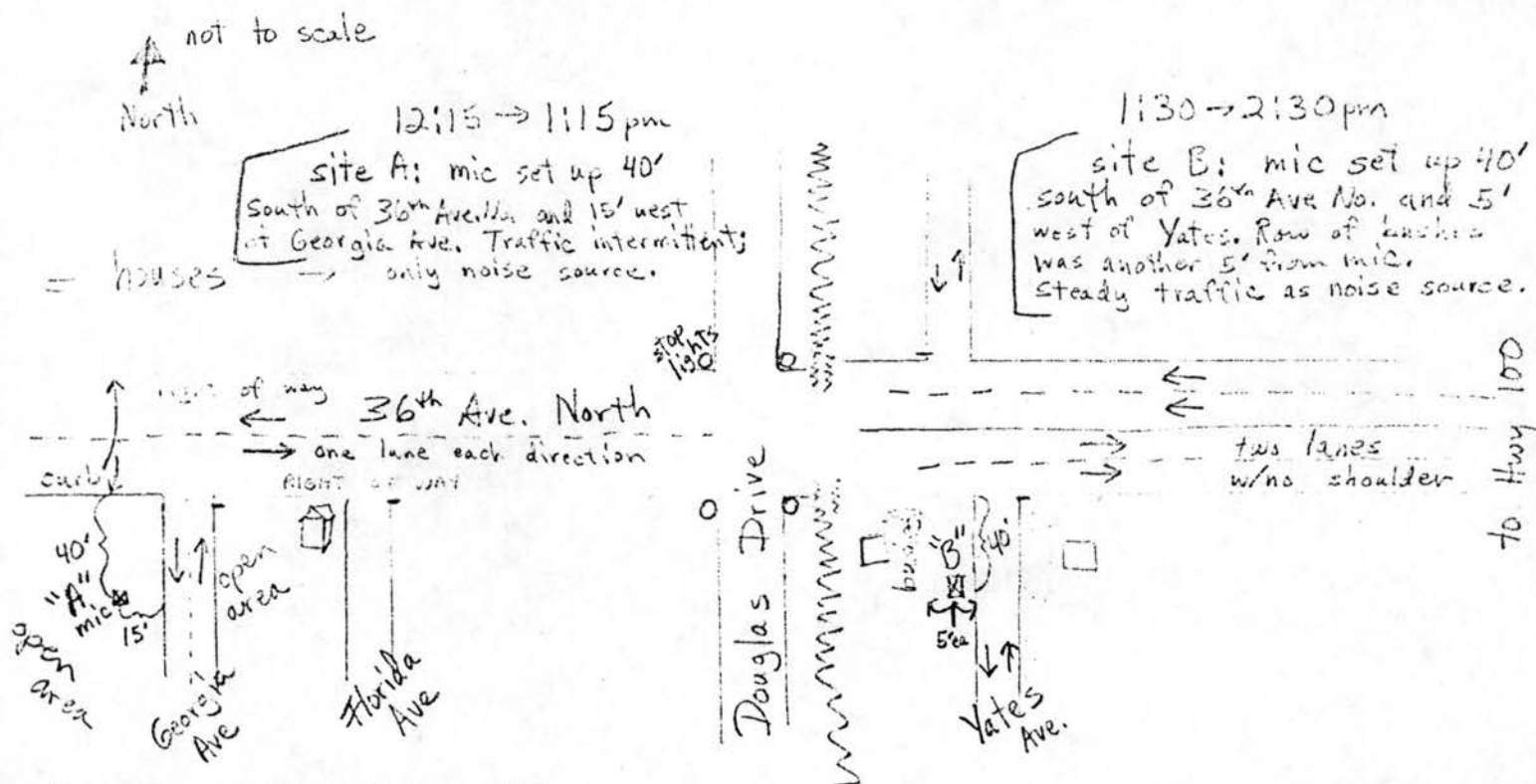
B = 36<sup>th</sup> Ave N @ Yates AveRel. Humidity: okTime Start: 12:15<sup>am</sup> Stop: 2:30<sup>am</sup>Barom. Pressure: ok

## B. Instrumentation

Manufacturer	Model	Serial #	Calib #	Rate@	Cal Before	Cal After
Larson-Davis	700	B0 753	LD-CA250-451	114.0 dBC	✓ 114.0 dBC	✓ 114.0

## C. Diagram- Indicate:

microphone location, noise source, distances, direction, and obstructions



## D. Observations/ Comments:

## E. Results - Metrosonics (dBA) (Attach printouts to form)

	MAX	L0	L1	L5	L10	L20	L30	L40	L50	L60	L70	L80	L90	Background MIN
12:15-hr	79.0				63.5				56.0				45.5	37.0
1:30-hr	82.0				65.0				58.0				49.0	40.5

Standard = 55.0 dBA

Standard = 60.0 dBA



Minnesota Department of Transportation

Transportation Building, St. Paul, MN 55155

October 17, 1988

Phone 612-296-9872

William Monk  
Crystal City Engineer  
4141 Douglas Drive North  
Crystal, Minnesota 55422-1696

In reply refer to:  
Truck Traffic & Street Section Issues  
CITY OF CRYSTAL

Dear Mr. Monk:

This is in response to your letter of October 3, 1988 relating to the restrictions of truck traffic on your proposed street project. The question of restricting truck traffic from using streets constructed with road users funds has been raised on many occasions. We have discussed this with the Attorney General's office and to-date have not come up with any method of doing anything about restricted truck traffic.

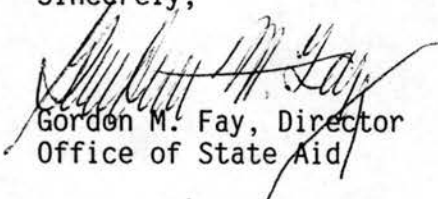
As you are well aware, the revenues for building these streets come from the gasoline taxes and license fees on trucks as well as automobiles so it becomes very difficult to restrict them from using roadways that have been built with funds derived from costs imposed upon them.

Minnesota Statutes Chapter 162.09: says "the Municipal State-Aid System shall be established, located, constructed, reconstructed, improved, and maintained as public highway ...."

The above law would preclude us from designating streets that don't provide for the use of all vehicles. In addition, it appears that this route is a direct link between two trunk highways.

This is the best I can do in response to your request. If you have additional questions, please feel free to call me.

Sincerely,

  
Gordon M. Fay, Director  
Office of State Aid

cc:  
C. E. Weichselbaum, DSAE, Dist. 5  
File - 420

GMF:jmm

M E M O R A N D U M

DATE: March 2, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Julie Jones, Recycling Coordinator  
SUBJECT: Insurance Requirements for Earth Day  
1990 Event at Brookdale

Brookdale requires that the City of Crystal agree to certain insurance agreements in order to host the Earth Day 1990 Event at Brookdale on April 22, 1990. The two forms they require to have signed are: an Insurance and Indemnity Letter and a Hold Harmless Agreement.

There have been disagreements regarding certain requirements of each agreement. Our insurance carrier did not agree with the minimum liability coverage required in the Insurance and Indemnity Letter. However, Brookdale's Marketing Director has agreed to allow the City to change the minimum requirements in each case on the agreement to \$600,000. The City Attorney has suggested changes to the Hold Harmless Agreement since the agreement, as written originally, made the City unreasonably liable for any accidents that should happen in any location of the mall, regardless of its relation to the Earth Day event. The City Attorney has made changes to the agreement and will be prepared to discuss those at the March 13th Council meeting.

Brookdale's Marketing Director has been very receptive to the City's request for changes thus far, so I do not anticipate any problems with them agreeing to the changes.

JJ:jt

cc: John Olson

INSURANCE AND INDEMNITY LETTER  
BROOKDALE SHOPPING CENTER

Event: Earth Day 1990 at Brookdale Date of application: Feb. 20, 1990  
Organization: City of Crystal / Environmental Quality Commission  
Person in Charge: Julie Jones  
Address: 4141 Douglas Dr N.  
City, State, Zip: Crystal MN 55422  
Phone: (612) 537-8421

RE: Earth Day 1990 Promotional activity at: Brookdale Center

In consideration of the use of specifically designated portions of the Common Area of Brookdale Shopping Center on                      to April 22, 1990, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City of Crystal does hereby agree as follows:

1). It will provide supervision, adequate to meet the requirements of the Marketing Director (or in the absence of the Marketing Director, the head Security Officer or Center management officer person on duty in the Shopping Center) and it will designate a person or persons responsible for supervising the activity, give the name or names thereof to the Marketing Director (or in the absence of the Marketing Director, the head Security Officers or Center management office person on duty in the Shopping Center) and said named contact(s) shall be on site and available at all times. In the event, if for any reason, the Marketing Director or Center Management or Security Officer deems supervision inadequate, the situations shall be remedied immediately upon notice to the organization's on-site contact person. If the situation is not remedied, the Marketing Director or Security Officer shall have the right to ask the Crystal Environmental Quality Commission to vacate the Center immediately and there shall be no claim against Equitable Real Estate Shopping Center L.P. ("Owners"), TCC Center Companies, Inc., Center Management Venture, the Brookdale Merchants Association, any of the major department stores, or any of their respective officers, employees or agents.

2). The City of Crystal must maintain (and provide a certificate of insurance, evidencing same) public liability insurance in amounts no less than ~~\$1,000,000.00~~ <sup>\$600,000</sup> for injury or death to one person, ~~\$2,000,000.00~~ <sup>\$600,000</sup> for injury or death to more than one person and ~~\$1,000,000.00~~ <sup>\$600,000</sup> with respect to property damage, which will include independent contractors coverage. The coverage must be in effect throughout the entire period that the City of Crystal Environmental Quality Commission is using the Shopping center and must be held through an insurance company duly licensed in the state in which the Shopping Center is located. The policies must name TCC Center Companies, Inc., (TCC), Center Management Venture (CMV).

The Equitable Real Estate Shopping Centers, L.P.	(Owner)
Carson, Pirie, Scott	(CPS)
Dayton Hudson Department Stores Company	(DHDSC)
J.C. Penney	(JCP)
Sears	(S)

and the Brookdale Center Merchants Associates as additional insureds.

\*activities of the Crystal Environmental  
Commission

3). The City of Crystal agrees to protect, indemnify, save and hold harmless Owner, TCC, CMV, DHDSC, CPS, JCP, S, and the Brookdale Shopping Center Merchants Association, their respective employees, agents, invitees, licensees, assignees, and tenants, from all claims, losses, costs, damages, and expenses arising out of ~~\*any other activities~~, or at the Earth Day 1990, 4/22/90 activities at Brookdale Center, or any act or omission of the City of Crystal or the Environmental Quality Commission, its employees, volunteers, agents, licensee, invitees, assignees, or contractors, or against and from any penalty or damages imposed from any violation of any law or ordinance whether occasioned by the negligence or act of the the City of Crystal or the Environmental Quality Commission or its employees, agents, volunteers, licensees, invitees, assignees, or contractors arising from activities of the Crystal Environmental Quality Commission on April 22, 1990.

4) To comply with all ~~the~~ rules and regulations and the requests to the Marketing Director, Center Management or Security Department.  
reasonable

WITNESS:

\_\_\_\_\_  
(Center Representative)

City of Crystal  
(Organization)  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

# HOLD HARMLESS AGREEMENT

For good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, Jerry Dulgar (name), who is an officer of City of Crystal, (hereinafter referred to as "Undersigned"), hereby represents that she/he has full authority to execute this Agreement on behalf of the Undersigned, its agents, employees, servants and volunteers and, on behalf of the Undersigned, does hereby agree that the Undersigned shall indemnify and hold Equitable Real Estate Shopping Centers, L.P. ("Owner"), Center Management Venture ("CMV"), The Center Companies, Inc. ("TCC"), and the Brookdale Center Merchants Association and each of their agents, servants, employees, officers, and directors harmless from and against any and all causes of action, demands, claims, liabilities, assertions of liability, losses, costs and expenses, including but not limited to attorney's fees, reasonable investigative and discovery costs, and court costs arising out of or resulting from the entry, presence, activities, acts or omissions of any nature whatsoever or otherwise of the Undersigned, its agents, volunteers, servants, or employees in or adjacent to the premises known as Brookdale Shopping Center <sup>on April 22, 1990</sup> including but not limited to any claim(s) for bodily injury or death of persons and for loss of or damage to property, including claims or loss by Owner, CMV, TCC and the Brookdale Center Merchants Association, or their agents, servants, employees, officers and directors. If such loss, damage or injury is caused in whole or in part by the negligence of Owner, CMV, TCC, or the Brookdale Center Merchants Association, or their agents or employees, the obligations of the indemnitor <sup>or</sup> hereunder shall be reduced pro tanto in relationship to the percent of negligence of Owner, CMV, TCC, or the Brookdale Center Merchants Association in the subject incident. \*

IN WITNESS WHEREOF, the undersigned has executed this agreement this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

City of Crystal

(Name of Organization)

\* This agreement is to be construed in pari materia with that certain "Insurance and Indemnity Letter Brookdale Shopping Center" of even date given by Indemnitor.

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

WITNESSED:

By: \_\_\_\_\_  
By: \_\_\_\_\_

*Get Original from  
Dave for Second  
Reading.*

DRAFT I - DJK

ORDINANCE NO. 90-\_\_\_\_\_

AN ORDINANCE  
RELATING TO RECYCLING: DISPOSAL  
OF YARD WASTE: AMENDING CRYSTAL CITY  
CODE, SECTION 606 BY ADDING A SUBSECTION

## THE CITY OF CRYSTAL ORDAINS:

Section 1. Crystal City Code, Section 606, is amended by adding a subsection to read:

606.17. Yard Waste. Subdivision 1. A licensed refuse collector providing residential refuse collection service must separately collect and dispose of yard waste.

Subd. 2. Definitions. For the purposes of this subsection "yard waste" means compostible material such as grass clippings, leaves, weeds, and other similar forms of organic material, but does not include trees, brush, branches, or similar woody material.

Subd. 3. Information. Within 15 days after notification from the City, a licensed refuse collector providing residential refuse collection service must give the City Manager a detailed description of:

- a) the manner by which the collector intends to separately collect and dispose of yard waste;
- b) the manner by which the collector intends to account for the amount of yard waste collected; and
- c) the method by which the collector will inform its customers of the yard waste collection program.

Subd. 4. Disposal Site. The collector must take the yard waste to a disposal site or transfer site, approved by the City Manager for subsequent composting, landspreading, or both.

Subd. 5. Records. The licensed collector must keep an accurate accounting of the amount of yard waste collected and must, with 30 days of the end of each calendar year, submit a written report to the City Manager detailing the amount of yard waste collected and disposed of for composting or landspreading during the year.

Subd. 6. If no yard waste disposal site or yard waste transfer site is available to haulers the provisions of this subsection do not apply, but haulers must comply with applicable state law including Minnesota Statutes, Section 115A.931. Haulers must also meet the requirements of transfer or disposal sites.

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

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

CR205-7:Ord10.

ORDINANCE NO. 90-\_\_\_\_\_

AN ORDINANCE

RELATING TO TRAFFIC REGULATION:  
AMENDING CRYSTAL CITY CODE,  
SUBSECTION 1305.03.

*2nd  
Reading  
3-13-90  
Clean, corrected  
copy from Dave*

THE CITY OF CRYSTAL ORDAINS:

Section 1. Crystal City Code, Subsection 1305.03 is amended to read:

1305.03. Cutting Across Public or Private Property. It is unlawful to disobey the instructions of any official traffic control device within the meaning of this Chapter, unless at the time otherwise directed by a police officer, by driving into or across public private property so as to obviate the need to comply with said the traffic control device.

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

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk

Ord6:CR205-7

ORDINANCE NO. 90-\_\_\_\_\_

AN ORDINANCE RELATING TO THE  
CRYSTAL COMMUNITY CENTER: AMENDING  
CRYSTAL CITY CODE, SUBSECTION 815.13.

THE CITY OF CRYSTAL ORDAINS:

Section 1. Crystal City Code, Subsection 815.13 is amended to read:

815.13. Liquor and Beer in Parks. Subdivision 1. General Rule. Except as otherwise permitted by this subsection, the use, consumption, display, and presence of intoxicating liquor (liquor) and non-intoxicating liquor (beer) as those terms are defined in Chapter XII of this Code, is prohibited in parks and related facilities including vehicle parking facilities immediately adjoining a park and the Crystal Community Center.

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

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk

CR205-7:Ord11.

## LEGISLATIVE ALERT

February 8, 1990

The House Transportation Committee will meet on February 14, 1990 in Room 10 of the State Office Building to review a recommendation by Finance Commissioner Peter Hutchinson to eliminate transfer of Motor Vehicle Excise Tax (MVET) revenues to highways for FY 1991, 1992 and 1993. This action would reduce highway funding to trunk highways, county and municipal state-aid systems by over \$66 million in FY 1991 and over \$200 million for the three years. Transit would continue to receive MVET funds.

This action breaks the traditional MVET formula of 25% to transit and 75% to the Highway Users Distribution Fund and effectively makes transit the recipient of 100% of any MVET transfer.

The lack of stable funding for highway construction causes increased planning costs, delayed Environmental Impact Studies, increased local property tax, and fewer construction businesses, resulting in lost employment.

It is important that you stay in touch with your legislators on this issue throughout this session and into the 1990 elections. You need to let your legislator know that stable funding for transportation is essential. Ask your legislators for their position on eliminating the use of MVET funds for highways.

You also need to call the following legislators today and tell them who you are, where you are from, and that you are opposed to discontinuing the transfer of MVET funds for highways. If the legislator is not in the office, tell the person who answers what you are calling about.

Governor Perpich	612/296-2374
Senator Roger Moe, Majority Leader	612/296-2577
Senator Duane Benson, Minority Leader	612/296-3902
Senator Douglas Johnson, Chair - Taxes	612/296-4839
Senator Gene Merriam, Chair - Finance	612/296-4154
Rep. Robert Vanasek, Speaker of the House	612/296-4229
Rep. Bill Schreiber, Minority Leader	612/296-4128
Rep. Paul Ogren, Chair - Taxes	612/296-7808
Rep. Wayne Simoneau, Chair - Appropriations	612/296-4331

Please plan to attend the meeting on February 14th, if at all possible. If we lose the MVET transfer, it may be many years before it is returned - if ever.

A recent Minnesota Poll showed 78% of the public were in favor of increased funding for transportation. Your efforts in contacting your legislators will reinforce the poll results and help determine the future of MVET transfers for highways.

Please call if we can help you in any way. But - please contact your legislator today!

LEGISLATIVE ALERT  
HOUSE LEGISLATIVE COMMITTEE HEARING  
TUESDAY, FEBRUARY 14TH, 1990

Representative Henry Kalis, House Transportation Committee Chairman, has scheduled a meeting for next Tuesday, February 14, 1990, to discuss the MN/VET issue.

Peter Hutchinson, Finance Commissioner, is apparently serious about cutting MN/VET to balance the shortfall and Chairman Kalis wants to head off the attempt.

North Metro Mayors Association needs to have a presence at this hearing. We need to help pack the room. We will also be given the opportunity to give testimony on the issue.

According to transportation sources, it is the intention of the Commissioner to recommend retaining the MN/VET transfer for transit but cut the highway portion.

The cuts would extent through Fiscal Year 1992 and total in excess of \$220,000,000.

See the attached "Action Alert" prepared by Fred Corrigan, Minnesota Transportation Alliance.

Please respond back ASAP. Your presence is needed at this meeting! Our fax number is 424-1174.

FRED J. CORRIGAN  
Executive Director  
JERRY ANDERSON  
Asst. Executive Director

# ALLIANCE

THE MINNESOTA TRANSPORTATION

# ALLIANCE

FORMERLY MINNESOTA GOOD ROADS, INC.

MEMO TO: Executive Committee  
Legislative Committee

FROM: Fred J. Corrigan

DATE: February 22, 1990

RE: House File 1803 - Bridge Bonding and  
Repeal of the MVET Sunset

Discussion by the House Transportation Committee on February 21, 1990 would certainly discourage any hope of repeal of the sunset of Motor Vehicle Excise Tax (MVET) revenues to local government in this session.

Representative Bernie Lieder (DFL - Crookston) introduced an amended H.F. 1803 in support of bridge funding for local bridges. The revised bill not only increased bridge bonding authority, but also included language repealing the MVET sunset provision based on the demonstrated bridge needs on the local system statewide.

Representative Harold Lasley (DFL - Cambridge) offered an amendment deleting the repeal of sunset language. This action seemed to be strongly supported by metro area legislators who defended the need for MVET funds on the state highway system. Representative Lieder withdrew the repeal language before Representative Lasley's amendment was voted and Representative Lasley then withdrew his amendment.

Rural legislators cautioned after the hearing that lack of local government participation in the MVET distribution may eliminate the support group in their rural districts, especially among township officials. There appears to be little support in the House for a separate bill being introduced this session and even less support in the Senate.

This discussion could even jeopardize any transfer of MVET revenues to transportation and weaken our argument that transportation needs are greater than those of the general fund. Metro legislators are experiencing great needs for general fund appropriations for health care and property tax relief and may find it difficult to defend the MVET transfer for state highway projects.

Loss of MVET transfer could destroy the coalition built with business and industry in 1988 when the 25% MVET transfer was the key to gaining general support for passing a 3 cent gasoline tax increase. The additional 5% transfer of MVET in 1989 was part of a funding package which included a \$50 million increase in vehicle registration fees.

Executive Committee  
Legislative Committee

- 2 -

February 22, 1990

Metro legislators will have to be involved in the battle to save the transfer of MVET for transportation. Rural legislators will need to be convinced that they should be concerned about the impact of reduced MVET funding for state projects in their districts.

Mn/DOT has not had a natural constituency, but may be finding one among metro area legislators. Metro legislators will need to be convinced that their transportation needs are greater than their needs for general funds.

The results of the Minnesota Poll showing 78% of the voters in favor of increasing funding for transportation will become evident in the 1990 elections if Mn/DOT announces cuts in state projects, especially those large projects in the metropolitan area.

RESOLUTION NO. 90-

RESOLUTION IN OPPOSITION TO THE USE OF MnVET  
FUNDS TO BALANCE BUDGET

WHEREAS, the Minnesota Department of Transportation has committed funding for many state-wide projects including a number in the North Metro area, and

WHEREAS, the North Metro Area has waited many years for its area projects to reach priority status, and

WHEREAS, highway project funding in the North Metro Area has not kept pace with other areas of the metropolitan area, and

WHEREAS, more than one fourth of all the bridges in the State of Minnesota are considered to be deficient and another 2,000 will become deficient by the year 2,000, and

WHEREAS, the proposed MnVET funding reduction to help balance the budget would amount to a \$200,000,000 loss of transportation funding capability for projects over the next three years, and

WHEREAS, a total cut in MnVET transfer could result in City, County and State projects being delayed for up to three to five years and/or lost altogether, and

WHEREAS, going forward with the approved projects will greatly improve the economic climate for growth in the North Metro Area and result in a benefit to the State in terms of increased employment, sales and income tax revenues, and

WHEREAS, the Governor and Legislature provided some \$500,000,000 "Rainy Day Fund" to meet unforeseen budgetary problems, and

WHEREAS, local governments have adopted their respective budgets based on the assurance that funding from the state would be forthcoming,

NOW THEREFORE, BE IT RESOLVED, that the Governor and the State Legislature:

1. Balance the budget without taking all of the MnVET funds scheduled to be transferred for transportation purposes, and
2. That the commitment to local government in the form of local government aids be kept, and

3. That the Governor and the State Legislature use the "Rainy Day" fund to assist in balancing the budget and keep their commitments to local units of government.

Adopted this 13th day of March, 1990.

---

Mayor

ATTEST:

---

City Clerk

**Send resolutions to:**

Govenor Rudy Perpich  
103 Capitol  
St. Paul, MN 55155

Senator Roger Moe  
Majority Leader  
208 Capitol  
St. Paul, MN 55155

Senator Gene Merriam  
122 Capitol  
St. Paul, MN 55155

Senator Douglas Johnson  
205 Capitol  
St. Paul, MN 55155

Senator Duane Benson  
Minority Leader  
147 State Office Building  
St. Paul, MN 55155

Representative Robert Vanasek  
Speaker of the House  
463 State Office Buildign  
St. Paul, MN 55155

Representative Wayne Simoneau  
335 State Office Building  
St. Paul, MN 55155

Representative Paul Ogren  
417 State Office Building  
St. Paul, MN 55155

Representative William Schreiber  
Minority Leader  
267 State Office Building  
St. Paul, MN 55155

**DFL Caucus fax numbers:**

Senate: 296-6511  
House: 296-1563

**IR Caucus fax numbers:**

Senate: 296-9441  
House: 296-3949

Memorandum

DATE: March 2, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Darlene George, City Clerk *Darlene*  
SUBJECT: Council Meeting of May 15, 1990

The District 281 School Board Election will be held on May 15, 1990. This is also a regular City Council meeting date.

I will place this item on the March 13 Council Agenda for Council discussion. They will either need to change the starting time on May 15 to 8 p.m. or set the meeting to 7 p.m. on another night. Both the following evening (May 16) and the following Tuesday (May 22) are free of any other commission meetings.

DG/js

DATE: March 6, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Bill Monk, City Engineer  
SUBJECT: Space Needs

Since the Council's last meeting, I have contacted several cities, namely Brooklyn Center, Minnetonka and Plymouth, that have completed or are in the process of preparing an extensive review of their space needs. All three cities have contracted with Workplace Environments, Inc., located in Plymouth, to reconfigure and intensify use of existing space as well as determine the limits of additional space if needs exceed current availability.

The attached proposal describes how Workplace would analyze Crystal's needs and attempt to meet that need within the existing structure as a first course of action. While this design procedure does not rule out the option of a building expansion, any expansion would definitely be minimized.

After reviewing previous work performed by Workplace Environments, Inc. on similar projects, I am quite impressed. In addition to an analysis of needs and capacity, the reports I reviewed also addressed details involving operational interaction of department functions. Phasing of space improvements was also addressed.

I believe the proposal from Workplace Environments, Inc. represents a means to review Crystal's space needs and minimize the scale of potential capital improvements which was the theory behind the staff committee's report. It is recommended Crystal contract with Workplace Environments, Inc. to perform a space needs analysis consistent with the attached proposal and funds allocated from the PIR Fund to cover said costs.



WM:jrs

Encl



**WORKPLACE ENVIRONMENTS, INC.**

VICKSBURG PLAZA • SUITE #15  
1115 VICKSBURG LANE NORTH  
PLYMOUTH, MINNESOTA 55447  
(612) 476-0663 • FAX # (612) 476-0680

March 7, 1990

Mr. William Monk  
Public Works Director  
CITY OF CRYSTAL  
4141 Douglas Drive North  
Crystal, MN 55422-1696

re: Proposal for a space study for the City of Crystal offices

Dear Mr. Monk:

We understand the purpose of this space study is to determine if the City of Crystal has properly utilized its existing office space and to what extent expansion to the building may be required. To provide this study, the following services would be performed:

- \* Workplace Environments will perform a needs assessment survey interviewing all department managers and any other key department people as requested. We suggest that for the Police Department, we only interview the Police Chief Administrator. In addition, we will inspect each workstation within the building, inventorying their work space needs as to worksurface, filing, storage, office machines and visitor area, etc. We understand that about 75 people are in the building but only approximately 45 will be surveyed in this manner since the balance are police officers out of the premises. All common areas such as conference, break and storage areas will be reviewed.
- \* Workplace Environments will provide as appropriate one to two floor plans reviewing the building, with our recommendations. These floor plans will be complete enough to include furniture and equipment so an understanding of space each person or common area requires is understood.
- \* Workplace Environments will provide a budget for construction remodeling of the interior of the building that coordinates with our blueprint recommendations. If we have determined that additional wings be added to the building, we will provide budgets for construction of these wings. However, it is our objective to make the best possible use of the existing building and to suggest additions to the building only as a last resort.

Our fees for this service are \$55.00 per hour for design and \$35.00 per hour for clerical. We anticipate this service to cost between \$3,400.00 and \$4,400.00 not to exceed \$4,400.00. Blueprint charges are additional.

Thank you for considering Workplace Environments.

Sincerely,

William H. Baxter

WHB/es



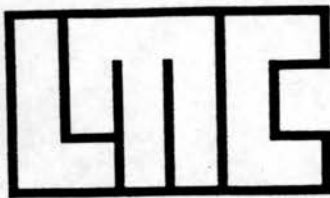
# WORKPLACE ENVIRONMENTS, INC.

VICKSBURG PLAZA • SUITE #15  
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## PROJECT REFERENCES

### CITY/GOVERNMENT PROJECTS

- |  |   |          |
|--|---|----------|
| <u>City of Minnetonka</u><br>Minnetonka, Minnesota   | Terry Schwerm<br>Assistant City Manager | 933-2511 |
| Currently conducting a space study for department relocations and adjaciencies for the city offices. Project will include rearrangement and remodeling of all the office workstations.   |   |          |
| <u>City of Cottage Grove</u><br>Cottage Grove, Minnesota   | Kevin Frazell                           | 458-2822 |
| Currently conducting a preliminary space study and analysis of the city offices. The preliminary study will be recommending department relocation, workstation needs, adjaciencies and traffic patterns. Further remodeling action will be taken based on our recommendations. Work is just beginning.       |   |          |
| <u>City of Brooklyn Center</u><br>Brooklyn Center, Minnesota   | Sy Knapp                                | 561-5440 |
| Completed a space study of the administrative offices for complete rearrangement. The purpose was to effectively use space so additions to the building need not be constructed. Our space study effectively confirmed the building could be more effectively utilized with new workstations and remodeling. |   |          |
| <u>City of Mahtomedi</u><br>Mahtomedi, Minnesota   | Mark Ness                               |          |
| Preliminary space study was completed showing a remodeling of the building with new workstations and new council chambers making effective use of the old garage area of the building.   |   |          |
| <u>City of Plymouth</u><br>Plymouth, Minnesota   | Fred Moore, Manager                     | 559-2800 |
| 50,000 square foot design of remodeling and renovation of present offices including reuse of existing furnishings.   |   |          |



League of Minnesota Cities

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

The most onerous tax increment financing bill that anyone could imagine was introduced in the House by Rep. Ann Rest (DFL-New Hope). Co-authors include Rep. Paul Ogren (DFL-Aitken), William Schreiber (IR-Brooklyn Park), and Wayne Simoneau (DFL-Fridley).

The bill includes the following provisions. Comments about the most onerous provisions are in bold type.

#### Section 1

LGA and HACA payments to cities will be reduced to offset a portion of the (presumed) increased school aid payments resulting from tax increment financing. The amount of the reduction depends on the number of years for which increment has been collected and the type of district. Cities may transfer unencumbered tax increment or they may levy to cover the aid reductions.

There are at least two problems with this section. First, it is based on the assumption that all the development would have occurred without any TIF assistance. Second it applies retroactively. Existing districts will be required to contribute to the school aid formula, even though no one has budgeted for this purpose.

#### Section 2

Repeals the authority to issue revenue bonds to refund the bonds of TIF districts if one of the districts is a city development district.

#### Section 3

Requires that the authority (rather than the municipality certify that a development agreement is in place for cleaning up a hazardous substance site.

#### Section 4

Eliminates obsolescence and nonconforming uses as a reason for redevelopment districts. These uses of TIF are included in "renovation and renewal" districts. (See Section 14.)

A building is not substandard unless it does not comply with the building code applicable to new buildings or if the cost of modifying it to comply with the building code is less than 25% of the cost of constructing a new structure of the same square footage and type. (Underlining added.)

This new definition of substandard will make redevelopment in small communities impossible and it will make consultants rich. In many small communities buildings that are presently considered substandard are worth so little, that the cost of bringing them up to code often exceeds the current value of the building and it still is less than 25% of the cost of constructing a new building.

If cities want to replace a substandard building with a new building of a different type, under this provision they will have to estimate the cost of constructing a building that is similar to the one they want to replace, in addition to estimating the cost of the structure that they want to have on the site. These estimates are the type that is usually made by a structural engineer, not the city building inspector.

#### Section 5

Defines renewal and renovation districts. These include the obsolescence and nonconforming use provisions that are currently in redevelopment districts. See section 14 for further details.

#### Section 6

When creating an economic development district, the municipality must find that the project will expand or preserve employment or tax base in the state (underlining added), rather than the municipality.

This provision will be extremely difficult to satisfy, particularly given the reverse referendum and litigation provisions (sections 12 and 25). If a city makes this finding and it is not true, they could be sued by the county, the commissioner of revenue, or a taxpayer under section 25. See sections 12 and 25 for further details.

#### Section 7

Extends the application of the county's authority to charge the cost of road improvements to a TIF district to all types of districts, rather than just soils condition districts.

A number of metro cities are doing this voluntarily, or they are capturing increment on a project for the sole purpose of constructing a county road. Interestingly, one project that has been considered an abuse of tax increment by some legislators captured increment on a project in order to construct a county road.

## Section 8

Defines the project area for a redevelopment and renewal districts. Each redevelopment district or renewal and renovation district must be located in a redevelopment and renewal project areas. These project areas must be contiguous and compact and must include a minimum of 30 acres. At least half of the area must be or have been occupied by buildings or improvements during the last five years.

The project area must meet two of three blight criteria:

- Property values in the area have declined by 5% or more over the last 5 years.
- The area is characterized by one of the following: excessive vacant land that previously had been occupied by buildings, vacant buildings, substandard buildings, or delinquent property taxes.
- A substantial portion of the area is residential and five percent or more of the buildings met the criteria of the 1989 law denying the preferential classification to substandard buildings (regardless of whether they have been cited under the law).

Characteristics of project areas have never been defined before. If there is general inflation, property that is declining in value in real terms would fail to meet this 5% test. If the area is substantially residential, the district must include a good deal of commercial property in order to capture enough increment to do any redevelopment. There are almost no areas that could meet the either the first or the third of these tests. The 30 acre requirement would preclude redevelopment in virtually every outstate downtown.

## Section 9

The "but for" test is modified. Under present law, the but-for test is satisfied if the city finds that the proposed development would not occur solely through private investment in the reasonably foreseeable future. The bill requires the city to make both findings A and B below.

### Finding A

- development or redevelopment of the site would not occur without public assistance; or
- development or redevelopment of the site would occur without public assistance but that the market value of the proposed development less the present value of the projected increment revenues for the maximum life of the district exceeds 130% of the market value of the development that would occur without

public assistance.

#### Finding B

The site will not be developed without public assistance and that the failure to develop is not caused by unrelated governmental restrictions such as zoning or land use restrictions.

Finding A will be impossible to satisfy. No one could certify that development or redevelopment would never occur without public assistance.

#### Section 10

These are technical amendments.

#### Section 11

Creation of new TIF districts and amendment of existing districts is subject to a reverse referendum if 5% of the people who voted in the last general election petition the municipality within 60 days after a city approves the district. A district cannot be effective until after the 60 day period. The election must be held 30-90 days after receipt of the petition. If the referendum is successful, the city may not include the area in another TIF district for 2 years.

Reverse referenduma are counter to the notion of representative government. The process will add at least two and as many as five months to the time it takes to create a district. Given the short construction season in Minnesota, it could bring about delays of a year. It will be much easier to obtain signatures of 5% of the voters in a small city than in a large one.

#### Section 12

Allows the voters in the municipality, county or school district to petition to decertify existing districts. In order to trigger a vote, a petition must be filed by 5% of the people who voted in the last general election. During the time the vote is pending, the development authority may not incur additional liabilities for the district. If the voters approve decertification, all increment revenues must be used to pay off bonds and outstanding contracts. When all bonds have been paid or defeased the district must be decertified. If the vote fails, another vote may not be held on decertifying the district for two years. The provision applies to pre-1979 districts.

See comments to section 11.

#### Section 13

Technical amendment concerning hazardous waste sites.

#### Section 14

Reduces the duration limits for housing districts and redevelopment districts from 25 to 20 years. Renewal and renovation districts (the obsolescence and nonconforming use provisions of current redevelopment districts) are allowed a 15 year duration.

Redevelopment is hard enough to do without shortening the life of the district. Shortening the life of the district reduces the amount of assistance that can be offered.

#### Section 15

Provides that distributions of excess increments will be deducted in calculating the recipient governmental units' levy limits.

Distributions of "excess increments" are not considered "new money" by the city and county receiving them. Levy limits will be reduced accordingly.

#### Section 16

Contains technical amendments concerning administrative expenses in existing districts. Limits the number of years for which increment can be used to pay city administrative expenses to 3 years in economic development and soils conditions districts and 6 years in all other types of districts. In no year may more than 10% of the increment be used for city administrative expenses.

Will force cities to collect their administrative expenses "up front" when issuing bonds, reducing the amount of assistance that can be offered. It may be impossible to recover full administrative costs in "pay as you go" districts.

#### Section 17

Provides that economic development districts can be used only for manufacturing and warehousing and for tourism projects outstate. Ten percent of the buildings and improvements may be for other uses.

If a city uses TIF to improve "speculative" sites, and nonqualifying projects end up using more than 10% of the site, owners of the sites must pay back 90% of the benefit they receive from the improvements. These payments will be treated as excess increments and distributed to all taxing jurisdictions.

The bill fails to allow TIF for office buildings where no manufacturing occurs. Not allowing retail may be very hard on small cities. See section 15 for a discussion of excess increments.

#### Section 18

Requires increment revenues from redevelopment and renewal and renovation districts to be spent in the redevelopment and renewal project areas.

#### Section 19

Eliminates land write downs below fair market value.

Land writedown below fair market value is precisely what TIF is about.

#### Section 20

Imposes volume limitations on TIF. The cap is between 10% and 15% of tax capacity. Cities with relatively low tax capacity have a higher cap. If a city's population is greater than 20,000 and at least 25% of its housing stock was constructed before 1940, its cap is 15% of tax capacity.

A cap on TIF makes no sense unless you can also cap blight.

#### Section 21

Imposes restrictions on pooling and requires binding legal commitments for spending on TIF activities to be made within 5 years of certifying the district. These provisions apply to all districts, including pre-1979 districts. At least 85% of the revenue of a district must be spent within the district or to pay bonds.

Five years is not long enough to amend a TIF plan. It is only 2 years of increment. It takes longer than that to understand what is and is not working in a district. The section would also prohibit staged development where increment from each stage is used to secure development in subsequent stages. This is the most conservative form of development.

#### Section 22

Provides that if a developer repays assistance provided through tax increments, the repayments will be treated as excess increments that are distributed to all taxing jurisdictions.

This provision could affect revolving loan funds. See section 15 re: excess increments.

#### Section 23

Allows the development authority to enter into assessment agreements without entering a development agreement or acquiring title to the property. This will allow the authority to use assessment agreements without being included in the chain of title and incurring liability for hazardous waste on the site.

#### Section 24

This is a technical amendment concerning the distribution of increments attributable to an increase in taxes.

#### Section 25

Charges the county auditor and the commissioner of revenue with enforcing the TIF law. In addition, taxpayer suits are authorized. Costs and attorneys fees will be awarded to the prevailing party in taxpayer suits.

If the development authority is found to be in violation of the law, they must repay 110% of the amount illegally collected to spent. These amounts are distributed as excess increments, except the city gets no part of the distribution.

These provisions apply to all districts.

What we need is another excuse for litigation!

#### Section 26

Requires pre-79 districts to use surplus increments to prepay bond obligations due after 2001. Applies only if the bonds were issued after April 1, 1988.

#### Section 27

Reimbursement of county administrative expenses applies to all districts, including pre-1979 districts.

#### Section 28

Effective date, May 1, 1990, except where noted.

# Bill Summary =

H. F.

2209

S.F.

**SUBJECT**

Tax Increment Financing

**AUTHORS:**

Rest, Schreiber, Ogren, Simoneau

**COMMITTEE:**

Economic Development

**ANALYST:**

Joel Michael (296-5057)

**DATE:** 2-23-90

**SECTION 1** provides for a reduction in LGA and HACA payments to cities to offset a portion of the increased school aid payments resulting from TIF. The amount of these aid reductions are computed as follows:

- (1) Qualifying captured tax capacity is computed for each school district. This amount is the sum of the captured tax capacity for TIF districts certified after April 30, 1990 and a phased-in portion of the captured tax capacity of districts certified before May 1, 1990. The phase-in portion for economic development and soils condition districts equals 20 percentage points times the district's captured value for each year beginning with fourth year after the district was established. For example, in the fifth year of an economic development district, the value would equal 40 percent of the total captured value. For redevelopment and housing districts, a similar computation is made, except 10 percentage points is used for each year beginning with the tenth year. Thus, for example, in the twelfth year 30 percent of the captured value would be included.
- (2) The commissioner of education will compute the hypothetical amount of school aids that would be paid to each school district if the qualifying TIF captured value were in the school's tax base under the formula. The difference between this amount and the actual aid paid will then be allocated to the cities that authorized the TIF districts. (The actual school aid paid to the school districts does not change.)
- (3) The resulting amounts will be deducted from the cities' LGA and HACA payments.

In order to offset the aid reductions, cities may transfer available increment revenues to their general fund. If a city does not have available increment (e.g., because it is committed to paying debt service), the city will either need to reduce other city spending or increase its levy. Since HACA and LGA are subtracted in computing levy limits, the reductions will automatically increase the city's levy limit.

**SECTION 2** repeals the authority to issue revenue bonds to refund the bonds of two or more TIF districts if one of the districts is a city development district. This refunding authority permits debt service pooling that is inconsistent with section 21's restrictions on pooling.

**SECTION 3** clarifies that the authority (rather than the municipality) makes the certification that a development agreement is in place for the clean-up of a hazardous substance site.

**SECTION 4** eliminates the obsolescence test for redevelopment districts. The obsolescence test allows creation of a redevelopment district if 20 percent of the buildings in the area are substandard and 30 percent are obsolete. This test is recodified as a new type of district with a shorter duration limitation (15 years) under section 14.

Buildings are not structurally substandard for purposes of the blight test, if they are in compliance with the building code for new buildings or can be brought into compliance at less than 25 percent of the cost of constructing a new building of the same type and size.

SECTION 5 recodifies the obsolescence test for development districts under present law as a separate type of district titled "renewal and renovation districts."

SECTION 6 provides that upon creation of an economic development district, the municipality must find that the project will expand or preserve employment or tax base in the state, rather than the municipality.

SECTION 7 expands application of the county's authority to charge the cost of road improvements to a TIF district to all types of districts, rather than just soils condition districts. Under present law, if the use of TIF will increase traffic on a county road requiring road improvements, the county may require that these additional costs be financed with increment revenues.

SECTION 8 defines a redevelopment and renewal project area. Each redevelopment district or renewal and renovation district must be located in a redevelopment and renewal project area. These project areas must be contiguous and compact and must include a minimum of 30 acres. At least half of the area must be or have been occupied by buildings or improvements during the last five years.

The project area must meet two of three blight criteria:

- Property values in the area have declined by 5 percent or more over the last five years.
- The area is characterized one of the following: excessive vacant land that previously had been occupied by buildings, vacant buildings, substandard buildings, or delinquent property taxes.
- A substantial portion of the area is residential and five percent or more of the buildings meet the criteria of the 1989 law denying the preferential classification to substandard buildings (regardless of whether they have been cited under the law).

SECTION 9 modifies the "but for" test. Under present law, the but-for test is satisfied if the city finds that the proposed development would not occur solely through private investment in the reasonably foreseeable future. The bill requires the city to find that the site will not be developed without public assistance and that the failure to develop is not caused by unrelated governmental restrictions such as zoning or land use restrictions. The test is satisfied, if the city finds that, even though the site would be developed without public assistance, the proposed development will yield a market value (after subtracting the cost of the public assistance) that is 30 percent higher.

SECTION 10 adds cross references to reflect section 5's provisions for renewal and renovation districts.

SECTION 11 provides that the creation of new TIF districts is subject to a reverse referendum upon petition of 5 percent of the qualified voters in the municipality (i.e. the number who voted in the last general election). The petition must be filed within 60 days of the municipality's approval of the TIF plan. The election must be held within 30 to 90 days after the petition is filed. The commissioner of revenue must approve the form of the ballot question. If the voters reject the TIF district, the city may not include the area in another TIF district for a two year period after the vote.

SECTION 12 allows the voters in the municipality, county or school district to petition to decertify the district. In order to trigger a vote a petition must be filed by 5 percent of the qualified voters in the political subdivision (measured on the basis of the number who voted in the last general election). During the time the vote is pending, the development authority may not incur additional liabilities for the district. If the voters approve de-certification of the district, all increment revenues must be used to pay off bonds and outstanding contracts. When all bonds have been paid or defeased, the district must be de-certified. If the vote fails, another vote may not be held on de-certifying the district for a two year period. This provision applies to pre-1979 districts.

SECTION 13 clarifies that contiguous parcels without hazardous waste may be included in the hazardous substance subdistricts, even if they are not separated from the actual site with hazardous waste by a road or right of way.

SECTION 14 reduces the duration limits for housing districts and redevelopment districts from 25 to 20 years. Renewal and renovation districts (currently redevelopment districts that qualify under the obsolescence test) are allowed durations of 15 years.

SECTION 15 provides that distributions of excess increments will be deducted in calculating the recipient governmental units' levy limits.

SECTION 16 applies the 10 percent limit on administrative expenses to pre-1979 districts. The 5 percent limit on administrative expenses for districts certified between August 1, 1979 and July 1, 1982 is codified in the statute. (The 1982 legislation increasing the 5 percent limit to 10 percent was effective for districts for which certification was requested after July 1, 1982.)

For districts for which certification was requested after April 30, 1990, use of increments to pay administrative expenses is limited to the first 3 years of increments for economic development and soils condition districts and to the first 6 years of increment for all other types of districts. In no year may more than 10 percent of increments be used for administrative expenses. These restrictions do not apply to county TIF administrative expenses.

SECTION 17 limits the use of economic development districts to manufacturing and warehousing projects and to tourism projects outside of the metropolitan area. Ten percent of the buildings and improvements may be for other uses.

If the city uses TIF to install improvements (such as road improvements) expecting that the area will be developed for manufacturing and distribution operations but non-qualifying uses actually exceed the ten percent threshold, then the owners of the non-qualifying properties must pay the authority 90 percent of the benefit (measured under the special assessment law) derived from the improvements. The amount of the repayment cannot exceed the amount of increment expended on the improvement. The payments will be distributed as excess increments to the city, county, and school.

SECTION 18 requires increment revenues from redevelopment and renewal and renovation districts to be expended in the redevelopment and renewal project areas.

SECTION 19 prohibits land write downs below fair market value.

SECTION 20 imposes volume limitations on the use of tax increment financing by cities. If the total amount of captured tax capacity in the city exceeds its limit, new districts or amendments to TIF plans are not permitted unless they are also approved by the school district and county.

The initial limit for a city is 10 percent of the average per capita tax capacity for all cities multiplied by the city's population. This initial limit is increased if the city has below average tax base and is decreased if the city has above average tax base. The maximum limit is 15 percent of the state average per capita tax capacity (for cities with tax capacities less than one-half the state average). The minimum limit is 5 percent of the state average per capita tax capacity (for cities with tax capacities more than twice the state average). Cities with tax bases below or above the maximum and minimum receive proportionately higher or lower limits.

If twenty-five percent or more of the city's housing stock was constructed before 1940 and if the city's population exceeds 20,000, then the limit is 15 percent of the state average per capita tax capacity (i.e., the highest limit under the formula).

**SECTION 21** imposes restrictions on pooling arrangements and requires binding legal commitments for spending on TIF activities in a district to be made within five years after certification of the district.

With regard to pooling arrangements, the bill requires 85 percent of the increment to be spent on activities within the district. The bill explicitly authorizes 15 percent of increment to be expended outside of the district. These provisions apply to all districts, including pre-1979 districts. Since the 1982 law that permitted pooling arrangements was not retroactive, this change will allow limited pooling for districts that pre-date that law.

The bill limits the expenditure of tax increments to activities for which binding legal commitments have been made within five years after approval of the district. In order to qualify, increments can be used to pay either bonds issued within the five year period or to pay binding contracts with a third party (i.e., not an entity under the municipality's control) entered into during the five year period. Any additional increment revenues must be used to pay off these obligations and to de-certify the district. These restrictions apply only to districts for which certification is requested after May 1, 1990. The restrictions do not apply to the 15 percent of the increments which may be expended outside of the district under the pooling provisions.

**SECTION 22** provides that if a developer repays assistance provided through tax increments, the repayments will be treated as excess increments that must be distributed to the county, city, and school in proportion to their mill rates.

**SECTION 23** authorizes the development authority to enter into assessment agreements without entering a development agreement or acquiring title to the property. This will allow the authority to use assessment agreements without be included in the chain of title and incurring liability for hazardous waste on the site.

**SECTION 24** provides that distributions of "excess taxes" (the additional revenues that result when the tax rate rises above the certified original tax rate) will be apportioned separately for the equalized and unequalized portion of the school levy. This change more accurately apportions excess taxes that are attributable to increases in school referendum levies rather than the general education, transportation or other state equalized levies.

**SECTION 25** charges the county auditor and the commissioner of revenue with enforcing the TIF law. In addition, taxpayer suits are authorized. Costs and attorneys fees will be awarded to the prevailing party in taxpayer suits.

If the development authority is found to be in violation of the law by either illegally collecting or spending increments, the authority must repay 110 percent of the amount illegally collected or expended. These amounts are then distributed as excess increments, except the municipality that approved the TIF district will receive no share of the distribution.

These provisions apply to all TIF districts, including pre-1979 districts.

SECTION 26 requires pre-1979 districts to use surplus increments to pre-pay bond obligations due after the year 2001. This section applies only to districts with bonds obligations due after 2001 and only if the bonds were issued after April 1, 1988. Those districts are required to use all available increment revenues (1) to pay principal and interest due in the current year on bonds (outstanding on 3/1/90), (2) to replace state aid reductions under section 1, and (3) pre-pay post-2001 bonds.

SECTION 27 amends the effective date of the 1988 TIF Act to provide that the reimbursement of county administrative expenses applies to all TIF districts, including pre-1979 districts.

SECTION 28 provides effective dates. Except as noted in the summary of individual sections, the provisions are effective for districts for which certification is requested after May 1, 1990.

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JOHN J. STEFFENHAGEN  
DANIEL W. VOSS

February 1, 1990

Mr. Tim Yantos  
Deputy County Administrator  
Anoka County Courthouse  
Anoka, Minnesota 55303

Dear Mr. Yantos:

The following is an illustration of the impact of the proposal to use a percentage of the monies from the increase in the fiscal disparity pool for light rail transit. Obviously, if such a change were made in the law, communities would receive a smaller distribution in future years than they would have received under the current law. I assume that the money which they would lose would have to be raised from their local tax base, and the following numbers illustrate the mil rate required to raise the anticipated loss, assuming a 30% dedication of the increase in the pool in 1990 as compared to the amount that would have been raised in 1990 under the current law.

Minneapolis	.55
St. Paul	.98
Coon Rapids	.98
Blaine	1.24
Champlin	1.14
Eden Prairie	.22
Edina	.12
Brooklyn Park	.72

In other words, to raise the money resulting from the change in the law, it would require a mil rate ten times higher in Blaine than in Edina. Coon Rapids would have to levy more than four times that of

OF COUNSEL  
JOSEPH GITIS  
RICHARD A. NORDBYE

ALSO ADMITTED IN  
WISCONSIN

LARKIN, HOFFMAN, DALY & LINDGREN, LTD.

Mr. Tim Yantos  
February 1, 1990  
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Eden Prairie and double the mil rate that would have to be levied in Minneapolis. Obviously the result would be that the communities who were less likely to receive light rail services in the near future would be the ones paying the most for it.

During the process the numbers which I used and which I provided to Bob Pulscher, were supplied by Bill Barnhart of the City of Minneapolis. Bill is not only competent and cooperative, but has quick computer access and capability which enables him to provide us with specific information regarding the disparity formula, and it has always been done so upon request. All of the runs which Bill has supplied me with are, of course, available to you at anytime along with the substantial packets I prepared for the RTB and Metropolitan Council at staff meetings which I attended. I have not enclosed this additional information but, of course Tim, it is available to you at anytime.

You will find enclosed with this letter the original and two copies of the contract for services which have been signed and dated by me. If you have any questions or need anything further, please don't hesitate to call.

Very truly yours,

Charles R. Weaver, for  
LARKIN, HOFFMAN, DALY & LINDGREN, Ltd.

CRW:ts

## BRIEFING MEMORANDUM ON THE USE OF FISCAL DISPARITIES AS A REVENUE SOURCE FOR LIGHT RAIL TRANSIT

December 14, 1989

### Introduction

The purpose of this memo is to provide background information about the objectives, operation, and effects of the fiscal disparities program under current law and to analyze the feasibility and tax impact of the proposal to use fiscal disparities as a source of revenue for financing development of a light rail transit (LRT) in the Twin Cities metropolitan area.

### Objectives of Fiscal Disparities

The objectives of the fiscal disparities program, as stated in the 1971 legislation which created it, can be summarized as follows:

1. *To provide a way for local governments to share in the resources generated by the growth of the area as a whole;*
2. *To promote orderly patterns of economic development within the metro area by reducing the impact of local fiscal considerations;*
3. *To establish incentives for all local jurisdictions to work for the growth of the metro area as a whole;*
4. *To provide a means by which the metro area's resources can be made available within and through the existing system of local governments;*
5. *To help communities in early stages of development and redevelopment when financial pressures are the greatest;*
6. *To encourage the development of parks and preservation of open spaces by reducing the impact of local fiscal considerations.*

### How Fiscal Disparities Works

The fiscal disparities program is, in essence, a regional tax base sharing plan designed to share the benefits of regional commercial-industrial development among all communities in the seven county metropolitan area. Under the program, 40% of the metro area's commercial-industrial tax base growth since 1971 is contributed to an area wide tax base pool and then redistributed among all local taxing jurisdictions based primarily on the relative fiscal capacities of local tax bases.

The amount of tax capacity contributed to the fiscal disparities pool is calculated annually based on current property valuation data. Contribution amounts reflect all new commercial-industrial construction since 1971 plus inflation, improvements, and corrections in value. For Pay 1989, the fiscal disparities pool totalled \$275 million of tax capacity. This total represents approximately 30% of the tax capacity of all business property in the metro area as a whole. By contrast, in Pay 1980, the value of tax base contributed to the fiscal disparities pool represented only about 13% of the metro area business property total.

The fiscal disparities pool is redistributed annually. The share distributed to each underlying municipality is determined by a complex formula that considers both population and the relative strength of local tax bases (as measured by market value per capita). In general, those municipalities whose market values per capita are lowest get the most benefit from the fiscal disparities distribution formula.

### **Effect of Fiscal Disparities**

Fiscal disparities has proven to be an effective tool for achieving tax base equity in the metro area. It has significantly narrowed the range of per capita commercial industrial tax bases of area cities. According to the Citizens League, the ratio of the highest and lowest per capita commercial-industrial tax base is now four to one. Without fiscal disparities, that ratio would be more than 21 to one.

### **Who Contributes and Who Gains from Fiscal Disparities**

Many more communities receive net gains from fiscal disparities than make net contributions. In 1989, 158 metro area communities experienced net tax base increases while only 33 had net tax base decreases. Many more communities gained than lost tax base within each of the seven counties, including Hennepin. In general, communities which are net contributors tend to have high concentrations of commercial-industrial development and/or higher than average market values per capita.

Exhibit I shows the effects of fiscal disparities at the county level for Pay 1989. Hennepin County is the only county that realized a net loss under fiscal disparities. Its underlying municipalities contributed approximately \$50 million more in tax capacity than they received through distributions. That \$50 million net loss represented approximately 4% of Hennepin County's total taxable tax capacity. Each of the other metro area counties received a net benefit from fiscal disparities. These net benefits total the same \$50 million that Hennepin County realized as its net loss.

In relative terms, the entities which benefit most from fiscal disparities are those whose net distributions make up the largest percentage of its total taxable gross tax capacity. Using this measure, Anoka and Carver Counties, with net distribution percentages of approximately 10% and 9% respectively appear to be the biggest recipients among the counties. Washington, Scott, Ramsey and Dakota Counties realized net benefits of 7%, 5%, 3%, and 1% respectively.

### **Summary of Proposal to Use Fiscal Disparities to Fund LRT Capital Costs**

The Joint LRT Advisory Committee has passed a motion proposing that 40% of future new growth contributions to the fiscal disparities pool after Pay 1990 be dedicated to fund LRT construction costs. The remaining 60% of growth contributions plus all growth from 1971 through 1990 would be distributed to participating jurisdictions in the same manner now used.

This proposal would produce substantial revenues for LRT development. Based on an analysis conducted using a computer model developed by the City of Minneapolis, it is estimated that the following amounts would be available from the fiscal disparities pool for LRT capital costs in the years 1991-1997:

1991	\$ 16.3 million
1992	\$ 33.5 million
1993	\$ 52.3 million
1994	\$ 71.9 million
1995	\$ 92.5 million
1996	\$113.8 million
1997	\$136.2 million

### Impact of LRT Financing Proposal

To assess the impact of this proposal on current participants in the fiscal disparities program, the consulting team used the City of Minneapolis model to analyze how the relative fiscal disparity distributions to each municipality would be changed in Pay 1993 if this proposal were implemented. Pay 1993 was chosen for the tax impact analysis because it is a relatively early year in the LRT program, yet the \$52.3 million of revenue that would be produced in that year is large enough to support substantial LRT bonding.

Exhibit II shows a summary of the results of the Pay 1993 tax impact analysis for each metro area county plus selected major communities within each of the counties. All communities within each of the seven counties lose tax base relative to what they would have had. Those communities who were net recipients from fiscal disparities under current law would realize less of a gain or, in the case of some marginal net gainers, possibly become net contributors. Those communities who were net contributors under current law would become bigger net contributors. The reason all communities would lose under this proposal is that contributions would remain the same as under current law while distributions would be cut across the board. The total distribution loss would be equal to the \$52.3 million taken for LRT.

At the county level, each of the seven counties would also lose tax base. Hennepin would lose tax capacity of almost \$20 million. Ramsey, Anoka, Dakota and Washington would lose tax capacity of approximately \$13 million, \$7 million, \$6 million and \$3 million respectively. Scott and Carver each would lose about \$1 million of tax capacity.

It is important to note that in addition to these losses at the municipal and county levels, each metro area school district would also lose tax capacity equal to the amounts lost by each of its underlying municipalities.

The net effect of lost local tax base growth would be higher tax capacity rates for all counties, municipalities and school districts. Rates would be higher because tax bases would be smaller, thereby necessitating a higher rate in order to realize the same amount of revenue.

The combined increases in local tax rates over those that would have been in place had fiscal disparities not been changed would, in essence, constitute an LRT property tax. The only difference between this form of LRT property tax and one which is levied directly is that this tax would not show up as a line item on tax statements sent to local property owners. Instead, this LRT tax would be buried within the higher tax levies of all other local jurisdictions.

## **Advantages and Disadvantages of Fiscal Disparities Financing Proposal**

The advantages and disadvantages of this proposal to use fiscal disparities as a revenue source for LRT can be summarized as follows:

### *Advantages:*

1. *The proposal would generate substantial revenues for LRT, probably in excess of annual needs after three to five years.*
2. *Systems for the collection and administration of property taxes are in place and very reliable.*
3. *There would be no need to create a new tax levy specifically for LRT development.*
4. *The proposal would provide certain core communities which now contribute heavily to fiscal disparities with a tangible benefit for their contributions.*

### *Disadvantages:*

1. *The proposal would result in higher tax capacity rates for all other entities of local government in the metro area unless replacement revenue sources were secured.*
2. *Use of fiscal disparities to finance LRT would weaken its original tax base sharing goal and likely create a powerful adversarial constituency which may argue that, if property taxes are a preferred source of funding for LRT, it would be much simpler and more straightforward to levy taxes outright than use fiscal disparities.*
3. *The proposal would require state enabling legislation.*
4. *A feathering or revenue redistribution plan to achieve geographic equity would not be an option under the proposal.*

## EXHIBIT I

## CALCULATION OF TAXABLE GROSS TAX CAPACITIES: TWIN CITIES METRO AREA COUNTIES (PAY 1989)

	Anoka	Carver	Dakota	Hennepin	Ramsey	Scott	Washington
Gross Tax Capacity							
Real Estate	167,398,238	38,164,509	257,367,082	1,344,473,946	458,283,097	46,864,486	120,565,954
Personal Property	5,348,261	839,525	6,855,442	21,077,621	9,487,432	1,032,327	4,006,319
Total	172,746,499	39,004,034	264,222,524	1,365,551,567	467,770,529	47,896,813	124,572,273
Fiscal Disparities							
Contribution	(13,767,658)	(2,215,776)	(26,710,656)	(149,694,016)	(45,175,693)	(4,327,913)	(8,008,486)
Distribution	32,811,846	5,790,721	28,248,473	99,604,861	60,157,061	6,601,195	16,653,538
Net Distrib/(Contrib)	19,044,188	3,574,945	1,537,817	(50,089,155)	14,981,368	2,273,282	8,645,052
Captured Tax Increment	(9,366,022)	(4,305,784)	(7,960,896)	(98,088,061)	(28,573,080)	(5,006,355)	(2,560,685)
Transmission Line Credit	0	0	0	(32,174)	0	0	(26,393)
Taxable Gross Tax Capacity	182,424,665	38,273,195	257,799,445	1,217,342,177	454,178,817	45,163,740	130,630,247
FO Net as % of Total	10%	9%	1%	-4%	3%	5%	7%

Source: County Auditors' Certificates

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## EXHIBIT 11

COMPARISON OF FISCAL DISPARITIES DISTRIBUTION VALUES FOR PAY YEAR 1993  
CURRENT LAW VS. PROPOSAL TO USE 40% OF ANNUAL GROWTH FOR LRI

14-Dec-89

		<-----Current Law----->		<----Proposed Change----->		
	Estimated Contribution	Estimated Distribution	Net Gain or (Loss)	Estimated Distribution	Net Gain or (Loss)	Net Effect of Proposal
ANOKA COUNTY						
Andover	761,648	2,698,256	1,934,608	2,348,722	1,587,074	(347,534)
Anoka	1,137,842	4,264,424	3,116,582	3,706,049	2,568,207	(548,375)
Blaine	5,357,387	9,770,755	4,413,368	8,511,351	3,153,964	(1,259,404)
Columbia Heights	932,993	4,512,602	3,579,609	3,930,949	2,997,956	(581,653)
Coon Rapids	4,353,556	9,895,004	5,541,448	8,619,585	4,266,029	(1,275,419)
Fridley	5,474,052	6,186,332	712,280	5,388,943	(85,109)	(797,389)
Ramsey	606,439	3,088,197	2,481,758	2,690,143	2,083,704	(398,054)
All Other	2,763,298	13936699	11,173,401	12140325	9,377,027	(1,795,374)
County Total	21,387,215	54,340,269	32,953,054	47,336,067	25,948,852	(7,004,202)
CARVER COUNTY						
Chanhassen	197,832	1,130,039	932,207	984,382	786,550	(145,657)
Chaska	1,795,644	2,306,516	510,872	2,009,217	213,573	(297,299)
Waconia	282,730	650,254	367,524	566,439	283,709	(83,815)
All Other	876,050	5,832,282	4,956,232	5,080,529	4,204,479	(751,753)
County Total	3,152,256	9,919,091	6,766,835	8,640,567	5,488,311	(1,278,524)
DAKOTA COUNTY						
Apple Valley	2,705,608	5,539,758	2,834,150	4,825,709	2,120,101	(714,049)
Burnsville	14,314,372	7,873,630	(6,440,742)	6,858,757	(7,455,615)	(1,014,873)
Eagan	13,635,599	6,391,771	(7,243,828)	5,567,902	(8,067,697)	(823,869)
Hastings	970,360	3,593,406	2,623,046	3,130,233	2,159,873	(453,173)
Inver Grove Heights	2,953,430	4,592,639	1,639,209	4,000,670	1,047,240	(591,969)
Lakewood	3,592,597	4,246,098	653,501	3,698,797	106,200	(547,301)
South St. Paul	0	4,960,086	4,960,086	4,320,754	4,320,754	(639,332)
West St. Paul	2,602,357	3,274,018	671,661	2,852,013	249,656	(422,005)
All Other	4,618,654	8,051,049	3,432,395	7,013,306	2,394,652	(1,037,743)
County Total	45,392,977	48,522,455	3,129,478	42,268,141	(3,124,835)	(6,254,314)

St. Paul 8000,000

	Estimated Contribution	-----Current Law----- Estimated Distribution	Net Gain or (Loss)	-----Proposed Change----- Estimated Distribution	Net Gain or (Loss)	Net Effect of Proposal
<b>HENNEPIN COUNTY</b>						
Bloomington	41,953,386	10,101,002	(31,852,384)	8,799,031	(33,154,355)	(1,301,971)
Brooklyn Center	7,437,567	5,250,784	(2,186,783)	4,573,982	(2,863,585)	(676,802)
Brooklyn Park	7,559,295	11,081,665	3,522,370	9,653,291	2,093,996	(1,428,374)
Chaplin	310,971	2,891,624	2,580,653	2,518,907	2,207,936	(372,717)
Crystal	1,542,695	4,551,922	3,009,227	3,965,201	2,422,506	(586,721)
Eden Prairie	22,270,529	3,344,290	(18,926,239)	2,913,227	(19,357,302)	(431,063)
Edina	13,188,173	3,681,654	(9,506,519)	3,207,106	(9,981,067)	(474,548)
Golden Valley	6,976,432	2,358,697	(4,617,735)	2,054,672	(4,921,760)	(304,025)
Hopkins	2,871,000	2,763,120	(108,540)	2,406,967	(464,693)	(356,153)
Maple Grove	3,256,483	6,584,174	3,327,691	5,735,505	2,479,022	(848,660)
Minneapolis	82,632,316	59,739,054	(22,893,262)	52,038,973	(30,593,343)	(7,700,081)
Minnetonka	22,261,781	4,884,914	(17,376,867)	4,255,272	(18,006,509)	(623,642)
New Hope	3,450,468	4,489,320	1,038,852	3,910,668	460,200	(578,652)
Plymouth	19,557,616	5,722,807	(13,834,809)	4,965,164	(14,572,452)	(737,643)
Richfield	1,922,603	6,302,677	4,380,074	5,490,292	3,567,689	(812,385)
St. Louis Park	10,004,643	6,334,022	(3,670,621)	5,517,597	(4,487,046)	(816,425)
All Other	9,140,964	14,669,496	5,528,532	12,778,669	3,637,705	(1,890,827)
County Total	256,337,582	154,751,222	(101,586,360)	134,804,524	(121,533,058)	(19,946,698)
<b>RAMSEY COUNTY</b>						
Arden Hills	3,666,880	1,470,644	(2,196,236)	1,281,085	(2,385,795)	(189,559)
Maplewood	7,312,691	5,483,708	(1,828,983)	4,776,884	(2,535,807)	(706,824)
New Brighton	2,624,961	4,653,610	2,028,649	4,053,782	1,428,821	(599,828)
Roseville	12,263,995	5,327,112	(6,936,883)	4,640,472	(7,623,523)	(686,640)
Saint Paul	24,283,463	62,560,959	38,277,496	54,437,148	30,213,685	(8,063,811)
Shoreview	2,139,431	3,336,141	1,196,710	2,906,129	766,698	(430,012)
White Bear Lake	1,755,923	4,627,001	2,871,078	4,030,602	2,274,679	(596,399)
All Other	6,497,723	13,343,054	6,845,331	11,623,198	5,125,475	(1,719,856)
County Total	60,545,067	100,802,229	40,257,162	87,809,300	27,264,233	(12,992,929)
<b>SCOTT COUNTY</b>						
Prior Lake	457,253	1,731,937	1,274,684	1,508,698	1,051,445	(223,239)
Savage	860,505	1,381,933	521,428	1,203,809	343,304	(178,124)
Shakopee	4,264,186	1,597,109	(2,667,077)	1,391,250	(2,872,936)	(205,859)
All Other	495,309	6,253,334	5,758,025	5,447,308	4,951,999	(806,026)
County Total	6,077,253	10,964,313	4,887,060	9,551,065	3,473,812	(1,413,248)
<b>WASHINGTON COUNTY</b>						
Cottage Grove	1,596,742	4,543,358	2,946,616	3,957,741	2,360,999	(585,617)
Forest Lake	691,091	1,245,200	554,109	1,084,699	393,608	(160,501)
Oakdale	1,151,274	3,282,205	2,130,931	2,859,144	1,707,870	(423,061)
Stillwater	1,958,842	2,317,928	359,086	2,019,158	60,316	(298,770)
Woodbury	2,409,365	3,086,743	677,378	2,688,877	279,512	(397,866)
All Other	4,938,829	11,863,481	6,924,652	10,334,335	5,395,506	(1,529,146)
County Total	12,746,143	26,338,915	13,592,772	22,943,954	10,197,811	(3,394,961)

### THE DISTRICT 281 YOUTH PARTNERSHIP

BONDED BY A MUTUAL CONCERN FOR THE YOUTH OF OUR INDIVIDUAL COMMUNITIES AND A RECOGNITION OF THE INFLUENCES PRESENT FROM THE BROADER ENVIRONMENT OF DISTRICT 281 UPON OUR YOUTH, WE HAVE INITIATED A PARTNERSHIP VENTURE COMMITTED TO ENABLING OUR YOUTH TO DEVELOP INTO WHOLE AND HEALTHY SELVES.

THE CATALYST FOR THIS VENTURE HAS BEEN THE "JUST FOR KIDS" COMMITTEE HEADED BY THE CIVIC LEADERS OF OUR INDIVIDUAL COMMUNITIES. AS A RESULT, WE ARE FULFILLING OUR CENTRAL TASK - A VIABLE SUMMER PROGRAM FOR OUR YOUTH IN 1990. OF CONCERN TO THE "JUST FOR KIDS" COMMITTEE AND THE ENTIRE DISTRICT 281 COMMUNITY ARE THE QUESTIONS OF "WHAT WILL HAPPEN BEYOND 1990?" AND "HOW WILL YOUTH BE INVOLVED IN THE SOLUTION, NOT JUST THE PROBLEM?"

AS A RESULT OF A DISTRICT LEVY APPROVED BY THE MINNESOTA LEGISLATURE IN 1987, DISTRICT 281 STARTED A YOUTH DEVELOPMENT PROGRAM WHICH IS MANDATED TO PROMOTE AN INTERAGENCY APPROACH TO ADDRESSING THE NEEDS AND DEVELOPING THE RESOURCES OF YOUTH.

ENCLOSED IS A PROPOSAL TO ASSURE CONTINUANCE OF OUR PARTNERSHIP. THE PROPOSED FRAMEWORK IS FOR FOCUS ON THE NEEDS AND ABILITIES OF OUR YOUTH WITH YOUTH INVOLVEMENT THROUGHOUT THE PROCESS. THE SUPPORT AND SERVICE ACTIVITIES FOR THIS FOCUS IS DEPENDENT UPON THE COOPERATION OF EXISTING COMMUNITY ORGANIZATIONS. THE LEADERSHIP AND THE COLLABORATION OF EFFORTS IS THE RESPONSIBILITY OF "JUST FOR KIDS," WHILE THE DISTRICT 281 YOUTH DEVELOPMENT PROGRAM IS COMMITTED TO THE OVERALL COORDINATION ACTIVITIES.

## YOUTH DEVELOPMENT STATE OF MINNESOTA

### Legislation

As part of the Community Education legislation in 1987, both the state-wide Community Education Advisory Task Force and the local Community Education Advisory Councils were given specific responsibilities in the area of Youth Development. The legislation stated:

#### 121.87 STATE COMMUNITY EDUCATION ADVISORY COUNCIL

Subd. 1. (APPOINTMENT; MEMBERSHIP.) The state board of education shall appoint a 15-member community education advisory task force to promote the goals of community education and to expand educational, recreational and social opportunities through the maximum use of public facilities and community resources throughout the state of Minnesota. The task force shall include at least one member from each congressional district and members who represent government and professions most closely related to community education and Youth Development activities, functions and school administrative jurisdictions.

Subd. 1a. (RESPONSIBILITIES.) The community education advisory task force, in consultation with the commissioners of health, human services, and jobs and training or their designees, shall:

(1) develop a state-wide plan to promote a coordinated interagency approach to addressing the needs and developing the resources of youth, from birth to age 21, at both the state and local level through programs such as positive Youth Development partnerships, youth in community service programs, and interagency programs for providing service to young children and youth;

(2) make recommendations to the state board of education and other appropriate entities on means for improving coordination of efforts by various state and local agencies and programs in addressing the needs of and opportunities for youth; and

(3) develop model plans for an interagency approach by local advisory councils.

### Definition of Youth Development

Youth Development is the progression of an individual through the stages of development from infancy to adulthood (ages 0 - 21). This includes the systematic changes which occur in all humans in their biophysical growth, their structure of reasoning, their family and friendship relationships, their changes in understanding themselves and their environment, as well as their reasoning about moral and ethical issues and their behavior.

### Definition of Youth Development Plan

A Youth Development Plan is a systematic way of involving youth, school district staff, and key members of the community in creating the most positive possible environment for youth. Within this environment, they make decisions, choose options and make contributions that enhance their own physical, social, spiritual, emotional and intellectual development. A component that addresses improving the community to make more opportunities available for youth is also part of this plan. Three major premises of this definition are:

1. Youth are a valuable resource and are a part of the development and implementation of the plan.

2. The planning process occurs in partnership with school district staff, appropriate community individuals and groups.
- 3.\* The plan will address the needs of youth from diverse ethnic, racial and socioeconomic backgrounds.

\* Premise three was added by the Youth Development Task Force and modified by the Community Education Advisory Council. The original definitions were provided by the Minnesota Department of Education.

## DISTRICT 281

### **Mission Statement**

To enhance positive youth development in our community.

### **Vision Statement**

We envision our community providing opportunity, challenge and recognition for emotional, physical, intellectual, social and spiritual growth toward each person's full potential. Youth and adults will be mutually supportive of each other and will strive for understanding through communication and empathy. Adults will support, trust and respect youth as they define their personal standard of excellence. The community will provide both freedom and structure for youth to use their energy in positive outlets. Youth will be active members of the community, challenged with responsibility for decision-making, planning and leadership in improving the community through meeting genuine needs of its members. These ideals will be supported by the entire community working together to create the most positive environment for youth.

### **Program Direction**

The Youth Development Program seeks to enhance positive youth development in our community through focusing on the following six areas:

1. Youth Service and Leadership.
2. After-school Activities.
3. Parental and family involvement.
4. Self-esteem and personal development programming.
5. Community involvement with youth.
6. Continued assessment and response to the needs of the community within the intent of the Youth Development legislation.

Note: Areas 1 - 5 were defined as a result of the district-wide needs assessment completed by the Youth Development Program in 1988.

## YOUTH SUMMER PROGRAM OVERVIEW

**Vision Statement:** The Summer Program is envisioned to be a full-time experience providing opportunity, challenge and recognition for the emotional, physical, intellectual, social and spiritual growth of each participating youth. Youth and adults will cooperatively and supportively be involved in the design, implementation, and evaluation of full-day activities based out of local schools. Working together with "Just for Kids," the Youth Development Program will provide organization, management and direction through coordination of the Summer Program. Youth-service agencies from the community will provide planning and piloting of individual Summer Program units.

**Goals:** The Summer Program will seek to provide meaningful youth activities to:

- participate in planning and decision-making regarding development of summer activities
- allow numerous options for involvement in consideration of youth and families varied summer schedules
- allow a maximum twelve-week, ten-hour day activities
- allow a minimum one-week, two-hour day activities
- be physically accessible to all youth of the district
- be financially accessible to all youth of the district
- fully utilize available funding sources
- be viewed positively by all youth of the district
- be received as a positive experience by the community
- collaborate with community service providers
- fully utilize the services of community resources, encouraging expansion, change and growth
- encompass areas affecting the emotional, physical, intellectual, social and spiritual growth of youth

**Summary:** The Summer Program of District 281 is envisioned to make the leap into a flexible, full, daytime summer experience providing multiple opportunities for involvement to meet the range of youth needs from a full-day, summer-long activity for dependent adolescents to a short-term, two-hour skills enrichment experience for employed, secondary school age youth. Activities would emanate from the neighborhood school of youth, planned and conducted through the collaboration of youth, community resources and District 281 Community Education staff.

Marketing for success will depend upon establishing credibility within the youth community. The vision is to solicit and reward youth involvement in research, advisory and planning activities throughout the standard school year; ongoing promotion through all District 281 media (cable T.V. Cooper Quill, Neill News, and/or Report From The Principal, etc.) and community media (Post Shoppers' Guide, etc.) outlets with emphasis on the principle role of youth in the Summer Program.

**SAMPLE:**  
**PROVIDERS (Activities)**

Dist. 281 (ABE, Basic Skills, Languages, Band, Outdoor Adventure, ESL, etc.)

Community Park & Recreation Depts. (Track and Field, Multi-cultural Music Fitness/Nutrition, Explore Twin Cities, etc.)

Camp Fire Council (Crimebusters, Special Sitters, etc.)

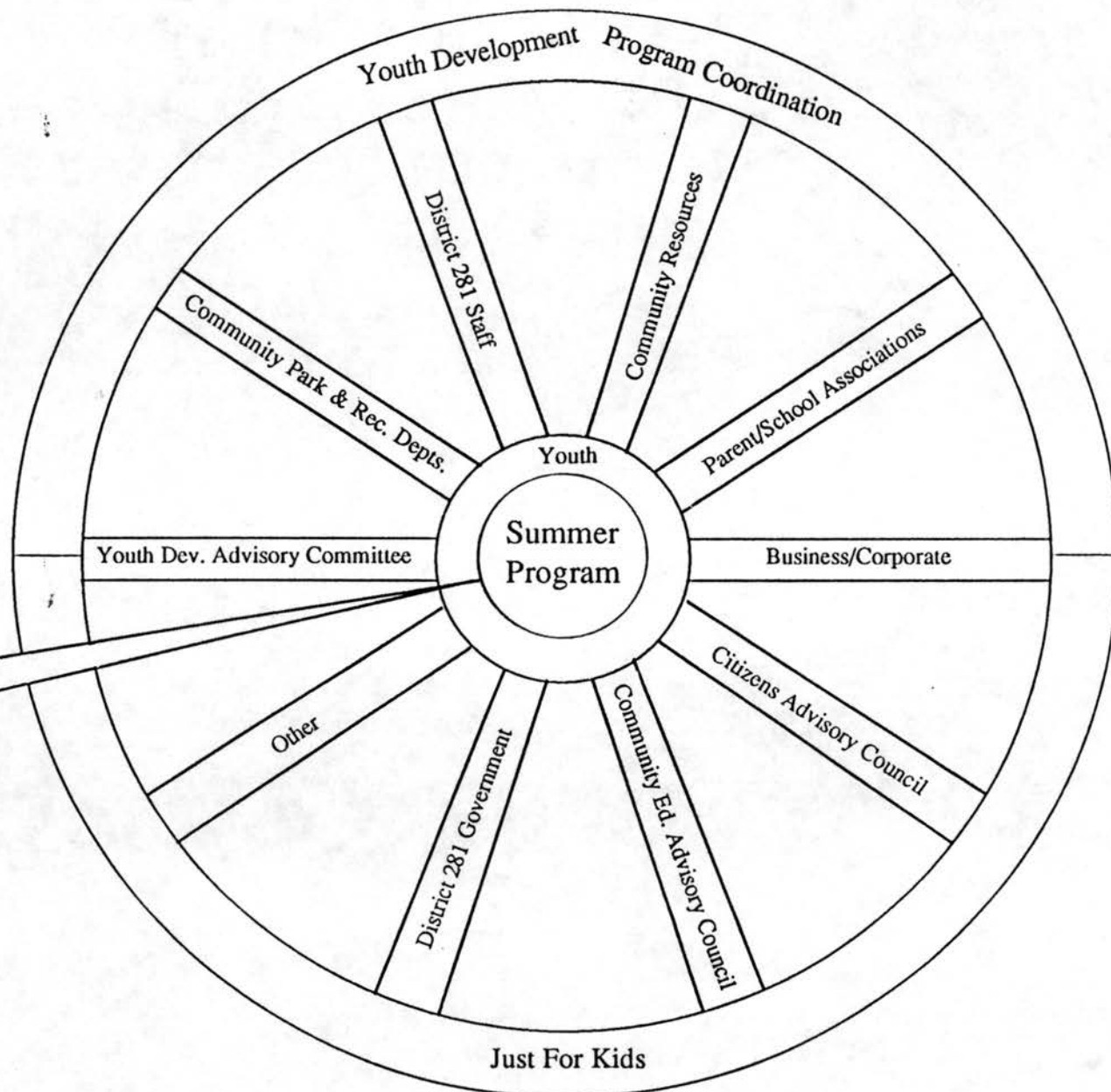
Business/Corporate (Job Seeking Skills, Career Exploration, Corporate Cafeteria, etc.)

Churches (Peer Mentoring, Value-able Youth, RALLY--ReActivate Life & Leadership with Youth, etc.)

Courage Center, North Memorial Hospital (Volunteer Opportunities, Sign Language, Health Service Careers, Disability/Disease/Discrimination, etc.)

YMCA (Community Service, Teens Care/Fresh Force, City Camping, Leaders of Tomorrow, etc.)

Dist 287 (CHOICES, Able Buddies, etc.)



*Council :*  
*Please notify me if you wish to attend.*  
*Darlene*

NORTH METRO MAYORS ASSOCIATION

AND

NORTH METRO DEVELOPMENT ASSOCIATION

Board of Directors  
Meeting Notice

March 29, 1990

6:00 pm - 8:00 pm

Greenhaven Golf & Country Club  
Meeting Room A  
2800 Greenhaven Road  
Anoka, MN 55303  
422-8161

PLEASE RSVP WITH THE NMMA OFFICE BY MARCH 23, 1990

Each city will be billed for the cost of the dinner.

# CAPITAL FOR A DAY AT ROBBINSDALE PROJECT SUMMARY

February 23, 1990

## TH 100 (I-94/I-694 to Excelsior Boulevard)

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1. TH 100 Corridor Study:

Mn/DOT's Golden Valley Office is currently in the process of studying the TH 100 corridor within the aforementioned limits. The basic issues to be addressed in this study include future accessibility/mobility, capacity, and safety needs of this corridor. Based on an assessment of existing and future conditions, both short range and long range alternative actions will be evaluated and recommended for consideration.

**Note:** All currently programmed TH 100 projects have been placed on hold pending the completion of the TH 100 Corridor Study. The results of this study will be used to develop a recommendation of the number of lanes which should be provided on various segments of TH 100, thereby insuring that any currently programmed projects conform to long range planning. Central Office and the Metropolitan Council will be involved in study review and the final decision process. The study process should be completed by the end of March 1990.

2. Complete freeway design from 29th Avenue North to 39th Avenue North and construct interchange at 36th Avenue North:

We currently have funding to complete the freeway design on TH 100 from 29th Avenue thru 39 Avenue. Preliminary design and traffic studies (ie: Corridor Capacity Study) have begun to determine the number of lanes needed on TH 100. Construction of the mainline and interchange projects should occur in 1994-1995.

3. Construct interchange at CSAH 81

We currently have funding to construct the interchange at CSAH 81. Preliminary design and traffic studies (ie: Corridor Capacity Study) have begun to determine the number of lanes and interchange configuration needed at this location. Construction of this interchange project should occur in 1994-1995.

4. Construct freeway from the Soo Line Railroad to West 27 Street South

We currently have funding to complete the freeway design on TH 100 from the Soo Line R/R to 27th Street. Preliminary design and traffic studies have begun to determine interchange and lane configuration concepts. Construction of this project should occur in 1995-1996.

5. Construct bridge and frontage roads over the Canadian & Northwestern Railroad

Project proposed the reconstruction of the TH 100 over the Canadian & Northwestern Railroad. The project is currently in Final Design. The project involves some frontage road access closure to TH 100 and the relocation and signalization of frontage road access to TH 55 south of TH 100. Construction of this project should occur in 1992.

6. Replace bridge under CSAH 8 (Broadway Ave.)

Project proposes the reconstruction of the Broadway Bridge over TH 100. The project is currently in Final Design. If R/W activities can begin by March of 1990 a September 1991 letting is probable. Construction of this project should occur in 1992.

I-94 (I-494 to I-694)

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1. Construct third lane from I-494 to CSAH 152 (Brooklyn Blvd.)

We currently have funding (\$25 million) for the third lane addition on I-94, which will provide for a continuous 6-lane freeway between T.H. 101 (Rogers) and CSAH. 152. The Preliminary Design Section has commenced work on the subject project, currently programmed for a December, 1993 letting, in both layout and project document stages. Construction of this project should occur in 1995-1996.

I-694 (CSAH 81 to I-35W)

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1. Construct third lane from CSAH 152 to Long Lake Road and widen the Mississippi River Bridge

We recently completed this project ahead of schedule at a cost of \$44 Million. Comments received from the motoring public have been positive. The project has made a tremendous difference in terms of mobility for those motorists who must travel in the northern suburbs. The Traffic Management Center is studying and modifying the metering rates of ramp meters in order to optimize current traffic flow.

2. Construct third lane from west of Long Lake Road to I-35W

We hope to let this project this April for construction in the summer of 1990. The completion of this project (summer 1991) will provide a continuous additional lane between CSAH 152 and I-35W. The completion of the I-94 third lane construction between I-494 and CSAH 152 will provide for a minimum of three lanes in each direction between TH 101 (Rogers) and I-35W.

I-394 (Minneapolis to TH 169)

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1. TH 169 to I-94

Construction has begun on this last major section of the I-394 construction project. Construction along this segment is broken into three stages with slated completion dates as follows:

- |   |                        |                  |
|---|------------------------|------------------|
| o | TH 169 to Boone Avenue | Complete in 1990 |
| o | Boone Avenue to TH 100 | Complete in 1992 |
| o | TH 100 to Mpls. Limits | Complete in 1993 |
| o | Mpls. Limits to I-94   | Complete in 1990 |

During construction operations a minimum of two lanes will be open to traffic in each direction. The HOV lane (High Occupancy Vehicle) or sane lane will remain open to traffic during the peak periods. Each of these measures will minimize impacts to motorists traversing the I-394 corridor during construction. I-394 from end to end will be completely open to traffic in 1993.

2. I-94 to Washington Avenue (3rd Avenue Distributor) and construct 4th Street Garage

We hope to let these projects this Fall so as to begin construction in the spring of 1991. The parking ramps will encourage carpooling, vanpooling, and the use of public transit buses. The completion of these projects will provide a continuous freeway design with HOV lanes between the Cities of Wayzata and Minneapolis. The new freeway will allow a significant improvement in the safe and efficient movement of people and goods, lessen congestion, and reduce travel times between the downtown and the highly developed western suburbs.

### Miscellaneous

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1. Miscellaneous program categories

Approximately 14 projects currently programmed for 1992 or \$5,000,000 allocated to the following categories within the current work program: resurfacing/reconditioning, safety, signal and bridge repair projects.

2. Hennepin County LRT Alternatives

The Cities of Brooklyn Park and Crystal have approved the preliminary design plans essentially as submitted. The Cities of Robbinsdale and Golden Valley have made approvals subject to certain conditions being met. The DEIS only reflects the official position of the HCRRA as of November 1989.

**Overview:** The northwest line would run at-grade from 85th Avenue in Brooklyn Park southeast to TH 55/Bryant Avenue North in Minneapolis. The length of the Northwest Corridor segment is approximately 10.3 miles. The LRT will consist of a double-track (two-directional) configuration along the entire segment.

HUMAN RELATIONS COMMISSION  
January 22, 1990

The Human Relations Commission meeting was called to order at 7:04 p.m. Members present were: James Allison, John Luzaich, Linda Museus, Arlene West, and Renee Werner.

Member absent: Kathryn Huston (excused). Elmer Carlson, Council Liaison, also was absent.

Also present were Garry Grimes, former Council Liaison; and Joan Schmidt, Staff Liaison.

1. Moved by commission member John Luzaich and seconded by commission member Arlene West to approve the minutes of the November 27, 1989 Human Relations Commission meeting.  
Motion Carried.

At this time a tribute was given to former member Lois Ehret. She will be missed. Many thanks were extended to Garry Grimes for his help and for his attendance of the many meetings.

2. Discussion was held as to when to schedule No Fault Grievance Training Session. Renee had contacted Mary Hedges with the Minnesota Department of Human Rights and was told that the Commission should send a letter to them asking for training. The Minnesota Department of Human Rights doesn't schedule this training for small groups any longer and the training needs to be requested. We would be the host City. Training at the City of Bloomington had been cancelled recently due to lack of attendance. Joan Schmidt will draft a letter asking for training and will name Renee Werner as the contact person. The Commission will then schedule this after we receive acknowledgement and dates from the State.

Linda reported on the fact that we currently have two grievance cases.

3. Linda gave a report on the Coalition of N.W. Suburban Human Rights Commissions meeting of January 13, 1990. A synopsis of this meeting is:
  - a. we will be meeting again on March 17, 1990 in Robbinsdale;
  - b. discussion of group homes; (Joan will send copies of our attorneys' opinions on Group Homes to Golden Valley since they will be doing a workshop on it. She also will mentioned that we have a tape that was made when Jim Loving spoke on Group Homes and that the Crystal Human Relations Commission would like to be notified as to when Golden Valley will have their workshop.)
  - c. suggestion was made that the Coalition get a notebook going so as not to double up on info;

- d. Golden Valley will be celebrating Black History Month the first weekend of February;
  - e. should give the cities of Plymouth and New Hope ideas to get commissions established. We would like to get as much press on these things as possible. Robbinsdale commission member will draft a proposal to talk to Council regarding getting a high school representative.
  - f. New style employment form, what can and cannot be asked.
4. The results of the commission members brainstorming for Human Rights Day were: only two members called with names. Since this is a small Commission, what kind of commitment will the group have? Golden Valley's commission has lots of sponsors (Black History Month in Golden Valley is free) and separate committees working on this project.

The Commission would like to concentrate on one thing and will need all information as to who will be speakers, possible sponsors, cost factors, etcetera by July. The Commission liked the ideas of having the Hmong display/demonstrate their crafts, having a storyteller, and having a rap group perform.

John will attend a workshop on February 27th and/or February 28th at the University of Minnesota and report back to us in March after discussing this further with the Youth Coordinator of the MN Urban League who works with kids from different high schools with these presentations. Linda will contact a dance group; Renee will contact the Science Museum; Arlene will contact her source about the Hmong; and Jim will contact the Jewish Community Center.

5. The Commission then reviewed the letter received from the City Attorney's office regarding procedure for obtaining data from the State on group homes. This letter stated that group home licensee is public data, that most departments will honor a written request for this information, or to contact Sue Larson with the Human Services Department to find out if a written request is acceptable or if the request for copies be made in person. Linda stated that she would contact Sue Larson.

Moved by Commission member James Allison and seconded by Commission member John Luzaich to request from the Human Services Department information as to how many licensed group homes are in the City of Crystal and if there is any possible means of notification from the Human Services Department to the City as to when new group homes become licensed.

Motion Carried.

Moved by commission member John Luzaich and seconded by commission member Arlene West to adjourn. Meeting adjourned at 8:19 p.m.

DATE: February 28, 1990  
TO: John Olson, Assistant City Manager  
FROM: Bill Barber, Building Inspector  
SUBJECT: 6121 42nd Ave. N.  
Keng's Chow Mein  
Phase II Construction


In September, 1988, the City Council approved a parking variance and site improvements for Keng's Chow Mein. They went ahead with the project after getting approval from Council for a building permit. The permit was issued July 26, 1989, and the work was completed on September 8, 1989 (Phase I). Keng's now would like to proceed with the rest of the project.

I have been in contact with Jim Scott, owner, and we have discussed the need for the site work to be done with this phase. Once they are ready to proceed, they will need to provide the surety and sign the agreement.

I will update you as this project proceeds.

BB/kk *UBarber*

City of Crystal  
Memorandum

DATE: March 6, 1990  
TO: Jerry Dulgar  
FROM: Miles Johnson   
SUBJECT: Sewer Refunds for Senior Citizens - Rental Only

We have received nearly 185 certificates from senior citizens who rented in Crystal during 1989. The maximum refund would be \$40.00 per year. This refund will be mailed during March 1990 to all eligible renters. We still are receiving a few additional certificates so we will make one large listing of payments when we feel they are all in.

3-6-90

Dear Mayor Herbert,

I would like to express my appreciation and gratitude in the matter concerning the funding in the women's abuse group.

A year ago the program came to my aid. Cindy & Kathy were patient, understanding & more than willing to lend a hand.

After court hearings, treatment, marriage counseling and life style changes there is now 00% more serenity in my life.

I have had different jobs that have not been successful. In my last job I had a male boss, I would not continue to hear him discuss how he had to get his "finance trained" before there raised. This is in

addition to other remarks & comments pertaining to women. I realize my calling us to help other women who are in situations like this. I have made an appointment with Cindy about volunteer work in the program.

I feel that it is very important for all

women to have "somewhere  
to go for help."

I am thankful that I  
live in a city that  
cares.

Sincerely  
Mary Balnes  
Crystal, MN

CRYSTAL PARK AND RECREATION DEPARTMENT  
MONTHLY REPORT  
FEBRUARY 1990

PROGRAM ACTIVITIES: FEBRUARY START

ACTIVITY NAME	REGISTRATION 1990 1989		LOCATION	AGE GROUP	DAY/TIME
R.C. TEEN ACTIVITY Sound & Light Show	230	300	HOSTERMAN MIDDLE	GR 6 - 8	FRIDAY EVES
YOUTH BOWLING	50	N/A	DOYLE'S LANES	GR 1 - 8	THURS/FRI AFT.
ADULT SKI TRIPS					
WELCH VILLAGE	29	27			
SPIRIT MOUNTAIN	33	25			
SKATING RINKS					
FEBRUARY ATTENDANCE :	Only open 1 week due to warm weather				
	115	250	FOREST		
	25	108	IRON HORSE		
	85	185	BASSETT CREEK		
	150	320	WELCOME		
	85	145	BROADWAY		
	23	95	YUNKERS		
	100	330	CRYSTAL HIGHLANDS		
	230	862	LIONS VALLEY PLACE		
	55	130	TWIN OAK		
	30	90	NORTH LIONS		
TOTAL	898	2515			

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ONGOING PROGRAMS - FEBRUARY 1990

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SENIORS	ADULTS
CENTER MEMBERSHIP: 637 (Jan. 1990 - 615/Feb. 1989 - 605)	MEN'S VOLLEYBALL LEAGUE
CRIBBAGE: 40	WOMEN'S VOLLEYBALL LEAGUE
WELCOME: 4	CO-REC VOLLEYBALL LEAGUE
500 DAY: 76	ADULT OPEN BASKETBALL
500 NITE: 40	ADULT OPEN VOLLEYBALL
SCRAPBOOK: 4	CO-REC OPEN VOLLEYBALL
POKER FOR FUN: 21	WALK PROGRAM
BRIDGE DAY: 56	MORNING EXERCISE - 10 (FEB. SESSION)
BRIDGE NITE: 40	
DUPLICATE BRIDGE: 48	
EXECUTIVE COMMITTEE: 12	
SPECIAL EVENTS:	
OTLB: 40 to King's Inn	
BRUNCH BUNCH: 74 - entertainment by "Silver Slippers"	
SUB-COMMITTEE TO PLAN CCC GRAND OPENING: 26	

YOUTH	OTHER ACTIVITIES
HOCKEY LEAGUE	THH-EHH/ADAPTED**
BASKETBALL LEAGUE	COMMUNITY TRIPSTERS**
WRESTLING	SCANTION HOTEL: 44 TOTAL/17 CRYSTAL
GYMNASTICS	GETAWAY**
DANCE	NONE SCHEDULED
	LIONS SNOW FUN DAY - CANCELLED DUE TO LACK OF SNOW

\*\*CO-SPONSORED WITH OTHER AGENCIES

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PROGRAMS COMPLETED

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1. ADULT SKI TRIPS      1990 REGISTRATION: 163 (6 trips)  
                             1989 REGISTRATION: 166 (6 trips)
- OBJECTIVE:              To provide chaperoned ski trip outings for adults.
- SUCSESSES:              The group is enthusiastic and publicize the program through word of mouth. Many of group have been together since the program started over 10 years ago.
- PROBLEMS:               None encountered.
- RECOMMENDATIONS:      Continue program format. Send survey to participants reviewing season and ski areas.
- 
2. YOUTH BASKETBALL      1990 REGISTRATION: 98  
                             1989 REGISTRATION: 95
- OBJECTIVE:              To provide instruction in basketball fundamentals for youth in grades 3 - 6 through utilization of volunteer coaches. To schedule skills competition and game competition to incorporate the use of these skills.
- SUCSESSES:              Coaches were good - NYSOA training was well received by the coaches. Referee staff was good. Coaches program evaluations were positive.
- PROBLEMS:               Some young coaches (Armstrong Sr. Involvement students) has a difficult time getting started with their teams. Parents were asked to help out.
- RECOMMENDATIONS:      New schedule of games starting after winter break worked well. Incorporate rule changes suggested by coaches.

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PROGRAMS COMPLETED

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3. WARMING HOUSE	ATTENDANCE	1989-90	1988-89
	FOREST	919	898
	IRON HORSE*	312	521
	BASSETT CREEK	591	863
	WELCOME	1215	1287
	BROADWAY	602	723
	YUNKERS*	348	508
	CRYSTAL HIGHLAND	819	950
	LIONS VALLEY PLA	2496	2917
	TWIN OAK	625	815
	NORTH LIONS*	310	489
	TOTAL:	8237	9971

\* - part-time 1989-90

OBJECTIVE: To provide supervision at selected outdoor skating rinks.  
To provide reliable competent staff at these facilities.  
To provide a safe, clean environment at these facilities.  
To provide concession services at 2 locations.

SUCCESSSES: All ran smoothly all season with two exceptions (Twin Oak and Crystal Highlands). Staff was good. Staff training included Red Cross first aid/safety class. Part-time parks worked well.

PROBLEMS: Twin Oak had a volunteer attendant which created scheduling problems and Crystal Highlands attendant did not work out well. Many staff required substitutes because of school schedules.  
Warm weather was a problem all season - ice conditions were not the best.

RECOMMENDATIONS: Advertise for staff earlier - try to attract older more mature staff. Continue the Red Cross in-service. Develop a staff manual for this program.

4. LEARN TO HOCKEY SKATE 1990 REGISTRATION: 10  
1989 REGISTRATION: 13

LEARN TO FIGURE SKATE 1990 REGISTRATION: 37  
1989 REGISTRATION: 30

OBJECTIVE: To provide instruction in the basic skills of skating and hockey skating.

SUCCESSSES: Program well received. Figure skate class registration was up. Favorable evaluations were returned by parents.

PROBLEMS: None encountered.

RECOMMENDATIONS: Continue present format. Develop staff manual for this program.

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PROGRAMS COMPLETED

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5. YOUTH HOCKEY.      1989-90 REGISTRATION: 22  
                         1988-89 REGISTRATION: 61

OBJECTIVE:      To provide instructional hockey. To utilize volunteer coaches as instructors.

SUCCESSSES:      Coaches and paid referee staff were good. Participants enjoyed the program.

PROBLEMS:      Small registration received by all 4 sponsoring cities. Only Ponys and Mites Divisions were held. Warm weather forced cancellation of several practices and 2 outdoor games.

RECOMMENDATIONS:      The four cities will meet with the other groups that sponsor hockey programs in the area to determine what our role should be.  
If future program is held, more publicity is needed.

CRYSTAL PARK AND RECREATION ADVISORY COMMISSION

Minutes

February 7, 1990

The regular meeting of the Crystal Park and Recreation Advisory Commission was called to order at 7:08 p.m. by Chairperson Bill Gentry. Members present were: Ms. Reid, Ms. Moucha, Ms. Pitts, Ms. Spaulding, Ms. Saunders, Mr. Irving, council liaison; Mr. Monk, city engineer; Mr. Brandeen, Ms. Hackett and Ms. Hinz from the department staff.

Ms. Hinz was introduced as the new department Program Supervisor - a permanent part-time position.

The minutes were approved as sent.

Ms. Hackett reviewed the January monthly report, highlighting major activities. The 4th quarter report was also reviewed. Ms. Hackett distributed copies of the year end report. Mr. Theisen commended the staff on the overall recreation program.

Mr. Monk made a presentation regarding the Yunker Park drainage system. He reviewed the problems that had occurred and the possible solutions that were discussed. At this time Mr. Monk recommends to construct a 2-foot berm along the southern park boundary with a swale to the street to hold water within park boundaries. New Hope residents (3) along the southern boundary attended this meeting and felt that this may help the flooding problem with the exception of the "100 year rain".

Moved by Ms. Reid and seconded by Mr. Theisen to recommend to the Council the acceptance of the Yunker Park drainage construction plan as presented by Mr. Monk.

Motion carried-unanimous.

Mr. Brandeen reviewed results of a swim pool rate survey. Mr. Brandeen recommended raising season tickets rates to help cover the expected increases in staffing and chemicals. The proposed new rates are:

Resident family	\$36.00
Resident single	\$23.00
Non-resident family	\$46.00
Non-resident single	\$28.00
Daily admission	\$ 2.00

Moved by Ms. Pitts and seconded by Ms. Moucha to recommend to the Council the 1990 swimming pool rates as stated.

Motion carried-unanimous.

Ms. Reid reviewed the last Crystal Frolics meeting. All of last year's events will be held. A bike race will be an added event. The Frolics committee plans to ask the Council to support the parade as they have in the past. The Committee is discussing changing the Sunday schedule in regards to the Celebrity Softball game, coronation and championship games.

The discussion concerning the Babe Ruth use of North Lions Park was postponed as a written request has not been received.

The Commission discussed the Crystal-New Hope Swim Club request to use the pool for a swim meet July 27-29.

Moved by Ms. Moucha and seconded by Mr. Theisen to recommend to the Council that the Crystal-New Hope Swim Club be allowed use of the Crystal Municipal Pool July 27-29.

Motion carried-unanimous.

The Commission set the summer meeting schedule:

June 13	Welcome Park
July 11	Crystal Highlands Park
August 1	Iron Horse Park
September 5	MAC Park

The plans for the Community Center dedication were discussed. Ms. Hinz reviewed the progress made on planning events. The sub-committee will meet Tuesday, February 13.

Dog problems in the park were discussed. Bassett Creek Park is heavily used by dog owners who do not follow ordinances. The Commission discussed doing more promotion on this problem. Flyers will be distributed through schools and articles submitted in the City Newsletter. Another suggestion is to ask Chief Mossey if the CSO's can patrol park areas and watch for dog violations.

The Commission sub-committees will meet at the next meeting.

The Sno Fun Day will be cancelled due to lack of snow.

Mr. Brandeen informed Commission members of the MRPA Conference to be held Feb. 28-Mar. 2 in Bloomington. Anyone wishing to attend should contact Mr. Brandeen.

The bid opening for the waterslide is February 13 and the recommendation will be discussed at the February 20 Council meeting.

Mr. Brandeen informed the Commission members of the \$8,200 donation to the department from Celebrity Bowl.

The meeting was adjourned at 8:44 p.m.

Respectfully submitted,

Gene Hackett  
Recorder

City of Crystal  
Memorandum

DATE: March 2, 1990  
TO: Jerry Dulgar  
FROM: Miles Johnson

In answer to your memo on Medicare FICA, the following is submitted:

	<u>Cost to the City</u>	<u>Number of Employees</u>
Full-time City Employees	\$21,740.	35
Volunteer Firemen	<u>572.</u>	<u>29</u>
	\$22,313.	64

We have no provision to pay for this, and it does not come outside of levy limits. Some of the above employees may be covered by Social Security by previous employment or by part-time second job employment. The amount above which is the City cost would also be matched by a like deduction from the employee pay check.

DUE DATE: NOON, WEDNESDAY, March 7, 1990

MEMO TO: Jerry Dulgar, City Manager

MEMO FROM: Darlene George, City Clerk

ACTION NEEDED MEMO: From the February 20, 1990 Council Meeting

The items listed below are the actions requested by the City Council at their regular Council meeting of February 20, 1990. These items should be taken care of by noon, Wednesday, preceding the next regularly scheduled Council meeting and returned to the City Clerk for her review.

DEPARTMENT      ITEM

CONSENT AGENDA

CITY CLERK

1. Consideration of the appointment of Ed Brandeen, Park & Recreation Director, as the Assistant City Weed Inspector for 1990.  
ACTION NEEDED: Send notice of appointment to State Department of Agriculture and County Agricultural Inspector.  
ACTION TAKEN: Executed notices of appointment, sent to proper parties 2-21-90.

CITY CLERK

2. Consideration of a request from the Crystal Police Department to hold its annual Bicycle Auction on Saturday, April 21, 1990, at the Crystal City Garage.  
ACTION NEEDED: Place ads in Sunday Tribune, Post News, and process necessary licensing for the auctioneer.  
ACTION TAKEN: Ads will be placed at the proper time and license will be processed when necessary papers are received.

BUILDING  
INSPECTOR

3. Setting the public hearing for March 13, 1990 for the variance at 3154 Louisiana Ave. N.  
ACTION NEEDED: Place item on March 13, 1990 City Council Agenda.  
ACTION TAKEN: Notices sent to neighbors.

BUILDING  
INSPECTOR

4. Consideration of waiver of fees and approval of authorization to issue off-premise temporary sign licenses to the Crystal Lions Club.  
ACTION NEEDED: Process licenses with waiver of fee as approved by the Council.  
ACTION TAKEN: Applicant notified of action.

REGULAR AGENDA

1. Peter MacMillan of Rosenthal, Rondoni, MacMillan & Joyner, Attorneys at Law, appeared to present the Annual Prosecution Report.  
ACTION NEEDED: No action needed.

ADMINISTRATIVE  
SECRETARY

2. Consideration of the applications for appointment to the Human Relations Commission from Bob Techam and William F. Johnson.  
ACTION NEEDED: Send copies of the last three meeting minutes of the commission along with the ordinance pertaining to the commission to the successful applicants and update the Human Relations Commission roster.  
ACTION TAKEN: Letters and pertinent info sent 2-22-90 and roster updated.
3. Bob Thistle of Springsted, Incorporated, appeared before the City Council to discuss setting bond sale for the City of Crystal equipment certificates.  
ACTION NEEDED: No action needed by City staff at this time; Springsted, Inc. will handle advertising of bids, etc.

PARK & REC.  
DIRECTOR

4. Consideration of the increase of season ticket prices at the Crystal Municipal Pool.  
ACTION NEEDED: Proceed with rate increases at the pool as authorized by the City Council.  
ACTION TAKEN: Proceeding as authorized.

PARK & REC.  
DIRECTOR

5. Consideration of a request to use the Crystal Municipal Pool for a swim meet by the New Hope, Crystal, Plymouth Swim Club on July 27, 28, and 29, 1990.  
ACTION NEEDED: Notify New Hope, Crystal, Plymouth Swim Club of Council approval.  
ACTION TAKEN: Notified 2-22-90.

PARK & REC.  
DIRECTOR

6. Consideration of award of a bid for a double flume waterslide at the Crystal Municipal Pool.  
ACTION NEEDED: Notify successful bidder and proceed with award of contract.  
ACTION TAKEN: Notified 2-21-90.

ASSISTANT  
MANAGER

7. Consideration of the insurance renewal for 1990-1991.  
ACTION NEEDED: Notify insurance agent and proceed with insurance renewal as recommended by yourself and approved by the City Council.  
ACTION TAKEN: Done 2-21-90.

ADMINISTRATIVE  
SECRETARY

8. Consideration of a resolution setting a Public Hearing for April 3, 1990 to discuss tax increment financing for the 36th Avenue/Highway 100 Project.  
ACTION NEEDED: Place item on April 3, 1990 City Council Agenda.  
ACTION TAKEN: Item will be placed on April 3, 1990 City Council Agenda.

ASSISTANT  
CITY MANAGER

ACTION NEEDED: Publish notice and notify county and school district.  
ACTION TAKEN: County and School District to be notified by 3-2-90; published notice needs to be in more than 10 days prior, will publish in March.

ADMINISTRATIVE  
SECRETARY

9. Consideration of Hennepin County Board resolutions regarding yard waste compost sites and first reading of an ordinance requiring refuse haulers to pick-up yard waste.  
ACTION NEEDED: Place Second Reading on March 13, 1990 City Council Agenda.  
ACTION TAKEN: Second Reading of Ordinance placed on March 13, 1990 City Council Agenda.

ADMINISTRATIVE  
SECRETARY

10. Consideration of the First Reading of an Ordinance Relating to Traffic Regulation.  
ACTION NEEDED: Place Second Reading on March 13, 1990 City Council Agenda.  
ACTION TAKEN: Second Reading of Ordinance placed on March 13, 1990 City Council Agenda.

## CITY ENGINEER

11. Consideration of a resolution and agreement for Twin Lake Outlet Modification Project.  
ACTION NEEDED: Notify the City of Robbinsdale and the Shingle Creek Water Shed Management Commission of Council approval of resolution and agreement and proceed with the project.  
ACTION TAKEN: Agreements executed.

## CITY ENGINEER

12. Consideration of Yunkers Park improvements as a joint project with New Hope to address drainage problems.  
ACTION NEEDED: Initiate work with New Hope on a detailed plan for improvements.  
ACTION TAKEN: New Hope contacted, initial meeting set.

ADMINISTRATIVE  
SECRETARY

13. The City Council reviewed a proposal to contract with Anderson-Dale Architects to conduct analysis of space needs report.  
ACTION NEEDED: Item continued to the March 13 meeting; place item on March 13, 1990 City Council Agenda.  
ACTION TAKEN: Item placed on March 13, 1990 City Council Agenda.

ADMINISTRATIVE  
SECRETARY

14. Consideration of the First Reading of an Ordinance relating to the Crystal Community Center.  
ACTION NEEDED: Place Second Reading on March 13, 1990 City Council Agenda.  
ACTION TAKEN: Second Reading of Ordinance placed on March 13, 1990 City Council Agenda.
15. Discussion of the Employee of the Month Award to be presented to Pam Foster.  
ACTION NEEDED: No action needed.

CITY CLERK

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

# THE CRYSTAL CITY NEWSLETTER

*A Community Newsletter*

Number 75 April 1990

## Census 1990

### Counting America's People and Housing

Counting all the residents of the United States is no easy task. Just ask the Census Bureau, which is preparing to take on the job for the 21st time, beginning in late March.

The Census Bureau, an agency of the Department of Commerce, expects to count some 250 million people and 106 million housing units across the country.

The 1990 Census will be a "do-it-yourself" count, taken almost entirely by mail. One questionnaire will be delivered to each housing unit. A short form containing 14 questions will go to five out of six households. A long form with 59 questions will go to the remaining households. An adult in each household will be asked to complete the form and return it by April 1 - Census Day.

The primary use of census data has not changed since the very first census in 1790 - to fairly apportion seats in the House of Representatives among the states, based on their populations. This provision was included in the Constitution by the Founding Fathers and is reflected in the changed make-up of the House after each census.

In addition, state and local governments responding to court decisions dealing with the principle of "one

person, one vote" have adopted the use of census figures to redraw their election district boundaries.

As the sharing of federal and state revenues with counties and cities has increased in recent years, census numbers have also been used to allocate millions of dollars in program funds based on populations.

The data gathered from the census will provide a demographic "snapshot" of America's people and housing as of April 1, 1990.

From the 18th century to the end of the 20th century, the census has chronicled the country's growth and change. The 1990 Census will provide the statistical springboard for the journey into the 21st century.

CENSUS '90



**Answer the Census.  
It Counts for More Than You Think.**

## Crystal Bike Auction to be Held April 21

The Crystal Police Department will hold its annual Bicycle Auction for the sale of unclaimed bicycles and other miscellaneous items on Saturday, April 21, at the city garage, 6125 - 41st Avenue North.

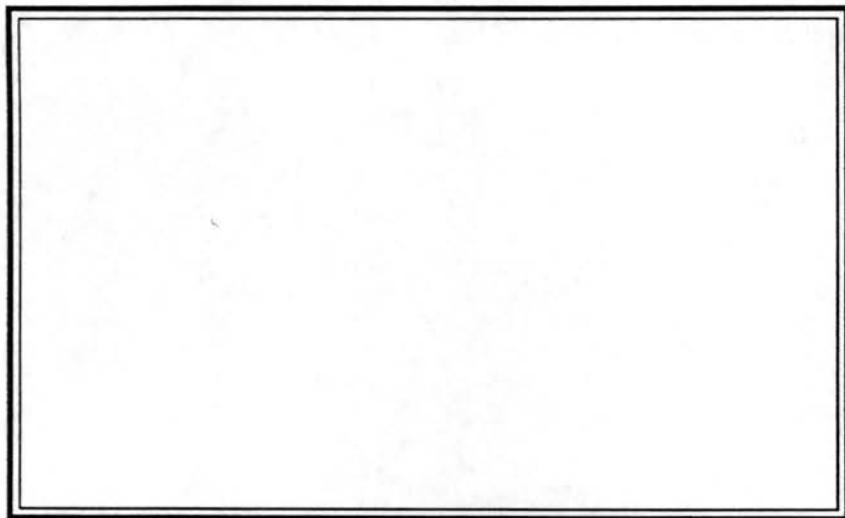
Doors will open at 9:30 a.m. for viewing the items. The auction will begin at 10 a.m. Come to the auction and check out the deals!

## Watch for the Park and Recreation Spring Brochure

### Inside:

Crimebusters  
Youth Drug Update  
Fire Department  
Profile

Mark Your Calendar:  
Crystal/Twin's Night  
at the Dome  
July 25, 1990



## **Crystal Fire Department - 40 Years of Service Proud to Make a Difference**

1990 marks 40 years of continued fire and rescue service for the Crystal Fire Department. The Fire Department provides fire suppression, rescue and emergency medical service, hazardous materials emergency response, fire prevention, and public fire safety educational programs to the citizens of Crystal.

These services are provided by 40 paid on-call (volunteer) fire fighters working out of two stations and operating ten pieces of equipment. The fire fighters respond to an average of 400 emergency calls per year and attend over 1800 hours of training. All of the fire fighters are trained to a minimum of "first responder" medical training and are prepared to deal with all types of medical and rescue situations including vehicle extrication from auto accidents.

The City employs one full-time Fire Chief/Fire Marshal and a part-time Fire Inspector to deal with fire administration and fire code enforcement. The Fire Inspector also handles many fire safety educational programs. The Fire Department also sponsors a Fire Explorer

Post. This is a group of young men and women who train in the fire and emergency medical area. They provide fire safety programs to the elementary schools during Fire Prevention Week and assist the Fire Department during large emergency situations.

A new service for the Crystal Fire Department is a Juvenile Fire Setter Counseling Program. Anyone having questions or concerns about their children should call the Fire Department.

On Saturday, May 19, the Fire Department will hold its Annual Open House at the North Fire Station. This event is always fun for the whole family. There will be fire safety activities and displays, fire truck rides, and prizes. Watch for more information as the date draws near.

Anyone who has any questions or concerns about fire safety can receive information by calling the Crystal Fire Department at 537-8421.

## **HELP WANTED Day Fire Fighters**

The Crystal Fire Department needs your help. Men and women over 18 years of age and available to respond to emergencies weekdays are needed as volunteer fire fighters for the Crystal Fire Department. If you are interested and would like more information or an application, just call 537-8421 or stop by at one of the fire stations or the City hall.

## **Juvenile Fire Setter Counseling**

Parents who have concerns about a child's curiosity with fire or fire setting behavior can receive assistance from the Crystal Fire Department. We are using a nationally recognized program to help identify problems and get the appropriate help. For more information, please call the Crystal Fire Department at 537-8421.

## **Fire Hydrant Testing**

If you notice city crews using fire hydrants over the summer, don't think they're wasting water! These hydrants need maintenance to be sure that they are operating properly. The only way to check them is to flow the hydrant.

Also periodic flow tests are needed to determine the flow rates in the various areas. They may not be used often but they need to be in good operating condition.

If you have a fire hydrant in your yard, keep the grass or shrubs cut around the hydrant so that it is easily accessible to the Fire Department.

## Earth Day 1990 Celebration at Brookdale Mall

The Crystal Environmental Quality Commission has organized an event to celebrate the 20th anniversary of Earth Day at Brookdale on Sunday, April 22 from 1-5 p.m.

The event will include speakers on various environmental topics such as: composting, organic gardening, and the greenhouse effect. There will be displays with experts on hand to answer questions on: recycling, gardening, household hazardous waste, water quality, and more. Other attractions will be balloons for the kids and free drawings for prizes.

## Yardwaste/Composting

Yardwaste (garden wastes, leaves, lawn cuttings, weeds, and prunings) can no longer be mixed with garbage. Currently, there are no compost facilities open to haulers or private citizens.

For the 1990 yardwaste season the options for residents are as follows:

1. Contact your garbage hauler to find out their policies and prices on yardwaste collection.
2. If you want to compost your own yardwaste contact City Hall regarding composting regulations.

The City is continuing to work with other cities to establish a compost site in the northwest suburban area.



## Phone Book Drop-off

There will be a phone book recycling drop-off at the Brookdale Mall from 1-5 p.m. on April 22nd at the loading dock area between Carson Pirie Scott and Bridgemans.

Every person that drops off a phone book will receive a registration slip for a drawing to win a gift certificate at Malmborgs Garden Center. This is a chance to recycle your old phone books.

What will happen to the old phone books? They will be shipped to Wisconsin and made into roofing shingles.

## What Should I Do With . . .

### Household Hazardous Waste

Many residents often call City Hall requesting advice on proper disposal of household hazardous waste. There are no hazardous waste disposal sites within the State. Consider the following recommendations for handling these materials.

### Paint

Paint is hazardous when disposed of in liquid form. Do not dispose with garbage.

1. Buy only what you need.
2. Use up leftovers on small projects or give away.
3. Dry out paint. Remove lid and allow to evaporate in well ventilated space away from children and pets; or line a cardboard box with a plastic bag. Fill bag with absorbent material such as kitty litter, or sawdust, and pour in paint. When liquid is absorbed, it is safe to put in your trash.

### Tires

Many local tire sales stores accept old tires for a small fee. Consult a store near you.

### Used Motor Oil

The City has an oil recycling center open 24 hours a day at the City Garage at 41st and Colorado. Residents are to pour oil into the tank and reuse their containers. Please do not leave containers at the City site.

### Appliances

Appliances can be dropped off for a fee at North Hennepin Recycling Transfer, Maple Grove, 425-2239. Major Appliance Service (291-1100) will collect appliances at the curb for a fee.

### Car Batteries

Recycle batteries at Brooklyn Park Aluminum (424-2733), Osseo.

### Button Batteries

Recycled at: Target (Crystal Shopping Center) or Lane True Value (3649 Douglas Drive).

### Antifreeze

Antifreeze is not considered hazardous waste and may be poured into the toilet. Make sure it is diluted with plenty of water.



## Major Street Improvements

Hennepin County is presently developing final design plans for two street improvement projects that will directly impact traffic in and around Crystal. The projects involve 27th and 42nd Avenues North and are described as follows:

- **27th Avenue North** (County Road 70) is proposed to be upgraded to handle four lanes of traffic between TH 169 (old Country Road 18) and Douglas Drive.

The full scope of improvements includes street widening, signal upgrade, storm sewer construction, installation of concrete curb and gutter, and sidewalks on both sides of the roadway. Construction is scheduled to start spring 1990.

- **42nd Avenue North** (County Road 9) is scheduled to be improved 1990 with a bituminous overlay through Robbinsdale similar to the project in Crystal performed last summer.

While traffic will be maintained at all times, delays will be experienced. Construction is scheduled for 1990.

- **36th Avenue North** between Louisiana and Welcome Avenues is a City project that will receive some attention in 1990 in terms of design/construction options.

While the final design will depend on the upcoming review process, some upgrade to 36th Avenue North is anticipated in 1991.

## Highway 100 Upgrade

The Minnesota Department of Transportation (MnDOT) has started a process to preliminary design the reconstruction of the section of Highway 100 between 29th Avenue in Crystal and 50th Avenue in Brooklyn Center.

The preliminary design will deal with issues including traffic lanes, highway inter-changes and access points, right-of-way needs, and environmental impacts.

The cities of Crystal, Robbinsdale, Golden Valley and Brooklyn Center will be participating in this year-long MnDOT design process. Hennepin County will also be very much involved with issues regarding the TH 100/County Road 81 interchange.

The extended project schedule forecasts construction of the highway upgrade beginning in 1994.

## 1990 Property Tax Statements

New tax statements for property taxes payable during 1990 are due to be mailed by Hennepin County no later than April 15, 1990.

The new truth in taxation requirements caused a delay in the distribution of this information. Tax payments are required to be made by taxpayers by May 15 and October 15 this year.

The 1990 tax statements will sport a new look. They will allow property taxpayers to compare their 1990 property tax levels with their 1989 levels. Comparisons will be possible for each level of local government.

Changes in the market value will also be displayed on the statement.

## Circulator Bus Route Meeting

A meeting to discuss the possible routes of a circulator bus throughout the northwest suburbs will be held at 7:00 p.m., Wednesday, May 2, 1990, in the Crystal City Hall.

The City of Crystal, along with the cities of Maple Grove, Osseo and Brooklyn Park, are studying the possibility of a circulator bus route through the cities to connect to the various points of interest, businesses, housing and shopping in these northwest suburban communities.

The purpose of the meeting is to discuss the routes that have been designated by the consultant and to get input from residents regarding the necessity of such a bus. Similar meetings will be held in Brooklyn Park and Maple Grove.

This change is part of the Legislature's attempt to provide property taxpayers with more information about changes in their tax bills.

Your tax statement will also include a separate enclosure that will attempt to explain the state aid funding transfer between cities and school districts.

Such funding transfer from the city to the schools results in a direct increase in city taxes and decrease in school taxes. These changes are unrelated to the spending decisions of the city or the school district and are directly related to the shifts in state aid funds.



# CRIMEBUSTERS

Issue 4 - April 1990

## Crystal Citizen Helps Police, Receives Award

On 2-10-90 at approximately 11:00 a.m. Olivia Redding saw two suspects loading a pickup truck with property. Ms. Redding felt that this was suspicious and decided to get involved. She walked outside of her home and got the license number of the vehicle.

Sure enough, the neighbor's house was being burglarized. Ms. Redding gave this information to the police. Detectives McFarlane and Downing were able to track the suspects down with this information.

The suspects were then arrested. These parties were responsible for a series of daytime burglaries not only in Crystal but also New Hope, Golden Valley and Plymouth.

These parties were apprehended because of Ms. Redding's decision to

get involved. This type of citizen involvement makes a community safe. Olivia Redding received a letter of

commendation from Police Chief James Mossey. Thanks for the assistance!

## Protect Yourself Against Rape

Rape - it's a terrifying thought. So lots of women don't think about it. But there are some things you ought to know.

- \* Rape happens to women of all ages, from all walks of life.

- \* It's planned! Rapes aren't the result of "uncontrolled passion."

- \* The rapist isn't after sex. The rapist uses sex as a violent way to express his anger.

- \* Most people think that rapes occur

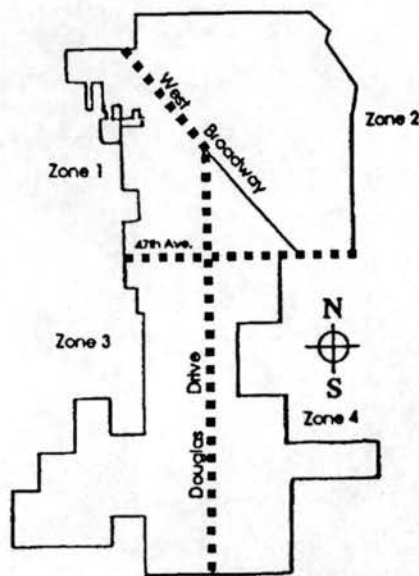
only in dark alleys but about one-third occur in the victim's own home. Don't let that stranger or repairman into your place without making sure that he is who he says he is.

- \* When you're outside, there are places where rapists may hide - poorly lit streets, doorways or even in passing cars. If you can, go out with a friend.

- \* Check your car before you get in and lock the doors when you drive. Most important - don't pick up strangers or get into a stranger's car yourself.

Here is a list of crimes in your area from 11/21/89 to 02/09/90. Crimes are listed by zones. Check map for your zone.

		ZONES			
		1	2	3	4
1.	Assault	13	7	4	11
2.	Burglary	8	8	14	3
3.	Larceny	50	16	17	7
4.	Motor Vehicle Theft	2	4	2	5
5.	Party Call	5	4	11	19
6.	Prowler	0	5	2	4
7.	Robbery	2	0	1	0
8.	Public Peace	3	13	8	22
9.	Traffic (D.W.I., Open Bottle, etc.)	17	24	13	5
10.	Domestic	6	8	19	6
11.	Forgery & Fraud	18	1	2	11
12.	Vandalism	14	12	13	11
13.	Suicide	0	0	3	0
14.	Hit & Run Accidents	5	7	5	0
15.	Theft from Auto	5	4	8	5



Crystal Police handled 2,688 calls, including 216 lockouts, 98 motorist assists, 131 medical emergencies and 97 motor vehicle accidents. 1989 Total Calls - 11,181.

## Dope Houses - How to Recognize and What to do if You Suspect One Operating in Your Area

*Part 3 of a continuing series*

Every neighborhood seems to have at least one house which attracts more visitors than normal.

Although there are a number of legitimate reasons that a residence in a neighborhood will receive an inordinate amount of foot and vehicle traffic, there is also an illegitimate reason; the people in the residence could be selling narcotics.

Certain things that you should look for if you suspect that a resident is selling narcotics are: persons going to the residence and staying short periods of time (5 to 10 minutes); pedestrian and vehicle traffic at all hours of the day and night; money exchanges taking place at the front door or in the yard of the residence, the visitor receiving a small package which can be concealed in a pocket; teenagers frequenting the residence when they should be attending school; and people appearing unkempt, and driving vehicles in disrepair.

Your local, state or federal law enforcement agency is available to assist you should you suspect a drug trafficker in your neighborhood.

Some of the questions a narcotics investigator will be asking you are: the address of the suspected drug house; the first and last name of the person(s) occupying that residence; a physical description of the suspects; a phone number, if known; vehicles belonging to the suspects, along with vehicle license plates; and descriptions, dates and times of suspects visiting the residence and staying for short periods of time.

It is also beneficial to advise the investigator of the type of controlled substance you believe is being dealt from the residence.

Information given to the investigators can be done anonymously and does not have to be accompanied by a name

## Northwest Metro Drug Task Force

The Crystal Police Department participates in a cooperative effort of drug enforcement with the cities of Robbinsdale, New Hope, Golden Valley and St. Louis Park. Officers from all five departments work on drug cases together in all five cities.

Below is a list of arrests made by the Northwest Drug Task Force between Feb. 1, 1989, to Feb. 1, 1990:

1. Possession or sale of cocaine	65
2. Possession or sale of marijuana	22
3. Possession of presc. drugs	5
4. Possession of LSD	1
5. Possession of paraphernalia	4
6. Non-Drug related arrest	4

The Task Force has seized the following narcotics:

1. Cocaine	1.45 lbs.
2. Valium	683 hits
3. Codeine	811 hits
4. Crack (rock cocaine)	7 grams
5. Marijuana	5.02 lbs.
6. LSD	100 units

If you have information about possible drug dealing in your area contact Officer Bordwell, Cpl. Zimmerman, or Detective McFarlane at 537-4571.

The Task Force needs your help.

## CRYSTAL CRIME FUND

The following organizations are members of the Crystal Crime Fund and have supported the crime prevention effort with their donations. Please show these fine organizations your appreciation.

### KNIGHTS OF COLUMBUS

4947 W. Broadway  
NORCOSTCO INCORPORATED

3203 N. Highway 100

LAND OF LAKES TILE CO.

5215 W. Broadway

NORLING MOTOR INC.

5548 Lakeland Ave. No.

SUPERIOR CONTRACTORS, INC.

6121 42nd Ave. No.

WESTPHAL AMERICAN LEGION

POST #251

3600 France Ave.

### ADAIR LIQUORS

6001 42nd Ave. No.

DALLES CRYSTAL CAFE

5640 W. Broadway

DOUGLAS DRIVE FAMILY PHY.

3501 Douglas Dr.

RED WING SHOE STORE

6520 Bass Lake Road

CRYSTAL SQUARE OPTOMETRIC OFFICES

7000 57th Ave. No.

CRYSTAL LIONS CLUB



## VIP

The VIP Program (Vested Interest Policing) is beginning in the Crystal Gallery Shopping Center. A police officer will be walking a beat in the Gallery Center and working with the merchants to solve some of their problems. The VIP Program has been successfully operating in the Crystal Shopping Center for nine months.

Crimebusters is brought to you quarterly by the Crystal Congress for Crime Prevention and Criminal Apprehension

Crime Prevention Officer Dan Drake.  
537-8421, extension 177.

## Youth Report - Alcohol and Drugs

Last year 90,000 students in grades 6, 9 and 12 from 390 school districts in 86 of Minnesota's 87 counties answered questions about alcohol and drug use (Minnesota Student Survey Report, 1989).

The Minnesota results yielded some good news. Most young people believe that their parents care a great deal about them and the majority say they can talk to their parents about the problems they are having.

**That means there is still time for Minnesota to prevent the severity of drug and alcohol problems found in other areas of the country. But we must act now!**

Contrary to popular belief, most kids do NOT use alcohol or drugs because their friends do. Most kids use to have fun or get "high". Parents may be able to prevent their child's abuse of chemicals by showing them alternative activities. Many also use because they are bored, sad or angry, or they wish to escape from family or school problems.

Three out of four high school seniors have used alcohol at least occasionally during the previous year, as have almost half of the 9th graders. Tobacco products are used by 38% of 9th graders and 41% of 12th graders.

A disturbing one out of nine students reports attempting suicide. Two out of three adolescents who have attempted suicide come from families affected by alcohol or drug problems or family violence of physical or sexual abuse.

Three out of five high school seniors and 29% of 9th graders have engaged in sexual intercourse.

One out of four students reports a serious alcohol or drug problem in the family.

In the Robbinsdale Area School District, 89% of seniors, 69% of 9th graders, and 26% of 6th graders say alcohol is easy or very easy to get. Seventy-one percent of seniors, 57% of 9th graders, and 14% of 6th graders say drugs are easy to very easy to get.

Two-thirds of Robbinsdale Area School seniors, 60% of 9th graders and, 13% of 6th graders say that drugs or alcohol are sold in the school or on the school grounds.

Among 12th graders, 35% of males and 29% of females say they have driven after drinking or using drugs. Over 50% of both groups say they have taken rides from friends who have used alcohol or drugs.

The earlier young people begin using alcohol, tobacco and other drugs, the more likely they are to have problems in other areas and to become problem users. High school seniors who began drinking before 14 had a 40% probability of problem use.

**What can be done to prevent our children from abusing alcohol or drugs? Parents availability and accessibility to their children, accompanied by clear and explicit behavioral consequences are associated with reduced risk of alcohol and drug use and other problems in children.**

Parents should let their children know that they are strongly opposed to underage drinking and illegal drug use. They should listen to their children's problems. Since children see fathers as less accessible, fathers, especially, should spend time talking with their children.

Parents can help children resist negative peer pressure to engage in high-risk behavior by supervising their activities, knowing who their friends are, and communicating

with other parents and the school.

Many parents have joined Parent Communication Networks to organize and supervise chemically free social gatherings for community youth. Parents should not be afraid to call other parents to find out if parties will be supervised, if the parents will be home on sleep overs, or to compare rules they have set for their child.

Schools and police are good resources for parents who need help with a child's suspected drug or alcohol use.

Police work closely with schools as they must report all drug or alcohol law violations to the child's school for the purpose of education and prevention.

If churches, businesses, parents, schools and police work together we can keep Minnesota healthy and strong by showing our children that we do really care.

### WANTED - Parents at DARE Graduations

Crystal Police want parents in attendance at the graduation ceremony of DARE (Drug Abuse Resistance Education) students. Come join with us and your children to celebrate DARE students' commitment to say "NO" to alcohol and drugs. Your presence tells your child and the community that you care. DARE Graduation dates:

Forest Elementary School -  
Tuesday, May 15, at 1:45 p.m..  
Neill Elementary School -  
Wednesday, May 16, at 7:00 p.m..  
Lincoln Elementary School -  
Thursday, May 17, at 1:45 p.m..  
St. Raphael's School -  
Thursday, May 17, at 7:00 p.m.

## Annual Rabies Vaccination Clinic May 19

The City of Crystal will conduct its 18th Annual Rabies Vaccination Clinic on Saturday, May 19, 1990 from 12:30pm - 3:30pm at the Crystal City Garage, 6125 41st Avenue North.

The clinic, conducted by a qualified veterinarian, is open to Crystal residents. The cost is \$7 per injection. All animals **must be leashed**. It is suggested that cats be brought in a box or similar enclosure.

Dog licenses are on sale. Residents that are coming to purchase a license must have proof of rabies vaccination. The cost is \$5 for altered pets (bring certificate of proof) and \$10 unaltered pets.



## 1990 Spring Arts School Classes

This spring the Crystal Arts School is offering eight weeks of theatre and fine arts classes.

Classes are held Saturdays beginning April 7 - June 2 with final exhibition and theatre class production on Sunday, June 3.

**Location:** Crystal Arts Center at Becker Park (junction of Highway 81 and Bass Lake Road)

**Cost:** Eight classes for \$30.00

### Classes offered:

Acting Classes; Grades 1-9  
Art Classes; Grades 1-9

Registration is already in progress. Call the Park and Recreation Department at 537-8421, extension 151, for information on openings and class times.

## Tour - Waterworks

The City has a new computerized control system for water distribution. This system controls our drinking water supply for the City. Tours will be offered during National Water Week May 6 - 12. If you are interested, contact the Utility Department at 537-8421.

## City Meetings

City Council - 7pm, 1st & 3rd Tuesday  
Economic Development Authority - 9pm, 1st Tuesday  
Park & Rec. Advisory Commission - 7pm, 1st Wednesday  
Civil Service Commission - 7pm 1st Thursday  
Planning Commission - 7pm 2nd Monday  
EDA Advisory Commission - 7pm 2nd Tuesday  
Environmental Quality Commission - 7:30pm, 3rd Thursday  
Human Relations Commission - 7pm 4th Monday  
Charter Commission - 7pm Last Wednesday of Month

## Communications Corner

Tune into Cable Channel 37 for current information regarding the City of Crystal.

Watch the live broadcast of the City Council meetings every 1st & 3rd Tuesday at 7pm. The Council meetings are also rebroadcast at noon the Thursday following the meeting and the following Sunday at 4pm.

If you don't have cable, dial Cityline at 645-6060 (from a push button phone). Press 1000 as your category number. Enter 55428 as the zip code.

### Mayor

Betty Herbes (Office Hours: 1st & 3rd Tuesdays 1-4pm)

### Councilmembers

John Irving	Pauline Langsdorf
Garry Grimes	Gary Joselyn
John Moravec	Elmer Carlson

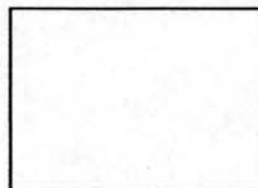
### City Numbers (8am - 4:30pm)

Administration . . . . .	537-8421
Fire Department . . . . .	537-8421
Police Department . . . . .	537-8421
(after 4:30pm) . . . . .	537-4571
Parks & Rec. . . . .	537-8421
(after 4:30pm) . . . . .	537-8559
Police/Fire Emergency . . .	911

### City Manager

Jerry Dulgar . . . . . 537-8421

City of Crystal  
4141 Douglas Drive  
Crystal, MN 55422



Printed on recycled paper

**DONATIONS:****Total donations as of 3/7/1990=\$5575.00**

Steve O's	25 Turkeys
Crystal Rose Bo' Floral & Gifts	\$150.00
TimeSavers	\$500.00
Nicklow's	\$100.00
Market Tire Co.	\$100.00
Norcostco Inc.	\$100.00
Mpls. Drafting School	\$100.00
Superior Contractors Inc.	\$100.00
Universal Supply Co.	\$25.00
Paddock Inc.	\$100.00
Douglas Drive Servicenter(Union 76)	\$100.00
Doyle's	\$2500.00
Palace Inn/Broadway Pizza	\$100.00
Douglas Drive Family Physicians	\$100.00
The Lincoln Companies (Crystal Gallery Developers)	\$100.00
Chalet Liquor	\$100.00
Suburban Motel	\$100.00
Carl's Tire & Auto Services	\$100.00
Crib Diaper Service	\$100.00
Elks Lodge #44	\$100.00
McLaughlin Tax Service	\$100.00
Dumarks, Inc.	\$100.00
Crystal Shopping Center Associates	\$100.00
Iron Horse to subsidize the cost of the band for the Dedication Ball	\$600.00

March 7, 1990

Expenditures: Community Center Grand Opening

Sunday, June 3rd: Community Center Open House  
Expenditures-\$950.00  
Income- \$600.00

Monday, June 4th: Adult Recreation Night  
Expenditures-\$400.00

Tuesday, June 5th: Little League Day  
Expenditures-\$150.00

Wednesday, June 6th: Senior Citizen Day  
Expenditures-\$460.00

Thursday, June 7th: Family Night  
Expenditures-\$2300.00  
Income-\$775.00 (Admission-200  
Kids @ \$2.00, 125  
Adults @ \$3.00)

Friday, June 8th: Teen Night  
Expenditures-\$600.00  
Income-\$600.00 (Admission-300 teens @  
\$2.00)

Saturday, June 9th: Formal Dedication  
Expenditures-\$4500.00  
(invitations \$3800., ice cream \$100.,  
Nite Lites \$600.)  
Income-\$2500.00 (200 people @ \$12.50)



BOARD OF HENNEPIN COUNTY COMMISSIONERS

2400 GOVERNMENT CENTER  
MINNEAPOLIS, MINNESOTA 55487

March 7, 1990

The Honorable Betty Herbes  
Mayor, City of Crystal  
4141 Douglas Drive North  
Crystal, MN 55422

Dear Mayor Herbes: *Betty*

The Hennepin County Board of Commissioners would like to invite you, the city council and appropriate staff to the annual Recycling Recognition Luncheon. We will review the status of the Recycling Program in Hennepin County and recognize those municipalities, institutions and businesses who have made outstanding contributions to recycling.

In 1989, we far exceeded the Metropolitan Council's goal of 13% abatement of our solid waste stream. We hope you will join us and other elected officials for this important event.

Recycling Recognition Luncheon  
Wednesday, April 18, 1990  
11:30 a.m. - 1:30 p.m.  
Sheraton Park Place Hotel  
5555 Wayzata Boulevard  
St. Louis Park

R.S.V.P. Mike Natysin at 348-4077 by April 11.

Sincerely,

A handwritten signature in cursive script, appearing to read "John E. Derus".

John E. Derus  
Commissioner

cc: Mr. Jerry Dulgarr, Manager