



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

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## COUNCIL AGENDA

July 17, 1990

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on July 17, 1990, at 7:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota. 7:15

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

### Councilmembers

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

### Staff

✓ Dulgar  
✓ Olson  
✓ Kennedy  
✓ Monk  
✓ Barber  
✓ George *Almelt*  
✓ Jones  
✓ McBenty

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

The Mayor presented checks (each in the amount of \$50) to Bass Lake Road/Becker Park Planter Contest Winners: Victory Robbin 4H Club, Girl Scout Troop 1940, and Gardenaires Garden Club.

The Mayor acknowledged a donation of \$100 from Rosenthal, Rondoni, MacMillan & Joyner, Attorneys at Law, for the Drug Abuse Resistance Education (D.A.R.E.) Program.

1. The City Council considered the minutes of the Regular City Council meeting of July 3, 1990.

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

to) the minutes of the Regular City Council meeting of July 3, 1990.

Motion Carried.

CONSENT AGENDA

1. Consideration of a license application for a 3.2 beer stand and a 1 to 3 day temporary On-Sale Liquor License (with waiver of fee for the liquor license) from St. Raphael's Church, 7301 Bass Lake Road, for a church festival on August 3, 4, and 5, 1990.
2. Consideration of a request by St. Raphael's Church, 7301 Bass Lake Road, to allow temporary signs to be installed for its church festival from July 25 through August 5, 1990 with request for waiver of fee.
3. Consideration of an application for a license to operate one 3.2 beer stand at Becker Park and one at Welcome Park on July 27, 28, and 29, 1990 as submitted by John Mork for the Crystal Firefighters Relief Association with request for waiver of the fee.
4. Consideration of an itinerant food establishment license for the Crystal Shopping Center regarding Crazy Daze on July 9 through 14, 1990 as requested by Alice Jones.
5. Consideration of an itinerant food establishment license for one food stand at the Crystal Shopping Center for Crazy Daze on July 9 through 14, 1990 as requested by Joseph Lencioni.
6. Consideration of an itinerant food establishment license for the Crystal Frolics on July 27 through July 29, 1990 at Becker Park with request for waiver of the fee for Steve Reed dba Palace Inn to sell pizzas.

*Remove #6 Jask/Gurnis  
moved by  
Councilmember Irving requested item #6 on the Consent  
Agenda be removed & placed on the regular agenda*

Moved by Councilmember J and seconded by Councilmember G 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 consider vacation of a drainage and utility easement at 5200 Douglas Drive North. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. Those present and heard were: **(5 votes needed for approval)**

*Mr John Beithon from N.W. Family Physicians*

The Mayor closed the Public Hearing.

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

## ORDINANCE NO. 90-

AN ORDINANCE VACATING A CERTAIN  
DRAINAGE AND UTILITY EASEMENT

and further, that the second and final reading be held on August 7, 1990.

Motion Carried.

REGULAR AGENDA

1. The City Council considered a private kennel license at 5001 Wilshire Blvd. as requested by Darrell and Sandra Rahn.

*Present & heard was Darrell Rahn*

Moved by Councilmember A and seconded by Councilmember J to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) authorization to issue a license to Darrell and Sandra Rahn to operate a private kennel at 5001 Wilshire Blvd.

Motion Carried.

2. Representatives of the Upper Twin Lake Association appeared to discuss funding for algae treatments in Upper Twin Lake.

*Those present and heard were:*

*Kristen Mann from Upper Twin Lake Assoc.*

*Joyce Agnes, 5644 Twin Lake Terrace*

*Joe Mann, 5415 Twin Lake Blvd.*

*(Jack suggested that the Tri-City Lake Committee consisting of reps from Crystal, Brooklyn Center & Robbinsdale look into this.)*

*Referred to staff and will look at again at Budget time.*

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) funding for algae treatments in Upper Twin Lake.  
Motion Carried.

3. The City Council discussed a personnel merit system and an Employee Review Board in lieu of Civil Service for the City of Crystal.

*(Suggested by Jack to get notice out to all employees.)*

A. Moved by C. Langedorf & seconded by C. Gunes to adopt the following ordinance 1st Reading

B. Moved by C. Sewing & seconded by C. Moravec to set a public hearing for August 21, 1990.

M.C.

4. The City Council considered a variance request of 5' for a detached garage which will encroach in the required 25' side street side yard setback at 4800 Edgewood Avenue North as requested by Loren Winter. *Loren Winter present & was heard.*

B. Moved by C. Irving & seconded by C. Morales to direct staff to review the ordinance and make recommendations to the Council, and if necessary bring to the Planning Commission and either <sup>change</sup> adjust the ordinance or leave the way it is. *m/c*

- A. Moved by Councilmember C and seconded by Councilmember D to (approve as recommended by and based on the findings of fact of the Planning Commission) (deny) (continue until the discussion of) pursuant to Section 515.55 of the Crystal City Code to vary or modify the strict application of Section 515.13, Subd. 3 2) ii) to grant a variance of 5' in the required 25' side street side yard setback to build a 26' x 26' detached garage at 4800 Edgewood Avenue North as requested in Application #90-32 of Loren Winter. *Roll call: C, D, L, H*

*Recess 8:07-8:17*

*No: M, & absent J*

Motion Carried.

5. The City Council considered approval of the preliminary plat of Roman Addition located at 6922 Dudley Avenue North as submitted by Duane Roman. *Duane Roman present & was heard*

Moved by Councilmember L and seconded by Councilmember H to (approve as recommended by and based on the findings of fact of the Planning Commission) (deny) (continue until the discussion of) the preliminary plat of Roman Addition which is a replat of Lot 3, Auditor's Subd. No. 226, property is located at 6922 Dudley Avenue North as submitted by Duane Roman.

Motion Carried.

6. The City Council considered authorization to issue a building permit for a cold storage building at 5257 Hanson Court as requested by Jerry Womack.

*Jerry Womack present & was heard*

*Roll call: C, D, L, H  
No: M, & absent J  
m/c*

Moved by Councilmember C and seconded by Councilmember H to (approve) (deny) (continue until the discussion of) authorization to issue a building permit for a 50' x 80' temporary cold storage building located at 5257 Hanson Court subject to standard procedure. *with staff prepared with*

*dedication of 10' alley on back lot line.*

Motion Carried.

7. The City Council considered a housing maintenance code for licensing of rental housing.

Present and heard were: John Olson

Lee Bennett, 3109 Hampshire (opposed)

Pat Gordon, mgr of 7710-36th Ave. N. apts (opposed)

William Hunt, 6325-52nd Ave. N.

Mrs. Virginia Hunt, " " "

Roger Tuomisto, 3009 Kentucky (opposed should have fire system)

Dawn Hett, Manager of an aptmt complex (opposed)

Don Meunier, 5800-36th Ave. N. (double bungalow)

lives at 7624 30th Ave. N. (opposed)

Mike Norman, Hanson Crt Apts (opposed)

John Paulson, opposed

Perry Hamann, owner of rental bldg (opposed)

Chuck Nelson, aptmt owner

Recess 9:40-9:50

Beth Jarvis, Chair of Environmental & Commission  
Heidi Christopher, member of " " "

moved by C. Krueger & seconded by C. Jarvis <sup>that City Council will</sup> have a work session and direct staff to review the housing maintenance code documents that have come through the Advisory Commission in preparation of this work session and also prepare a report ~~on~~ <sup>on</sup> how many other cities have rental fees, homeowners' fees, & the fee amounts.  
M/C

- 11/8. The City Council considered the revised site improvement agreement for parking lot modifications at Crystal Care Center located at 3245 Vera Cruz Avenue North.

Moved by Councilmember M and seconded by Councilmember J to (accept) (deny) (continue until \_\_\_\_\_ the discussion of) the revised site improvement agreement for parking lot modifications at Crystal Care Center located at 3245 Vera Cruz Avenue North, and further that the Mayor and City Manager be authorized to sign such agreement.

Motion Carried.

- 12/9. The City Council considered accepting site improvements and release surety for site improvements at Beaver Machine located at 5241 Hanson Court.

Moved by Councilmember J and seconded by Councilmember C to (accept) (deny) (continue until \_\_\_\_\_ the discussion of) site improvements for Beaver Machine located at 5241 Hanson Court subject to guaranty provisions of the agreement effective this date, and that surety in the amount of \$1,950 be released subject to said guarantee as recommended by the City Engineer.

Motion Carried.

- 13/10. The City Council considered a resolution regarding Council Consent Agenda procedure.

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

RESOLUTION NO. 90-44

RESOLUTION RELATING TO CITY COUNCIL  
PROCEDURES: CONSENT AGENDA

By roll call and voting aye: \_\_\_\_\_, unanimous, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; voting no: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; absent, not voting: \_\_\_\_\_.

Motion carried, resolution declared adopted.

9  
11.

The City Council considered a resolution regarding Authority Agreement between State of Minnesota Fire Marshal Division and City of Crystal for fire inspection of hotels. *Kevin McSherry present & was heard.*

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

## RESOLUTION NO. 90- 45

RESOLUTION AUTHORIZING THE CITY MANAGER AND FIRE CHIEF  
TO ENTER INTO AGREEMENT WITH  
STATE OF MINNESOTA FIRE MARSHAL'S DIVISION FOR  
FIRE INSPECTION OF HOTELS WITHIN  
LIMITS OF THE CITY OF CRYSTAL

By roll call and voting aye: unanimous  
\_\_\_\_\_, \_\_\_\_\_; voting no: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; absent, not  
voting: \_\_\_\_\_.

Motion carried, resolution declared adopted.

8. 12.

The City Council considered a letter from the Association of Metropolitan Municipalities (AMM) requesting input regarding an additional staff person and the resultant dues increase.

*Larry Bakken, President of AMM  
Vern Peterson, Executive Director of the Assoc of Municipalities  
moved by C. Irving & seconded by C. Langsdorf to adopt the  
following resolution, etc.*

*Res # 90 - 46*

*Resolution Supporting the AMM*

*unanimous roll call m/c*

10. *Consent item #6*

① *Moved by C. Carlson to approve this license contingent on the City Manager seeing that all laws are approved.*

*m/c for lack of a second.*

② *Moved by C. Irving & seconded by C. Morano that staff approve City's  
all Consent agenda. after having been thoroughly satisfied.*

*m/c*

- 13.14 The City Council considered a resolution authorizing participation in the Suburban Rate Authority (SRA) and entering into a joint powers agreement.

*continue until budget time.*

Moved by Councilmember *M* and seconded by Councilmember *J* to adopt the following resolution, the reading of which was dispensed with by unanimous consent: *Pauline abstained from voting. m/c*

RESOLUTION NO. 90-

RESOLUTION AUTHORIZING PARTICIPATION IN THE  
SUBURBAN RATE AUTHORITY; DIRECTING THE  
EXECUTION AND DELIVERY OF A JOINT POWERS  
AGREEMENT; AND DESIGNATING A REPRESENTATIVE OF  
THE CITY AS ITS MEMBER ON THE BOARD OF THE  
SUBURBAN RATE AUTHORITY

By roll call and voting aye: \_\_\_\_\_; voting no: \_\_\_\_\_; absent, not voting: \_\_\_\_\_

Motion carried, resolution declared adopted.

**OPEN FORUM**

Nancy Chander, 6806 -58th Ave. N., appeared and handed out a petition w/14 signatures from her neighborhood in protest of 2 dogs at 6727 Audley being unattended. Ask the City's help in this matter.

(City Mgr will check into this)

**INFORMAL DISCUSSION AND ANNOUNCEMENTS**

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

Motion Carried.

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

Motion Carried.

Meeting adjourned at 1:00 p.m.

APPLICATIONS FOR LICENSE  
July 17, 1990

FOOD ESTABLISHMENT - Itinerant (Exempt)

Crystal VFW, 5222 56th Ave. No, One Day Only, July 29, 1990  
Beer and Brat Day.

New Hope/Crystal/Plymouth Swim Club, July 27-29, 1990  
Swim meet at Crystal Municipal Pool, 48th & Douglas Drive

Crystal Fire Relief Assoc. Crystal Frolics, July 27-29, 1990  
selling chips, peanuts, etc.

Crystal Firemen's Auxiliary, Crystal Frolics July 27-29, 1990  
food stand at Becker Park.

REFUSE HAULER - (\$50.00 Co. Lic. + \$25.00 ea. vehicle)

Gallagher's Service, Minneapolis, MN

FOOD ESTABLISHMENT - Parade Vender (Exempt)

Crystal JCs-Women of Today, One Day Only, July 29, 1990  
for parade to sell pop (Crystal Frolics Parade).

PLUMBER'S LICENSE - \$30.25

Glendale Contracting, 3030 Harbor Lane, Plymouth, MN 55447  
Swanson Plumbing, 9339 45th Ave. N., New Hope, MN 55428  
Andreasen Plumbing, 5600 Wilshire Blvd., Crystal, MN 55429  
Gregg Werner Plumbing, 11501 65th Pl. Maple Grove, MN 55369

SIGN HANGER'S LICENSE - \$66.00 Renewals

Lawrence Signs, Inc., 945 Pierce Butler Route, St. Paul, MN 55104

AUCTIONEER - \$18.25/day

Allen Stutelberg, Auctioneer, one day auction at Knights of Columbus Hall,  
4947 West Broadway, July 19, 1990

FOOD ESTABLISHMENT - Itinerant (exempt)

Park & Rec Department having a playground picnic one day only  
July 31, 1990 at Becker Park

3.2 BEER STAND (SEASONAL)

St. Raphael's Church, 7301 - 56th Avenue North for Church Festival  
August 3, 4 and 5, 1990.

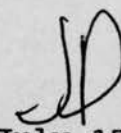
Crystal Firefighters Relief Association, 4141 Douglas, one at Becker Park  
and one at Welcome Park on July 27, 28 and 29, 1990 (Crystal Frolics).

CARNIVAL (\$71.50 first day + \$18.75 each additional day)

St. Raphael's Church, 7301 - 56th Avenue North, Church Festival,  
August 3-5, 1990.

Joan

Memorandum

DATE: July 13, 1990  
TO: Mayor and Council  
FROM: Jerry Dulgar, City Manager   
SUBJECT: Preliminary Agenda for the July 17, 1990 Council Meeting

No comments on the Consent Agenda or Public Hearing.

Regular Agenda:

Item 1: Enclosed please find a copy of the report from Pam Foster, Heath Inspector, relative to the premises in question. It appears that there is no problem with granting the license at this location and our ordinance does require a license for keeping over two animals.

Item 2: Appearance by a representative of the Upper Twin Lake Association to discuss funding for algae treatments on Upper Twin Lake. The letter received from the Upper Twin Lake Association is attached. You'll note that it did not request an appearance before the Council but after we had it on the Council and referred it to budget time, we were contacted and there is an indication that they wanted to appear before the Council so we put it back on the agenda. I again would recommend that no action be taken until this item be considered along with the rest of the City budget.

Item 3: Appearance by members of the Charter Commission/Civil Service Commission to discuss a personnel merit system and an Employee Review Board in lieu of Civil Service. I have met with the Charter Commission during their consideration of this matter and talked to Civil Service Commission members. I feel this would be a vast improvement over the present Civil Service system that we have now that is very awkward, slow, cumbersome, and I don't believe serves the employees well or the City well.

Item 4: Consideration of a variance request of 5' for a detached garage which will encroach in the required 25' side street side yard setback at 4800 Edgewood Avenue North as requested by Loren Winter. It seems to me that we are seeing the oldest trick in the world again; go do some work and then beg the Council for the Council's sympathy to not make you redo it or do it right. I think we should tell the individual to move the garage back to the 25'. There's no hardship or reason not to that wasn't caused by the applicant. If we are going to do this, we might as well just throw the ordinance out and tell everybody to build just wherever they want to.

Item 7: Consideration of a housing maintenance code for licensing of rental housing. This was published as a public informational meeting. Notices were sent to people who have requested notice in the past. We expect that there will be people in the audience to express their views on the housing maintenance code, both pro and con.

Item 10: Consideration of a resolution regarding Council Consent Agenda procedure. I think it's good to have this process formalized in resolution form. The resolution that was prepared by the City Attorney I think is very appropriate.

Item 11: Consideration of a resolution regarding Authority Agreement between State of Minnesota Fire Marshal Division and City of Crystal for fire inspection of hotels. In the past the cities usually just sign an agreement with the Fire Marshal's office. For this now the Fire Marshal or the Attorney General or someone has raised some question about who has the authority to do this or what so it was recommended that we adopt a resolution. I think it is a good process for us to get involved in and make sure our hotels are looked at on a regular basis. I would recommend that we adopt the resolution.

Item 12: I just put this on for your consideration. I urge you to attend the meeting this fall when this will be considered further.

Item 13: Consideration of a resolution authorizing participation in the Suburban Rate Authority (SRA) and entering into a joint powers agreement. A couple of things that I think the Council should consider on this. If we do enter into this agreement, somebody will have to be our delegate and go to the, I believe it's monthly, meetings of the Suburban Rate Authority. The other thing that I wanted to have you consider, we could look at budget time at increasing our water and sewer rates by a very small proportion. They're going to have to be increased anyway, but we could tag a little bit onto that and fund the Suburban Rate Authority. I believe it would be very painless for our residents and in fact the water utility has benefited substantially from the oversight the Suburban Rate Authority gives NSP rates and the money we save on electricity for pumping water. The same argument could be made that our sewer rates have been kept in line better because of the Suburban Rate Authority's intervention and the savings that there has been to the utility cost to Metro Sewer and for our lift stations, etcetera.

Have a nice weekend. See you next week.

JD/js

COUNCIL AGENDA - SUMMARY

COUNCIL MEETING OF  
July 17, 1990

**Call to order**

**Roll call**

**Pledge of Allegiance to the Flag**

Presentation of checks to Bass Lake Road/Becker Park Planter Contest Winners: Victory Robbin 4H Club, Girl Scout Troop 1940, and Gardenaires Garden Club.

Recognition of a donation of \$100 from Rosenthal, Rondoni, MacMillan & Joyner, Attorneys at Law, for the Drug Abuse Resistance Education (D.A.R.E.) Program.

Approval of the minutes of the regular meeting of July 3, 1990.

**Consent Agenda**

1. Consideration of a license application for a 3.2 beer stand and a 1 to 3 day temporary On-Sale Liquor License (with waiver of fee for the liquor license) from St. Raphael's Church, 7301 Bass Lake Road, for a church festival on August 3, 4, and 5, 1990.
2. Consideration of a request by St. Raphael's Church, 7301 Bass Lake Road, to allow temporary signs to be installed for its church festival from July 25 through August 5, 1990 with request for waiver of fee.
3. Consideration of an application for a license to operate one 3.2 beer stand at Becker Park and one at Welcome Park on July 27, 28, and 29, 1990 as submitted by John Mork for the Crystal Firefighters Relief Association with request for waiver of the fee.
4. Consideration of an itinerant food establishment license for the Crystal Shopping Center regarding Crazy Daze on July 9 through 14, 1990 as requested by Alice Jones.
5. Consideration of an itinerant food establishment license for one food stand at the Crystal Shopping Center for Crazy Daze on July 9 through 14, 1990 as requested by Joseph Lencioni.

## **Public Hearings**

1. It being 7:00 p.m., or as soon thereafter as the matter may be heard, Mayor Herbes declared this was the date and time as advertised for a public hearing at which time the City Council will consider vacation of a drainage and utility easement at 5200 Douglas Drive North.

## **Regular Agenda Items**

1. Consideration of a private kennel license at 5001 Wilshire Blvd. as requested by Darrell and Sandra Rahn.
2. Appearance by a representative of the Upper Twin Lake Association to discuss funding for algae treatments on Upper Twin Lake.
3. Appearance by members of the Charter Commission/Civil Service Commission to discuss a personnel merit system and an Employee Review Board in lieu of Civil Service.
4. Consideration of a variance request of 5' for a detached garage which will encroach in the required 25' side street side yard setback at 4800 Edgewood Avenue North as requested by Loren Winter.
5. Consideration regarding approval of the preliminary plat of Roman Addition located at 6922 Dudley Avenue North as submitted by Duane Roman.
6. Consideration of authorization to issue a building permit for a cold storage building at 5257 Hanson Court as requested by Jerry Womack.
7. Consideration of a housing maintenance code for licensing of rental housing.
8. Consideration of revised site improvement agreement for parking lot modifications at Crystal Care Center located at 3245 Vera Cruz Avenue North.
9. Consideration of accepting site improvements and release surety for site improvements at Beaver Machine located at 5241 Hanson Court.
10. Consideration of a resolution regarding Council Consent Agenda procedure.

11. Consideration of a resolution regarding Authority Agreement between State of Minnesota Fire Marshal Division and City of Crystal for fire inspection of hotels.
12. Consideration of a letter from the Association of Metropolitan Municipalities (AMM) requesting input regarding an additional staff person and the resultant dues increase.
13. Consideration of a resolution authorizing participation in the Suburban Rate Authority (SRA) and entering into a joint powers agreement.

**Open Forum**

**Informal Discussion and Announcements**

**Licenses**

**Adjournment**

APPLICATIONS FOR LICENSE  
July 17, 1990

FOOD ESTABLISHMENT - Itinerant (Exempt)

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St. Raphael's Church, 7301 - 56th Avenue North, Church Festival,  
August 3-5, 1990.



**CITY of CRYSTAL**

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

POLICE DEPARTMENT

July 9, 1990

Paul W. Rosenthal  
Rosenthal, Rondoni, MacMillan & Joyner, Ltd.  
Attorneys at Law  
Suite 120  
7600 Bass Lake Road  
Minneapolis, MN 55428-3891

Dear Paul:

We greatly appreciate your generous donation for our DARE (Drug Abuse Resistance Education) Program. Such funds allow us to purchase supplies for the Program which is taught by uniform police officers to all the fifth graders for 17 weeks in the Crystal elementary schools.

This spring, we completed our second year of DARE. The enthusiasm of the students and officers alike makes us hopeful that we can make a dent in the drug problems society is experiencing today.

Thank you for caring about kids.

Sincerely,

James F. Mossey  
Chief of Police

Susan J. Carstens  
Juvenile Specialist

cc: Jerry Dulgar, City Manager

ROSENTHAL, RONDONI, MacMILLAN & JOYNER, LTD.

ATTORNEYS AT LAW

SUITE 120

7600 BASS LAKE ROAD

MINNEAPOLIS, MINNESOTA 55428-3891

PAUL W. ROSENTHAL  
FRANCIS J. RONDONI  
PETER A. MACMILLAN  
JAY A. H. JOYNER  
LISA A. SKOOG  
NANCY R. VANDERHEIDER

TELEPHONE  
533-4938  
AREA CODE 612  
FAX NUMBER  
533-4677

July 3, 1990

Ms. Susan Carstens  
City of Crystal  
4141 Douglas Drive  
Crystal, Minnesota 55422

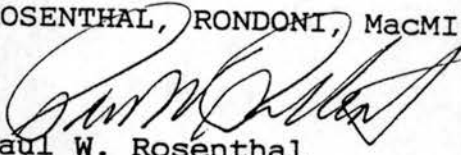
RE: DARE

Dear Susan:

We are hearing good things about the program. We enclose our check for \$100.00 and thank you for your good work in the fight against drug abuse.

Sincerely,

ROSENTHAL, RONDONI, MacMILLAN & JOYNER, LTD.

  
Paul W. Rosenthal

PWR/sm

Enclosure

cc: The Honorable Betty Herbes

ROSENTHAL, RONDONI, MacMILLAN & JOYNER, LTD.

ATTORNEYS AT LAW

GENERAL ACCOUNT

7600 BASS LAKE ROAD, SUITE 120

MINNEAPOLIS, MN. 55428

(612) 533-4938

REMITTANCE ADVICE

X 75-1662/910

19660

THE SUM 100 DOLLARS 00 CTS

DOLLARS

DATE	TO THE ORDER OF
7/5	DARE Program
	Advertising/Promotion

CHECK AMOUNT
100.00

ROSENTHAL, RONDONI, MacMILLAN & JOYNER, LTD.

THE BANK NORTH  
CRYSTAL, MINNESOTA 55428

ROSENTHAL, RONDONI, MACMILLAN & JOYNER, LTD.

ATTORNEYS AT LAW

SUITE 120

7600 BASS LAKE ROAD

MINNEAPOLIS, MINNESOTA 55428-3891

PAUL W. ROSENTHAL

FRANCIS J. RONDONI

PETER A. MACMILLAN

JAY A. H. JOYNER

LISA A. SKOOG

NANCY R. VANDERHEIDER

TELEPHONE

533-4938

AREA CODE 612

FAX NUMBER

533-4677

July 3, 1990

Ms. Susan Carstens  
City of Crystal  
4141 Douglas Drive  
Crystal, Minnesota 55422

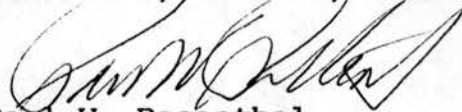
RE: DARE

Dear Susan:

We are hearing good things about the program. We enclose our check for \$100.00 and thank you for your good work in the fight against drug abuse.

Sincerely,

ROSENTHAL, RONDONI, MacMILLAN & JOYNER, LTD.

  
Paul W. Rosenthal

PWR/sm

Enclosure

cc: The Honorable Betty Herbes ✓

July 3, 1990

page 626

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on July 3, 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: Carlson, Moravec, Irving, Herbes, Langsdorf, Joselyn. Absent was: Grimes. Also in attendance were the following staff members: John Olson, Assistant City Manager; Dave Kennedy, City Attorney; William Monk, Public Works Director; Darlene George, City Clerk.

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 June 19, 1990.

Moved by Councilmember Irving and seconded by Councilmember Langsdorf to approve the minutes of the Regular City Council meeting of June 5, 1990, making the following exceptions: Item 19 to read "to direct staff to send a letter of thanks."

Motion Carried.

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

1. Consideration of a Charitable Gambling License for 494 Ministry, 10800 Lyndale Avenue South, at Doyle's Bowling and Lounge, Inc.
2. Consideration of a request from Steve Weisman, owner of Steve O's, to extend limits relating to the on-sale liquor license of Steven Weisman Industries of the licensed premises to include the parking lot, and to hold a pig roast at 4900 West Broadway for one day on August 18, 1990.
3. Consideration of a request from City of Crystal Picnic Committee to have 3.2 beer and wine coolers at Crystal Municipal Pool for the 3rd Annual Employee Picnic on August 8, 1990.
4. Consideration of resetting the date for a public hearing to 7 p.m., July 17, 1990, at which time the City Council will consider vacation of a drainage and utility easement at 5200 Douglas Drive North.
5. Consideration of a request from V.F.W. Post #494 to extend limits relating to the on-sale liquor license of VFW Post #494 of the licensed premises to include the parking lot, and to hold a beer and brat feed on July 28, 1990 for the Crystal Frolics from approximately noon to 9:00 p.m.

July 3, 1990

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6. Consideration of a transient merchant license for Jones R. Losen, 613 N.E. 3rd, Little Falls, Minnesota, to sell sweet corn at Jack's Superette, 7200 Bass Lake Road, during days in July and August, 1990 as indicated on license application on file in the City Clerk's office.

Councilmember Irving requested Item #1 on the Consent Agenda be removed and placed on the regular agenda.

Moved by Councilmember Langsdorf and seconded by Councilmember Irving to approve Items 2-6 of the Consent Agenda.

Motion Carried.

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

1. The City Council considered the final plat and site improvement agreement for Professors Addition in the northwest quadrant of 32nd and Florida Avenues as requested by Scott Kevitt.

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

RESOLUTION NO. 90-40

RESOLUTION APPROVING PLAT  
PROFESSORS ADDITION

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

Moved by Councilmember Irving and seconded by Councilmember Joselyn to approve the site improvement agreement for Professors Addition, 32nd and Florida Avenues North, and, further, to authorize the Mayor and City Manager to sign such agreement.

Motion carried.

2. The City Council considered a Charitable Gambling License for 494 Ministry, 10800 Lyndale Avenue South, at Doyle's Bowling and Lounge, Inc. Stan Babel, Accountant for 494 Ministry, appeared and was heard.

Moved by Councilmember Moravec and seconded by Councilmember Irving to continue to the July 17, 1990 City Council Meeting the discussion of a Charitable Gambling License for 494 Ministry, 10800 Lyndale Avenue South, at Doyle's Bowling and Lounge, Inc., and to direct staff to obtain a police report on the organization.

Motion Carried.

July 3, 1990

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3. The City Council considered a resolution of denial for rezoning property at 2711 Vera Cruz Avenue North and at 2721 Vera Cruz Avenue North

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

RESOLUTION NO. 90-41

RESOLUTION DENYING REQUESTS FOR REZONING OF  
PROPERTIES AT 2711 VERA CRUZ AVENUE NORTH  
AND 2721 VERA CRUZ AVENUE NORTH

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

4. The City Council considered a resolution of denial for rezoning property at 4824 - 56th Avenue North and at 5603 Orchard Avenue North.

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

RESOLUTION NO. 90-42

RESOLUTION DENYING REQUESTS FOR REZONING OF  
PROPERTIES AT 4824 - 56TH AVENUE NORTH AND  
5603 ORCHARD AVENUE NORTH

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

5. Mr. Bruce A. Hampel, 8201 - 33rd Avenue North, appeared before the City Council to discuss a group home located at 8204 - 33rd Avenue North. The City Council directed staff to send a letter to appropriate officials at the county and/or state to request more restrictive housing for "Patrick", a resident of the group home who wanders from the home and into homes in the neighborhood.
6. The City Council discussed the Metropolitan Transit Commission (MTC) Bus Shelter Program. Councilmember Irving suggested a shelter be placed at 48th and Douglas for senior citizens and others going to and from the Community Center.
7. The City Council considered allocation of funds for Senior Community Services. The City Council directed the staff to search for funding in the Park and Recreation Budgets.

July 3, 1990

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8. The City Council considered a resolution authorizing Joint Cooperation Agreement with Hennepin County for administration of Community Development Block Grant Programs.

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

RESOLUTION NO. 90-43

RESOLUTION AUTHORIZING JOINT COOPERATION AGREEMENT  
WITH HENNEPIN COUNTY FOR ADMINISTRATION OF  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS

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

Moved by Councilmember Langsdorf 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.

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

Motion Carried.

Meeting adjourned at 8:08 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

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

## CRYSTAL PLANNING COMMISSION MINUTES

July 9, 1990

The meeting of the Crystal Planning Commission convened at 7:00 p.m. with the following present: Anderson, Barden, Christopher, Elsen, Kamp, Guertin, Magnuson, Nystrom and Smith; the following was absent: Lundeen; also present were Community Development Director Olson, Building Inspector Barber and Recording Secretary Scofield.

Moved by Commissioner Elsen and seconded by Commissioner Kamp to approve the minutes of the June 11, 1990, meeting.

Motion carried.

1. Chairperson Magnuson declared this was the time and the place as advertised for a public hearing at which time the Planning Commission will sit as a Board of Adjustments and Appeals to consider Variance Application #90-32 for a detached garage which will encroach in the required 25' side street side yard setback at 4800 Edgewood Ave. N. as requested by Loren Winter. The proponent, Loren Winter, stated he was conforming to the neighborhood with a 20' setback.

No one appeared in opposition.

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

Motion carried.

Moved by Commissioner Elsen and seconded by Commissioner Kamp that pursuant to Section 515.55 of the Crystal City Code to recommend to the City Council to vary or modify the strict application of Section 515.13, Subd. 3 2) ii) to grant a variance of 5' in the required 25' side street side yard setback to build a 26' x 26' detached garage at 4800 Edgewood Ave. N., P.I.D. #08-118-21-41-0118, as requested in Application #90-32 of Loren Winter.

The findings of fact are: A considerable amount of work has already been done in preparation for building the garage, I believe him when he said he was unaware that a 25' side street side yard setback was required and looks better in that particular neighborhood than according to Code.

Motion carried.

2. Consideration regarding approval of the preliminary plat of Roman Addition located at 6922 Dudley Ave. N. as submitted by Duane Roman. Mr. Roman stated he plans to tear down the breezeway porch and garage and make an addition to the house.

July 9, 1990 - Continued

Moved by Commissioner Christopher and seconded by Commissioner Barden to recommend to the City Council to approve the preliminary plat of Roman Addition which is a replat of Lot 3, Auditor's Subd. No. 226, property is located at 6922 Dudley Ave. N. as submitted by Duane Roman.

The findings of fact are: Each lot meets minimum requirement and no need for variances for proposed addition in future.

Motion carried.

Irene Olsen, 6915 - 59th Ave. N., was concerned about the water run-off from the lots during construction. Building Inspector Barber stated it was part of the standard procedure to make sure there is proper drainage with grading if necessary.

3. Consideration of Application #90-31 of John Olson for a conditional use permit to allow a convenience food store in a B-4 (Community Commercial) District at 5568 West Broadway (Crystal Gallery). Mr. Olson asked to have item continued until he contacts the City.

Moved by Commissioner Kamp and seconded by Commissioner Anderson to continue until John Olson contacts the City of Crystal regarding Application #90-31 for a conditional use permit to allow a convenience food store (soup and sandwich shop) in a B-4 (Community Commercial) District at 5568 West Broadway, P.I.D. #05-118-21-44-0046.

Motion carried.

4. Consideration of a building permit for a temporary cold storage building at 5257 Hanson Court as requested by Jerry Womack. Mr. Womack plans to have the building for about four years, and it is well-sheltered from the neighborhood.

Moved by Commissioner Christopher and seconded by Commissioner Guertin to recommend to the City Council to approve authorization to issue a building permit for a 50' x 80' temporary cold storage building located at 5257 Hanson Court, P.I.D. #09-118-21-22-0024, subject to standard procedure.

Motion carried.

5. Discussion items:

- A. Mr. Hoisington of Hoisington Group Inc. will meet with the Planning Commission in August regarding the Crystal Comprehensive Plan. They plan to hold a hearing April 1991. They will be discussing community issues and goals with about 200 people on September 13 and 20.

July 9, 1990 - Continued

- B. Asked for volunteers to the Metro Paint-A-Thon of a Crystal house.
- C. Asked for latest timetable for Hwy 100 and 36th Ave. N.--1994.
- D. Asked what was going in on corner of Bass Lake Road and West Broadway--Subway Sandwich and advertising for another tenant.
- E. Asked if Walgreen's and Firestone going to go in on Bass Lake Road--Walgreen's will begin construction, and Building Inspector has called Firestone as permit is soon to expire.

Moved by Commissioner Smith and seconded by Commissioner Elsen to adjourn.

Motion carried.

The meeting adjourned at 7:32 p.m.

---

Chairperson Magnuson

---

Secretary Elsen

# APPLICATION FOR LICENSE

4141 Douglas Drive, Crystal, Minnesota 55422

Receipt  
# 51926

HONORABLE CITY COUNCIL  
CRYSTAL, MINNESOTA

## COUNCILMEMBERS:

I Russ Mingo for  
WE ST. Raphael's Church  
7301 Bass Lake Road  
Crystal, Mn. 55428

Fee, \$ 13.25 per day  
seasonal  
New          Renewal           
Telephone 535-4081

enclose the sum of \$ 39.75 DOLLARS  
to the City of Crystal as required by the Ordinances of said City and have complied with all the  
requirements of said Ordinances necessary for obtaining this License:

NOW, THEREFORE, I

Russ Mingo for ST. Raphael's Church hereby make application to  
operate a 3.2 beer stand at 7301 Bass Lake Road at ST. Raphael's  
for the period Aug. 3, 1990 through Aug. 5, 1990 subject to all  
conditions and provisions of said Ordinance.

City Use Only

Russ Mingo

Print Name of Applicant

Russ Mingo

Signature of Applicant

THE CATHOLIC MUTUAL RELIEF SOCIETY  
4223 CENTER ST, OMAHA, NE 68105

CERTIFICATE OF COVERAGE

-----  
This is to certify that the following coverage is in force issued in the name of:

ARCHDIOCESE OF ST PAUL-MINNEAPOLIS  
CHANCERY OFFICE  
226 SUMMIT AVENUE  
ST PAUL, MN 55102

Certificate Number: 8140

Term: 9/01/89 - 9/01/90

Covered Premises:

Location/Property

ST RAPHAEL CHURCH, 7301 BASS LAKE ROAD,  
CRYSTAL, MN 55428

Real Property

Personal Property

Deductible

Coinsurance

Additional CITY OF CRYSTAL  
Protected  
Person(s)

General Liability 500,000  
(Combined single limit)

Medical Payments  
(Each person-excluding school students)

Umbrella Excess Liability

COMMENTS: COVERAGE IS EXTENDED TO THE CHURCH FESTIVAL HELD ON  
ST RAPHAEL CHURCH GROUNDS ON AUGUST 3, 4, AND 5, 1990.  
LIQUOR LIABILITY INCLUDED.

In the event of cancellation of this coverage the Society will mail notice thereof to: CHANCERY OFFICE  
ST PAUL, MN

Should any of the above described coverages be cancelled before the expiration dates thereof, the carrier will endeavor to mail 30 days written notice to the certificate holder, but failure to mail such notice will impose no obligation nor liability upon the Society.

Dated at OMAHA, NEBRASKA

This 27TH Day of MARCH 1990

BY

*Donald E. Lutz*

Authorized Representative

## ENDORSEMENT

(TO BE ATTACHED TO CERTIFICATE)

Effective Date of Endorsement March 27, 1990 Charge --- Credit ---

Certificate Holder Archdiocese of St. Paul-Minneapolis

Location St. Paul, MN

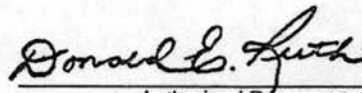
Certificate No. 8140 of The Catholic Mutual Relief Society is amended as follows:

### ADDITIONAL PROTECTED PERSON(S)

It is understood and agreed that Who is a **Protected Person(s)** (Section II) is amended to include as a **Protected Person(s)** the person or organization shown below, but only with respect to liability arising out of the ownership, maintenance or use of that part of the designated **premises** used by the **Protected Person(s)**, and then only while the **Protected Person(s)** is using the described **premises**.

Additional Protected Person(s): City of Crystal, MN

Designated Premises and Use: St. Raphael Church, Crystal, MN is having a Church Festival on church grounds on August 3, 4, and 5, 1990.



Authorized Representative

Honorable City Council  
Crystal, Minnesota

Women and Gentlemen;

St. Raphael Church is holding it's annual parish festival on August 3rd-5th, 1990. We would like to offer our visitors a choice of 3.2 beer and also a wine cooler. Under our beer license we can only serve a malt base wine cooler. We find these to be unsatisfactory in taste. We have applied for a non-intoxicating liquor lisenice for the purpose of serving a better tasting wine cooler which has a 4.2% alcohol content. We are requesting a waiver of the fee for this license.

Sincerely,

*Russ Mingo*

Russ Mingo  
Facilities Co-Chairperson  
St. Raphael Parish Festival

**MINNESOTA DEPARTMENT OF PUBLIC SAFETY  
LIQUOR CONTROL DIVISION  
333 SIBLEY • ST. PAUL, MN 55101**



**APPLICATION AND PERMIT  
FOR A 1 to 3 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

## TYPE OR PRINT INFORMATION

NAME OF ORGANIZATION <i>St. Raphael's Church</i>		DATE ORGANIZED <i>1950</i>	NO. OF MEMBERS	TAX EXEMPT NUMBER
STREET ADDRESS <i>7301 Bass Lake Rd.</i>		CITY <i>Crystal</i>	STATE <i>Mn.</i>	ZIP CODE <i>55428</i>
NAME OF PERSON MAKING APPLICATION <i>Russell P. Mingo</i>		BUSINESS PHONE ( )	HOME PHONE <i>(612) 533-2906</i>	
DATES LIQUOR WILL BE SOLD? (1 TO 3 DAYS) <i>Aug. 3, 1990 - Aug. 5, 1990</i>	DOES ORGANIZATION HAVE A CHARTER <input type="checkbox"/> Yes <input type="checkbox"/> No		GENERAL PURPOSE OF ORGANIZATION <i>Religious</i>	
ORGANIZATION OFFICER'S NAME <i>Stanley J. Sruec</i>	ADDRESS <i>7301 Bass Lake Rd. Crystal</i>			
ORGANIZATION OFFICER'S NAME <i>Thomas H. Lussman</i>	ADDRESS <i>7301 Bass Lake Rd. Crystal</i>			
ORGANIZATION OFFICER'S NAME	ADDRESS			

Location where license will be used. If an outdoor area, describe.

*Outside on The Church lawn area. The entire festival is on The Church grounds.*

Will the applicant contract for intoxicating liquor services? If so, give the name and address of the Liquor licensee providing the services.

*NO*

Will the applicant carry liquor liability insurance? If so, the carrier's name and amount of coverage.  
(Note: Insurance is not mandatory)

*Yes - Catholic Mutual Group*

## APPROVAL

CITY OF \_\_\_\_\_

CITY FEE AMOUNT \_\_\_\_\_

DATE FEE PAID \_\_\_\_\_

SIGNATURE CITY CLERK \_\_\_\_\_

DATE APPROVED \_\_\_\_\_

LICENSE DATES \_\_\_\_\_

APPROVED LIQUOR CONTROL DIRECTOR \_\_\_\_\_

## NOTE:

Do not separate these two parts, send both parts to the address above and the original signed by this division will be returned as the license. Submit to the City Clerk at least 30 days before the event.

Honorable City Council  
Crystal, Minnesota

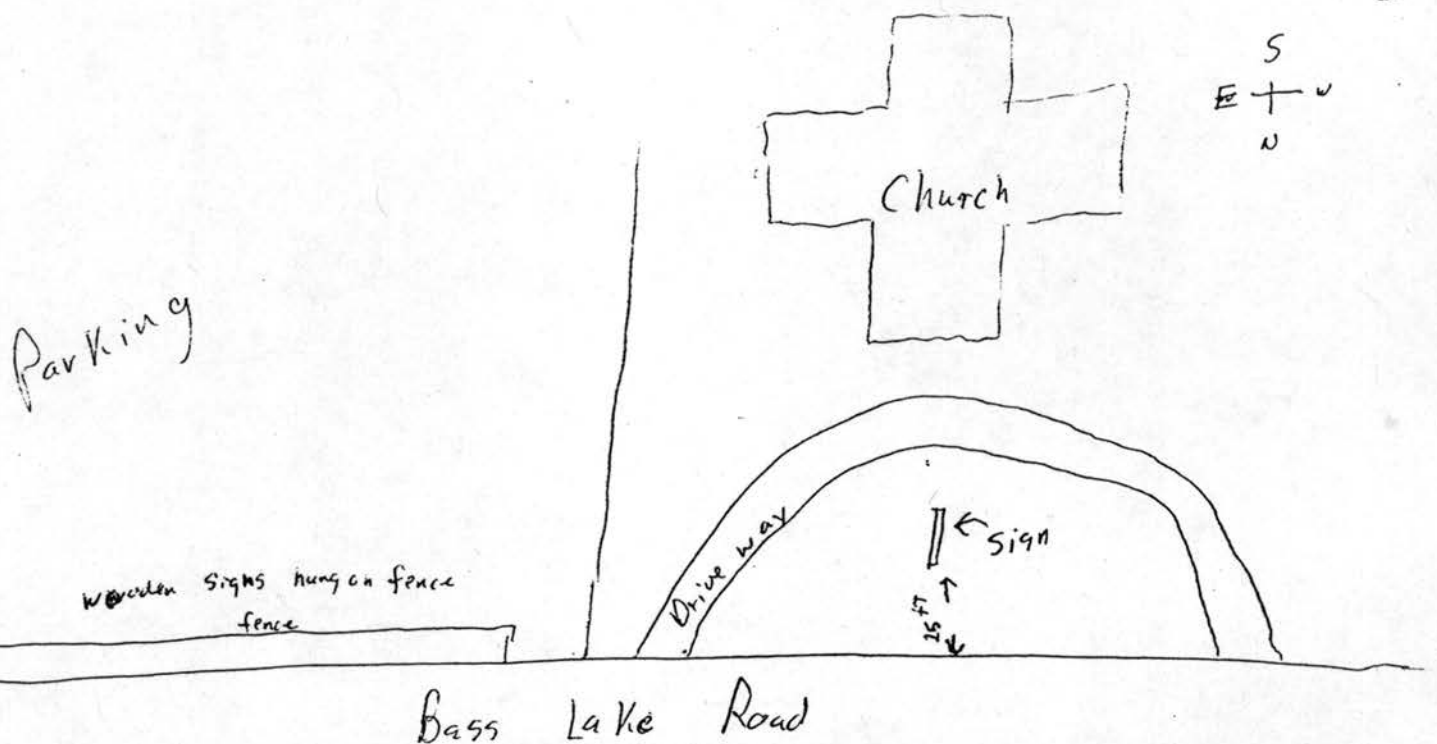
Women and Gentlemen,

St. Raphael Church is holding it's annual parish festival on August 3rd-5th, 1990. To advertise for this event we place a series of wooden signs on our fence along Bass Lake Road and also a lighted sign at the north entrance of the church. We are requesting a waiver of the fee for using these signs.

Sincerely,

*Russ Mingo*  
Russ Mingo

Facilities Co-chairperson  
St. Raphael Parish Festival



# APPLICATION FOR LICENSE

4141 Douglas Drive, Crystal, Minnesota 55422

HONORABLE CITY COUNCIL  
CRYSTAL, MINNESOTA

GENTLEMEN:

I  
WE..... John Mork for  
..... Crystal Firefighters Relief Association  
..... 4141 Douglas Drive  
.....  
..... Crystal, MN 55422  
.....

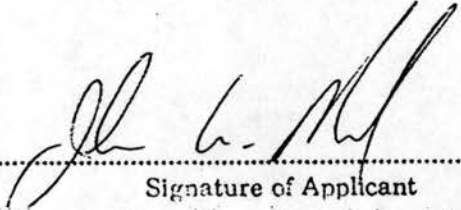
Fee, \$..... 13.25/day + Ins.  
..... Seasonal  
New ..... Renewal.....  
Telephone..... 535-7632

enclose the sum of..... Waive fee..... DOLLARS  
to the City of Crystal as required by the Ordinances of said City and have complied with all the  
requirements of said Ordinances necessary for obtaining this License:

NOW, THEREFORE, I

..... John Mork for Crystal Fire Relief Association..... hereby make application to  
..... operate one beerstand at Becker Park & one at Welcome Park (Crystal Frolics)  
.....  
for the period..... July 27, 28 and 29, 1990..... through..... xxxxx..... subject to all  
conditions and provisions of said Ordinance.

City Use Only

  
.....  
Signature of Applicant



CRYSTAL FIREFIGHTERS  
RELIEF ASSOCIATION  
Crystal, Minnesota

CITY COUNCIL  
CRYSTAL, MINNESOTA

JUNE 19, 1990

COUNCIL MEMBERS:

In conjunction with this years Crystal Frolics, the Crystal Firefighters' Relief Association would like to sell beer at both Becker and Welcome Park. Attached is a completed application for license and a copy of our dram shop insurance. We request that you wave the license fee for this event.

Regards,

  
John W. Mork

MINNESOTA JOINT UNDERWRITING ASSOCIATION

PIONEER POST OFFICE BOX 1760  
SAINT PAUL, MINNESOTA 55101-0760  
(612) 222-0484  
1-800-552-0013

APPLICATION FOR COVERAGE

Coverage will not be bound if the correct premium payment, Written Rejection, current license and required documentation of liquor receipts are not attached. Coverage cannot be bound prior to 12:01 a.m. the day following receipt of the above by the Administrator.

Legal Name of Applicant Crystal Firefighters Relief Assoc.

Trade Name Crystal Firefighters Relief Assoc.

Mailing Address 4141 Douglas Dr. Crystal MN

☐ Individual ☐ Partnership ☐ Corporation ☒ Non-Profit ☐ Other

If Applicant is Individual:

Name of Applicant \_\_\_\_\_ Name of Spouse \_\_\_\_\_

If Applicant is a Partnership or Corporation:

Name of Each Partner or Owner \_\_\_\_\_ % of Ownership \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Operating Location(s) - List all Locations

1. Becker Park 2. Welcome Park

Classification

Primary Nature of Business Beer sales yearly event.

Check All Applicable

1. Restaurant \_\_\_\_\_ 2. Club \_\_\_\_\_ 3. Bar \_\_\_\_\_  
4. Bowling Alley \_\_\_\_\_ 5. On/Off Sales \_\_\_\_\_  
6. Off Sale Only \_\_\_\_\_ 7. Special Event ☒

Total Gross Receipts of Entire Establishment \$10,000.00

Gross Receipts From Liquor Sales Included Above \$10,000.00

Seating Capacity \_\_\_\_\_ Total \_\_\_\_\_ Bar Only

License

License in Effect? ☐ Yes ☒ No

Licensing Authority City of Crystal

Address 4141 Douglas Drive

License # \_\_\_\_\_

Effective Date 7-27-90 Expiration Date 7-29-90

License Ever Revoked/Suspended?        Yes   X   No Date, if Yes         
If yes, give detailed explanation       

### Caution

Any misrepresentation made by the applicant can void coverage or result in cancellation. False or misleading answers to the following questions would constitute gross misrepresentation and void coverage.

A "loss" does not include "notice of claim" unless, following receipt of notice, your insurer established a reserve or made a payment in settlement of the claim.

A "violation" includes any conviction on a charge brought against the Applicant or any employee or agent of the Applicant arising out of an illegal sale of liquor.

### Coverage Information

Liquor Liability Coverage Currently In Effect?        Yes   X   No

Previous three (3) years of Insurance coverage prior to effective date of coverage desired:

	<u>Carrier</u>	<u>Address</u>	<u>Policy #</u>	<u>Policy Period</u>	<u>Losses</u>	<u>Violations</u>
1.)	MINN	Joint Underwriting	#89-20080	3 days	0	0
2.)	"	"	"	"	"	"
3.)	"	"	"	"	"	"

Has Liquor Liability coverage ever been canceled?        Yes   X   No  
If Yes, Reason:       

Applicant agrees to permit contract administrator to audit applicant's books and records during normal working hours to the extent deemed necessary to verify information relating to receipts from liquor sales and/or other matters concerning the coverage applied for.

Coverage is requested to take effect at 12:01 a.m. on 7-27-90 to 7-29-90

Signature of Applicant Mark A. Warrack Date 6-19-90 Telephone Number 535-3027

Agent Name (Please Print)        Telephone Number       

Agency Name       

Street Address       

City, State, Zip Code       

Insurance Fed. I.D. No.        or Agent Soc. Sec. No.

# MINNESOTA LIQUOR LIABILITY ASSIGNED RISK PLAN

ADMINISTRATOR

## MINNESOTA INSURANCE ADMINISTRATORS, INC.

8800 West Highway Seven, Suite 300 Δ Minneapolis, Minnesota 55426 Δ (612) 933-6964 Δ Fax: (612)936-0109

### MINIMUM LIMITS OF LIABILITY PER MINNESOTA STATUTES

<u>TYPE OF COVERAGE</u>	<u>LIMITS OF LIABILITY</u>
Bodily Injury	\$ 50,000 Each Person \$ 100,000 Each Occurrence
Property Damage	\$ 10,000 Each Occurrence
Loss of Means of Support	\$ 50,000 Each Person \$ 100,000 Each Occurrence

### ANNUAL RATES FOR ABOVE LIMITS (Per \$100 of Liquor Sales)

#### Rates for Risks with Three or Less Losses and/or Violations In the Past Three Years

<u>Classification</u>	<u>Rate</u>	<u>Minimum Premium</u>
Off Sale Only	.34	\$ 310
Restaurants & Clubs (liquor sales less than food sales)	1.17	\$ 825
Restaurants & Clubs (liquor sales more than food sales)	1.70	\$ 900
Bars, Bowling Alleys Combined On/Off Sale	1.70	\$ 900

#### Surcharges for Risks with More than Three Losses and/or Violations in the Past Three Years

<u>Losses or Violations</u>	<u>Rate</u>
4	\$6.25 Additional
Each Additional	Add 20% to Prior Rate For Each

Higher limits of liability are available through the plan only if required of a licensee by an ordinance passed by the city or other licensing authority.

SEE THE OTHER SIDE OF THIS FORM FOR ADDITIONAL INFORMATION ON INCREASED LIMITS AND SPECIAL EVENT(S) COVERAGE.

# APPLICATION FOR LICENSE

13465

4141 Douglas Drive, Crystal, Minnesota 55422

HONORABLE CITY COUNCIL  
CRYSTAL, MINNESOTA

COUNCIL MEMBERS:

I Alice Jones  
WE Crystal Shopping Center  
Willow Bend  
Crystal, MN 55428

\$30.00 1st day +  
Fee, \$.12.00 ea. addnl day  
**Itinerant**  
New ..... Renewal.....  
Telephone.....646-7901.....

enclose the sum of Ninety & 00/100 DOLLARS  
to the City of Crystal as required by the Ordinances of said City and have complied with all the require-  
ments of said Ordinances necessary for obtaining this License :

NOW, THEREFORE, I

Alice Jones, Crystal Shopping Center hereby make application to  
Crazy Days  
operate an Itinerant Food Establishment at Crystal Shopping Cntr.

for the period July 9, 90 through July 14, 90 subject to all  
conditions and provisions of said Ordinance.

City Use Only

X Donald E. Eason

Signature of Applicant

# APPLICATION FOR LICENSE

4141 Douglas Drive, Crystal, Minnesota 55422

7-9-90  
inf sheet  
day

HONORABLE CITY COUNCIL  
CRYSTAL, MINNESOTA

COUNCILMEMBERS:

I WE Joseph Lencioni  
10141 313th Avenue  
Princeton, MN

\$30.00 1st day +  
Fee, \$ 12. ea. addnl day  
Itinerant  
New ..... Renewal .....  
Telephone .....

enclose the sum of NINETY AND 00/100 DOLLARS  
to the City of Crystal as required by the Ordinances of said City and have complied with all the  
requirements of said Ordinances necessary for obtaining this License:

NOW, THEREFORE, I

Joseph Lencioni hereby make application to  
Crazy daze  
operate an Itinerant Food Establishment at Crystal Shopping Center  
for the period July 9, 1990 through July 14, 1990 subject to all  
conditions and provisions of said Ordinance.

City Use Only

Print Name of Applicant

Signature of Applicant

# APPLICATION FOR LICENSE

4141 Douglas Drive, Crystal, Minnesota 55422

111-70  
#52199.  
reel info sheet

HONORABLE CITY COUNCIL  
CRYSTAL, MINNESOTA

## COUNCILMEMBERS:

I . Steve Reed dba  
WE . Palace Inn.

5607 West Broadway

Crystal, MN 55428

\$30.00 1st day +  
Fee, \$ 12.00 ea. addnl day  
Itinerant  
New ..... Renewal.....  
Telephone 537-9921

enclose the sum of Fifty Four and 00/100 DOLLARS  
to the City of Crystal as required by the Ordinances of said City and have complied with all the  
requirements of said Ordinances necessary for obtaining this License:

NOW, THEREFORE, I

Steve Reed dba Palace Inn. hereby make application to  
Crystal Frolics  
operate an Itinerant Food Establishment at Becker Park (with Beer tent)

for the period July 27, 1990 through July 29, 1990 subject to all  
conditions and provisions of said Ordinance.

City Use Only

STANLEY JAMES WODZIAK  
Print Name of Applicant

Signature of Applicant

Added to the Consent Agenda, item #6.

Joan

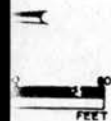
DATE: July 12, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Bill Barber, Building Inspector  
SUBJECT: Vacation of Utility Easements  
5269 West Broadway & 5200 Douglas Dr. N.

The vacation of a utility easement across the noted addresses has been requested by Crystal Northwest Properties. This site was originally three separate lots and was replatted into one. At a later date it was replatted into three lots again but the location of the property line between lots 1 and 2 was located differently. This easement is not used for any utilities nor drainage.

It is recommended that the easement be vacated as it creates a problem with the title. This easement should have been vacated when the property was originally replatted into one lot.

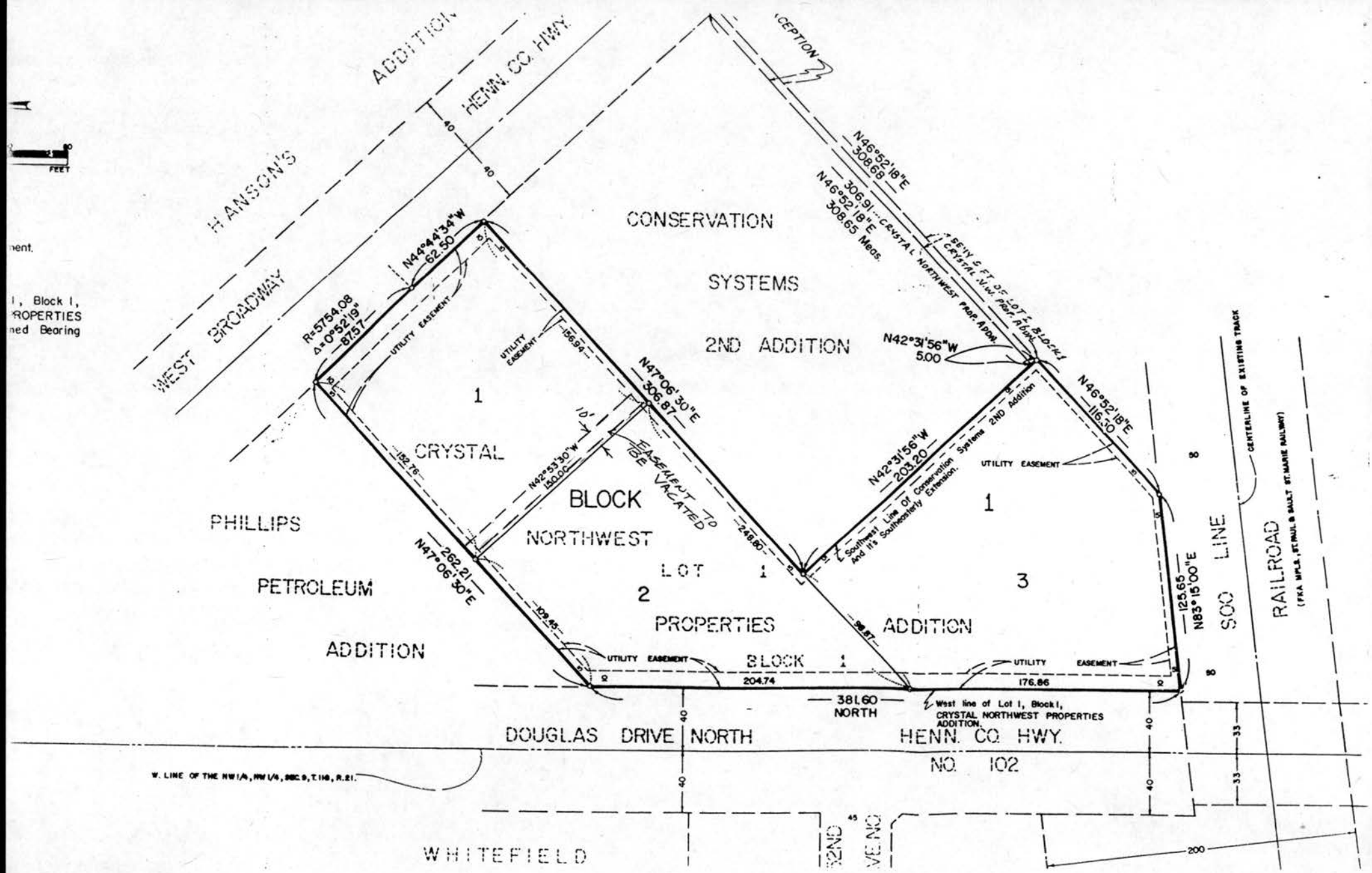
kk

A handwritten signature in cursive script, appearing to read "Bill Barber", is written below the initials "kk".



ment.

1, Block 1,  
PROPERTIES  
ned Bearing



WEST BROADWAY AND  
DOUGLAS DRIVE

ORDINANCE NO. 90-

AN ORDINANCE VACATING A CERTAIN  
DRAINAGE AND UTILITY EASEMENT

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. Pursuant to Minnesota Statutes, Section 462.358, Subdivision 7, and Crystal City Charter, Section 12.06 (collective, Act), a request to vacate a portion of a City drainage and utility easement (Easement) located on property between 5269 West Broadway and 5200 Douglas Drive the City has been submitted to the Council.

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

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

Sec. 4. The easement to be vacated was dedicated on the plat of the Crystal Doctors Park and is 10 feet in width, 5 feet being on either side of the common lot line between Lot 1 and Lot 2, Block 1, Crystal Doctors Park.

Sec. 5. The Easement as described is vacated.

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

First Reading: July 17, 1990.  
Passed by City Council August 7, 1990

\_\_\_\_\_  
Mayor

ATTEST

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

(Published in the Crystal-Robbinsdale Post News August 15, 1990)

M E M O R A N D U M

DATE: June 5, 1990

TO: Jerry Dulgar, City Manager *PD*

FROM: Pam Foster, Public Health Sanitarian

SUBJECT: Private Kennel License at 5001 Wilshire Blvd.  
Darrell & Sandra Rahn

In response to an application for a Private Kennel license by Sandra & Darrell Rahn, 5001 Wilshire Blvd., an inspection of the premises was conducted on June 1, 1990. The inspection revealed that the animals were well cared for and primarily kept inside the dwelling. They are put outside into the fenced back yard on a limited basis and the yard is well maintained.

These animals are up-to-date on their rabies vaccinations and City licenses:

Smoky (black) 4 year old male Sheltie  
Rocky (brown) 3 year old female Sheltie  
Tippy (mix) 10 year old female mixed Collie

The Police Department has not received any complaints regarding the animals at this residence and we do not anticipate any problems with the maintenance of these three dogs.

PAF:jt

# APPLICATION FOR LICENSE

4141 Douglas Drive, Crystal, Minnesota 55422

50916  
5-15-90

all shots +  
day trip up  
to date,

HONORABLE CITY COUNCIL  
CRYSTAL, MINNESOTA

COUNCILMEMBERS:

I  
WE Darrell & Sandra Rahn  
BLVD  
5001 Wilshire Avenue North  
Crystal, MN 55429

Fee, \$ 50.00

New XX Renewal

Telephone 535-6256

enclose the sum of FIFTY AND 00/100 DOLLARS  
to the City of Crystal as required by the Ordinances of said City and have complied with all the  
requirements of said Ordinances necessary for obtaining this License:

NOW, THEREFORE, I

Darrell & Sandra Rahn hereby make application to  
operate a Private Kennel at 5001 Wilshire Ave. No.

for the period through December 31, 1990 subject to all  
conditions and provisions of said Ordinance.

City Use Only

*me*

6-1-90

X SANDRA K. Rahn  
Print Name of Applicant

X Sandra K. Rahn  
Signature of Applicant

CITY OF CRYSTAL  
4141 Douglas Drive  
Crystal, Minnesota, 55422

APPLICATION FOR KENNEL LICENSE

1. Applicant's Name DARRELL + SANDRA RAHN
2. Applicant's Address 5001 WILSHIRE BLVD N.  
CRYSTAL, MN. 55429
3. Applicant's Telephone Number 789-3541 Business 535-6256 Home
4. Kennel Name RAHN KENNEL
5. Kennel Address 5001 WILSHIRE BLVD N. CRYSTAL, MN 55429
6. Kennel Telephone number Business 535-6256 Home
7. Type of Kennel (check one) Commercial ☐ Private ☒
8. Zoning Classification of Land
9. Adjacent Property Uses: North Residential  
East  
South  
West
10. Nature and/or extent of kennel operation including number of animals on the premises. 3 Dogs
11. Kennel Layout and Construction None
12. If private kennel, provide copies of rabies certificates for both dogs and cats, and Crystal license numbers for dogs.  
all current + up-to-date
13. Applicant's SIGNATURE Sandra Rahn DATE 5/15/90

It is agreed that we, the undersigned, consent to the residence at 5001 Wilshire, Crystal,

Minnesota, having three (3) or more animals on their premises (no more than five (5) animals).

NAME	ADDRESS	PHONE
Terry Coburn	5000 54 <sup>th</sup> Ave No	537-4051
Linda Krueger	5009 Wilshire Blvd	536-0364
Linda Krueger	"	"
Marilyn Krueger	4941 Wilshire Blvd	537-1522
Linda Johnson	4940 54 <sup>th</sup>	537-3812
Paul Holmlund	5000 Wilshire	536-9933
George Inghart	5500 Quail Ave N	533-7523

Also sent to  
Edward  
Olson  
5008-54<sup>th</sup>  
Crystal

CRYSTAL-BROOKLYN CENTER-

4141 DOUGLAS DRIVE, CRYSTAL, MINNESOTA 55422

HEALTH DEPARTMENT

537-8421

ENVIRONMENTAL, PUBLIC HEALTH, AND SAFETY INSPECTION REPORT

DATE June 1, 1990

Doreen + Sandra Rahn

5001 Wilshire Ave N.

Crystal MN

On 6/1/90 this office conducted an inspection at 5001 Wilshire.  
The following deficiencies were noted. These must be corrected prior  
to \_\_\_\_\_ unless otherwise noted. We ask your cooperation so that  
referral to the City Attorney is not required.

In response to an application for a private kennel  
license, an inspection was conducted today.

Noted: that the yard was clean.

Animals well cared for.

(3) Animals kept indoors - let out for exercise.

(4) No problems - interior very clean.

Any further questions, call secretary  
Jean Tuttle, 537-8421.

Sheltie Smoky (black) 4 yrs male.

Sheltie Rocky (brown) 3 yrs male.

Mixed collie Tippy 10 yrs female

RECEIVED BY:

Sandra Rahn

SANITARIAN:

Pam Foster

June 21, 1990

Darrell & Sandra Rahn  
5001 Wilshire Blvd.  
Crystal, MN 55429

Dear Mr. & Mrs. Rahn:

This letter is being sent to inform you that your request for a Private Kennel license at your address, 5001 Wilshire Blvd., Crystal, Minnesota, will be considered by the Crystal City Council on July 17, 1990.

This meeting begins at 7:00 P.M., and takes place in the Council Chambers at the City Hall, 4141 Douglas Drive, Crystal, Minnesota.

We would appreciate your attendance to aid in the disposition of your request. The kennel license is necessary in order for you to maintain more than two animals at your residence.

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

Sincerely,

Thomas L. Heenan  
Supervising Sanitarian  
Crystal Health Department

TLH:jt

Letters also sent to: Linda Krieger, 5009 Wilshire  
Mike Kinler, 4941, Wilshire Blvd.  
Linda Johnson, 4940 54th  
Cheryl Holmlund, 5000 Wilshire Blvd.  
George Truehart, 5500 Quail No.  
Edward Olson, 5008 54th Ave. No.

July 6, 1990

Terry Coburn  
5000 54th Avenue North  
Crystal, MN 55429

Dear Mr. Coburn:

This letter is being sent to inform you that the Crystal City Council will be considering the application for a Private Kennel license at 5001 Wilshire Blvd., Crystal, Minnesota. The meeting will be held on Tuesday, July 17, 1990, at the Crystal City Hall, 4141 Douglas Drive, in the Council Chambers.

The meeting will begin at 7:00 P.M. The City Code requires that, in any household containing more than two animals, a Private Kennel license is required. The applicants, in this case, have 3 dogs which necessitates their request.

If you have any comments, your attendance will be appreciated. If you have any questions, please call me at 537-8421.

Sincerely,

Thomas L. Heenan  
Supervising Sanitarian  
Crystal Health Department

TLH:jt

✓ come in 5-10  
✓ for 3 dog licenses  
✓ all rabie shots  
up to date  
11-91 &  
5-92

May 4, 1990

Darrell & Sandra Rahn  
5001 Wilshire Blvd.  
Crystal, MN 55429

Dear Mr. & Mrs. Rahn:

It has come to the Health Department's attention that you have three (3) dogs on your premises. According to the Crystal Animal Ordinance, "Any person who keeps three or more animals on his premises over three months of age, must have a Private Kennel License".

The following information forms must be filled out and returned with \$50.00 fee for application for license no later than noon of May 15, 1990.

The forms enclosed are:

- ✓ 1. application for license to be signed with fee and returned.
- ② 2. petition sheet to be signed by your neighbors on each side of you, two neighbors behind you and two neighbors across the street from you.
- ✓ 3. Information sheet to be filled out and signed.
- ✓ 4. Submit copies of certificates of rabies shots for all animals and dog licenses must be up to date.
- ⑤ 5. An appointment must be made with the sanitarian to inspect your premises where the animals are kept.

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

Sincerely,

Joan F. Tatley  
Crystal Health Department

Encl.



**UPPER TWIN LAKE ASSOCIATION**  
**P.O. BOX 28073**  
**CRYSTAL, MN 55428**

July 1, 1990

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

Dear Ms. George,

The Upper Twin Lake Association recently requested funding from the City of Crystal, for algae treatments on Upper Twin Lake. This was originally on the City Council agenda June 5, 1990. The Association was unaware that this was on the Council's agenda, therefore, no members were present.

I am requesting to have this item placed on the agenda again, for the July 17, 1990 City Council meeting. This would be beneficial for both City Council and the Association. It would give us a chance to discuss cost sharing in the care of Twin Lakes. Also, this would allow Council to better understand our Association and what we are trying to achieve.

Please inform me by mail or a phone call at 535-7646 if this matter will be placed on the agenda again. Thank you.

Sincerely,

*Kristen Mann*

Kristen Mann, Chairperson  
Upper Twin Lake Association



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

ADMINISTRATIVE OFFICE

### CHARTER COMMISSION

Mayor Herbes and  
Members of the City Council  
4141 Douglas Drive North  
Crystal, Minnesota 55422

Dear Mayor Herbes and Councilmembers:

For the past year the Crystal Charter Commission has been studying the role of the Crystal Civil Service Commission in the personnel administration system of the City. The Commission has heard testimony from the Civil Service Commission (Art Cunningham and Marty Gates) and City staff on the matter and has reviewed the practice in other cities.

The consensus of the Commission and the Civil Service Commission members is that the City would be better served by a personnel merit system set up by ordinance combined with an independent review board to deal with non-union employee grievances after normal grievance procedures had been exhausted. This can be accomplished by a charter amendment and the enactment of the necessary ordinances establishing the merit system and the Employee Review Board.

The Commission recommends the adoption of the Charter Amendment Ordinance and submits the draft Employee Review Board Ordinance for your consideration recognizing that its final content is a matter of Council judgment. I should point out, too, that if the transition from Civil Service to Merit System is to take place a comprehensive Merit System Ordinance covering all matters of personnel administration must be adopted. The Charter Commission would be pleased to participate in the preparation of that ordinance in any way the Council wishes.

#### I. General Comments.

In general, the Commission proposes (i) amendment of the City Charter by deleting all references to the Civil Service Commission, (ii) abolishing the Civil Service Commission, (iii) requiring the establishment of an Employee Review Board by ordinance, and (iv) the adoption by the City Council of an ordinance establishing the Board and prescribing its membership and power and duties. The proposal also contemplates that the City would by ordinance adopt a comprehensive personnel merit system governing all matters of personnel administration including hiring, position classification, discipline, grievance procedures and benefits.

The sole function of the Employee Review Board would be to provide an independent review of non-union employee grievances that had proceeded through the complete grievance procedure set up by the merit system ordinance. The Board's review would be discretionary, but if undertaken the Board's order either confirming the City Manager's final disposition of the grievance or modifying it would be final.

Also present Section 310 of the Crystal City Code relating to Civil Service would be repealed.

The timing of the entire transaction would be as follows:

1. Charter Commission submits proposed amendment to City Council with recommendations for adoption by ordinance together with recommendation for makeup of Employee Review Board in the form of an ordinance.
2. If Council concurs, Council sets public hearing on Charter amendment ordinance (two week's published notice).
3. Public hearing and adoption of Charter amendment ordinance.
4. First reading of Personnel ordinance.
5. First reading of Employee Review Board ordinance.
6. If no referendum requested on Charter amendment ordinance within 60 days of publication, ordinance becomes effective 90 days after publication.
7. Charter amendment, Personnel ordinance and Employee Review Board ordinance all become effective on the same day (i.e., 90 days after publication of Charter amendment ordinance).

## II. Comments on Charter Amendment. (Exhibit I)

The Charter amendment (i) removes the references to the Civil Service Commission in Sections 2.02 and 6.02, Subdivision 3, (ii) abolishes the Civil Service Commission, and (iii) adds a section to the Charter requiring the Council to establish an employee review board by ordinance. The Charter would merely require the board's creation, specify its function (i.e., to hear and rule on non-union employee grievances after exhaustion of normal grievance procedures), and specify the appointment procedure for board members. Everything else is left to Council ordinance.

The Civil Service Commission was established pursuant to state law and can be abolished by Charter amendment. Minnesota Statutes, Section 44.16, Subdivision 2.

### III. Comments on Employee Review Board Ordinance. (Exhibit II)

312.01. Name. The Commission considered a wide variety of names, but the "Employee Review Board" seemed most accurately to reflect its function.

312.02. The reference to Section 2.02 of the Charter is significant. The Charter provides that there be no independent boards and commissions except "... to perform quasi-judicial functions". The new Board would be exercising such functions.

#### 312.03. Definitions.

Subd. 3. "Grievance" is defined in the same way as in the law, Minnesota Statutes, 179A.21, Subdivision 1 and in most labor contracts. (The reference to Section \_\_\_\_\_ is to the appropriate section in the Personnel Merit System Ordinance to be adopted.) It is probably best to leave the term this general because (i) it is a term of art in labor relations having widely understood meaning and, (ii) the only grievances that will reach the Board are those that have been determined to be appropriate under the Personnel Merit System Ordinance.

Subd. 4. "Employee" is defined to exclude the Manager, Assistant Manager and department heads, typically treated as supervisory personnel not covered by grievance procedure provisions in contract or ordinance.

#### 312.05. Board Make-up.

Subdivision 1. The draft calls for three regular members and two alternate members of a five member board before the Charter Commission. The Manager recommends names to the Council for appointment.

Subd. 2. Appointments of regular members are for three year staggered terms. There is no limitation on reappointment. Terms are for calendar years. The alternate members are designed to cover the situation where a member may have a disqualifying interest. The by-laws of the Board should contain procedures for allowing members to voluntarily excuse themselves or for parties to raise the issue of a disqualifying interest (e.g. family relationship, business association, etc.)

Subd. 3. (i) The draft requires the Manager and the Council to try to appoint someone with dispute resolution experience. All current City officers and employees and those having left City service within one year are excluded.

312.07. The by-laws of such a Board are most important since they will in effect be the rules under which it operates, and a legally sufficient record is essential. The Council approves by-laws of all other boards and commissions.

312.09. The staff support should be a minimal expense. A tape recorded record of a hearing should be adequate. The risk of having to bear the expense of the procedure if a decision is adverse should deter both the City and the employee from incurring unnecessary expense. There will be some legal costs, since it is advisable to have an attorney present at hearings to insure a proper record.

312.11. The procedure of this section is self-explanatory. It should be noted that:

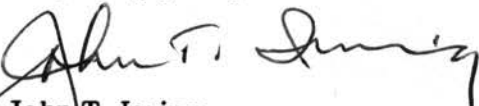
- a) The Board may decline to review a grievance. If after review of the grievance procedure followed under the Personnel ordinance the Board is convinced that the employee received full and fair treatment there seems to be no reason for further review.
- b) The board either confirms the City Manager's disposition of the matter or modifies it in whole or in part.
- c) The decision of the Board is final.

There was discussion in the Commission about appeal of the order to the District Court, but it is doubtful that such jurisdiction can be conferred either by Charter or ordinance. Judicial review is probably possible under a number of theories, but it should be kept in mind that courts would (absent some constitutional issue) review the Board's decision under a procedure called "certiorari" which in simple terms is a review of the record only to see if some basic right of the employee or the employer had been violated. A court would not substitute its judgment for the administrative body and at most would send the matter back for rehearing. Thus, it is probably not necessary to say anything in the ordinance about the matter. In any event, after both a grievance procedure under the ordinance and independent review by the Board it seems highly unlikely that either the City or the employee could successfully contend that the matter had not been given a full and fair hearing and review.

312.13. These publication requirements were suggested by the Civil Service Commission.

We hope that the Council will give favorable consideration to our recommendations. I hope you will contact me if you have any questions.

Very truly yours,



John T. Irving  
Chair

cc: David J. Kennedy

CR205-5

(DJK - 4/20/90)

EXHIBIT I

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

AN ORDINANCE RELATING TO CITY GOVERNMENT:  
AMENDING SECTIONS 2.02 AND 6.02,  
SUBDIVISION 3 OF THE CITY CHARTER AND  
ADDING SECTIONS TO THE CITY CHARTER

THE CITY OF CRYSTAL ORDAINS:

Section 1. Crystal City Charter, Section 2.02 is amended to read as follows:

Section 2.02. Boards and Commissions. There are no separate administrative boards or commissions except the civil service commission, if a civil service commission exists pursuant to law; and boards and commissions established for the administration of a municipal function jointly with another political subdivision. The council performs the duties and exercises the powers of administrative boards or commissions. The council may by ordinance boards or commissions to advise the council with respect to any municipal function or activity, to investigate any subject of interest to the city or to perform quasi-judicial functions.

Sec. 2. Crystal City Charter, Section 6.02, Subd. 3, is amended to read:

Subd. 3. The manager appoints on the basis of merit and fitness and subject to applicable civil service regulations, if any; officers and employees of the city except the city attorney who is appointed and removed by the city council. The manager may remove or suspend, subject to applicable civil service regulations, if any; officers and employees without the consent of the council.

Sec. 3. The Crystal City Charter is amended by adding a section to read:

Sec. 6.07. Review Board. The city council must by ordinance establish a review board to hear and rule on non-organized employee grievances as defined by the ordinance after normal grievance procedures have been completed. The membership, terms, qualifications, powers, duties and procedures of the review board must be fixed by the ordinance. Members of the board are recommended by the manager and appointed by the city council.

Sec. 4. The Crystal City Charter is amended by adding a section to read:

Sec. 12.08. Civil Service Commission. The Crystal Civil Service Commission is abolished effective \_\_\_\_\_, 1990.

Sec. 5. This ordinance is effective on \_\_\_\_\_, 1990.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk  
CR205-5

(DJK - 4/20/90)

EXHIBIT II

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

AN ORDINANCE RELATING TO CITY GOVERNMENT:  
ESTABLISHING AN EMPLOYEE REVIEW BOARD: 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 312 - Employee Review Board

312.01. Board Established. The Employee Review Board is established. The Board has the powers and duties set out in this section. The Board is established pursuant to Sections 2.02 and 6.07 of the Charter.

312.03. Definitions. Subdivision 1. For purposes of this Section the terms defined in this Subsection have the meanings given them.

Subd. 2. "Board" means the Employee Review Board.

Subd. 3. "Grievance" means a dispute or disagreement as to the interpretation or application of any term or terms of Section \_\_\_\_.

Subd. 4. "Employee" means a City employee other than the City Manager, the Assistant City Manager, or a department head: the term does not include an employee who is a member of a certified appropriate bargaining unit that has entered into a collective bargaining agreement with an employee organization pursuant to Minnesota Statutes, Chapter 179A.

312.05. Board: Membership. Subdivision 1. Appointment. The Board consists of three regular members and two alternate members. Members are appointed by the Council from a list of names recommended by the City Manager.

Subd. 2. Terms. Members of the Board serve for a term of three years and until their respective successors are appointed and qualify for office. Of the regular members initially appointed one is appointed for a term of one year, one is appointed for a term of two years, and one is appointed for a term of three years. Alternate members are appointed for three year terms. The term of a member expires on December 31 of the final year of a term. Vacancies on the Board are filled for the unexpired term in the same manner as original appointments are made. Members may be appointed for consecutive terms.

Subd. 3. Qualifications. Members of the Board must be residents of the City. In making appointments the Manager and the Council must give consideration to persons who are knowledgeable and experienced in the field of dispute resolution including arbitration and mediation. An officer or employee of the City may not be appointed to the Board or serve on the Board. A person who has been an elected or appointed officer or employee of the City may not be appointed to the Board until one year has elapsed since termination of that service or employment.

312.07. Organization: Meetings. The Board must adopt by-laws governing the conduct of its meetings, specifying its officers, and setting its meeting schedule. The by-laws of the Board are not effective until approved by the City Council.

312.09. Staffing: Financing. The City Manager must provide appropriate staff support including legal assistance to the Board from existing City personnel. Members of the Board serve without compensation but may be reimbursed for actual and necessary expenses in accordance with normal City policy regarding such reimbursement for other boards and commissions of the City.

312.11. Grievances: Procedures. Subdivision 1. Submission. An employee may submit a grievance to the Board subject to the provisions of this Subsection.

Subd. 2. Exhaustion of Remedies. An employee may not submit a grievance to the Board until all steps of the grievance procedure provided by Section \_\_\_\_\_ have been completed and within ten days of that completion. The grievance procedure provided in Section \_\_\_\_\_ is complete on the date that the City Manager gives written notice of the Manager's final determination of the grievance. The Board must provide in its by-laws for the form and details of a grievance submission.

Subd. 3. Review: discretion. The Board must promptly review the grievance submission. The Board may decline to review a grievance. The Board's decision not to review a grievance is final.

Subd. 4. Hearing. If the Board decides to review a grievance it may conduct hearings on the matter in the manner set forth in its by-laws. The by-laws must provide for written notice of its hearings to the City Manager and the employee. The City Manager must supply the Board with a record of compliance with the grievance procedure set forth in Section \_\_\_\_\_, together with such other information reasonably requested by the Board. The employee submitting the grievance must supply the Board with such information as reasonably requested by the Board. The employee may be represented by counsel at a hearing. If the Manager's final determination of the grievance is not confirmed by the Board, the reasonable costs, including Attorney's fees, incurred by the employee in the proceedings must be paid by the City. If the Manager's final determination of the grievance is confirmed by the Board the employee's costs, including Attorney's fees, will not be paid by the City.

Subd. 5. Decisions. Upon completion of hearings on a grievance the Board must issue a written order stating its decision, the reasons for the decision, and the findings on which the decision is based. The order may confirm the decision of the City Manager or modify it in any respect. The Board must send a copy of the order to the employee and to the City Manager. The decision of the Board is final.

312.13. Information: Publication. The City Manager is directed to take appropriate steps to fully inform employees of the existence and functions of the Board. A notice describing the Board and its functions must be continually posted in conspicuous places in the workplace. A notice describing the existence and functions of the Board must be published once in the official newspaper within 60 days after the effective date of this ordinance.

Sec. 2. This ordinance is effective on \_\_\_\_\_, 1990 and in accordance with Crystal City Code, Subsection 110.11.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk

CR205-5

DATE: July 11, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Bill Barber, Building Inspector  
SUBJECT: Variance to side street side yard at 4800 Edgewood Ave. N. - Plan #90-32

Loren Winter is requesting a 5' variance to 515.07 Subd. 5(c)7 which requires that a garage be setback at least 25 feet from the property line. As you will see when you visit the site, it is already formed up. On March 5, 1990, I approved his plan to build a garage with a note stating that the 25 foot setback was required. He located the new slab at 20' from the property line.

Mr. Winter has taken a great deal of time forming up the foundation. There is plenty of room to the north of the garage that is could be moved back.

I will try to answer any questions you have at the meeting.

Update from Planning Commission - July 9, 1990

The Planning Commission has recommended to City Council to grant the variance of 5 feet. Their findings of fact were:

1. Considerable amount of time and work has already been done forming for slab
2. Fits well in the neighborhood
3. Looks better at the 20' setback as all other neighbors have like setbacks

Mr. Winter stated that he did not see my note on the plan about the 25 foot setback. Planning Commission stated that they felt he was not aware of the requirements.

kk



4800 Edgewood Ave. N.

curb

14'

**APPROVED**

3/5/90  
(Date)

(Inspector)

37½'

Existing house

25½'

20'

132'

Min of 66' From Front P. To GARAGE

26'

Proposed garage

9'

Existing garage

20'

26'

62'

14'

Min of 25' From SIDE STREET SIDE YARD

14'

curb

center line of street

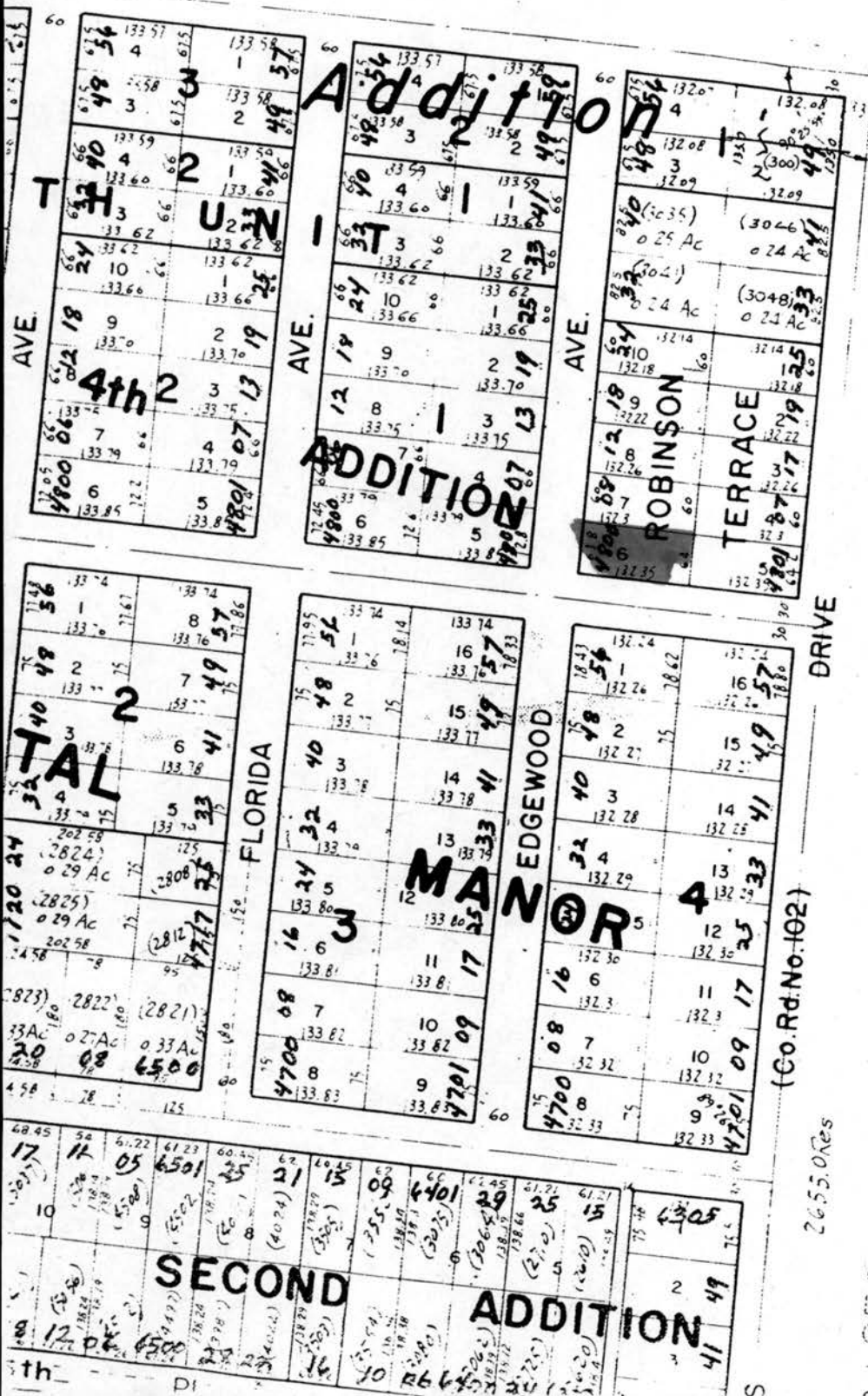
SITE PLAN FOR PROPOSED GARAGE

Scale  
1" = 15'

Intersection

6

7



SEC 9, T. 18, R. 21

DATE: July 12, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Bill Barber, Building Inspector  
SUBJECT: Proposed Plat of 6922 Dudley Ave. N.

Duane Roman is proposing to split the existing lot into two separate single family lots. Each lot exceeds the minimum of 7,500 square feet and minimum lot width and depth.

As noted on the preliminary plat, there is an existing home which will be removed before any new structures can be built.

I will try to answer any questions you have at the meeting. I'm sure the applicant will be present also.

Update from Planning Commission - July 9, 1990

The Planning Commission recommended to Council to approve the preliminary plat of Roman Addition. Their findings of fact were:

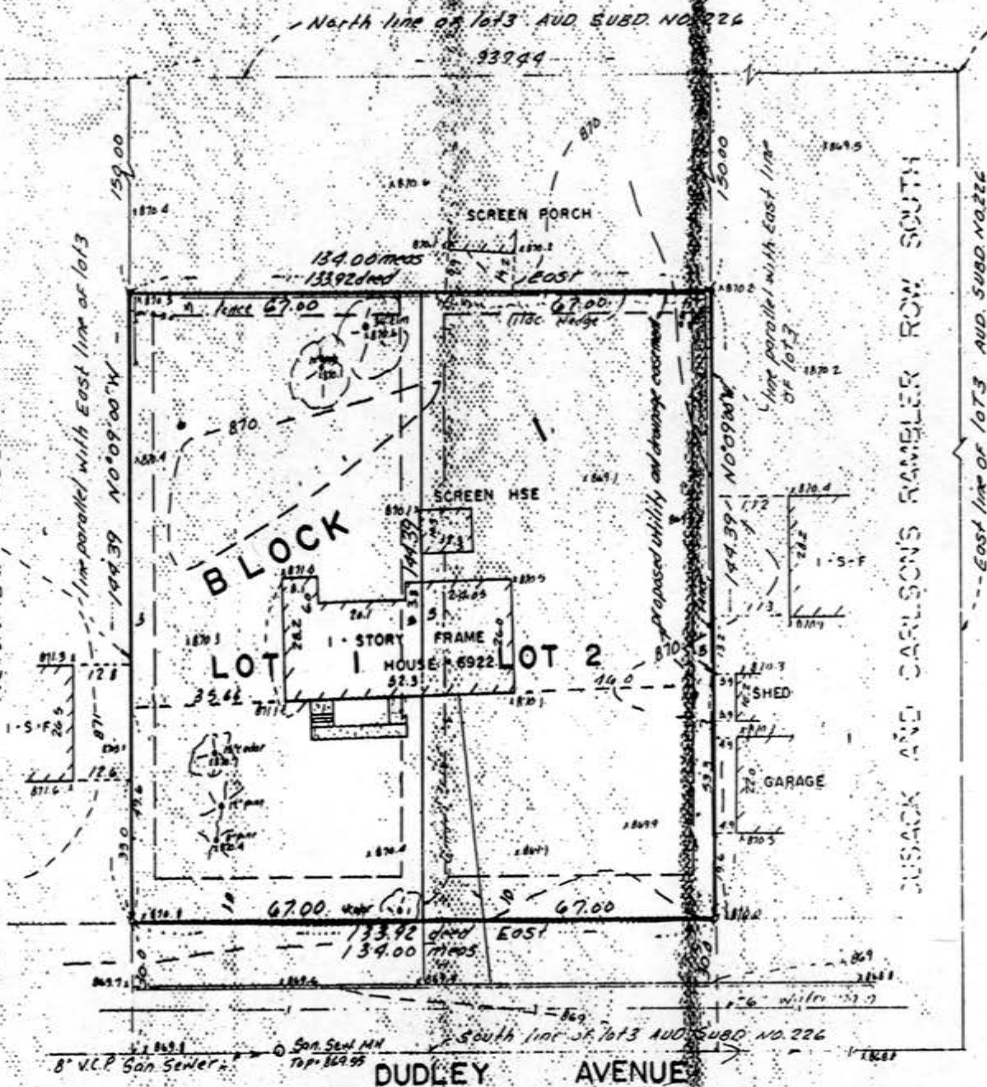
1. Each lot will meet or exceed minimum standards.
2. No variance appear to be needed in the future.

Mr. Roman stated that he plans to remove the existing garage and breezeway but leave the house. He would then like to put an addition on the house and then sell the vacant lot.

jt



KONNAGE'S ADDITIONS



VICINITY MAP

**EXISTING LEGAL DESCRIPTION:**

ALL that part of Lot 3 in Auditor's Subdivision Number 226, Hennepin County, Minnesota, described as follows: Commencing at a point in the north line of said Lot 3, distant 87.44 feet West of the northeast corner of said Lot 3; thence South parallel with the east line of said Lot 3, a distance of 150.0 feet to the actual point of beginning of the tract to be described; thence continuing South on a line parallel with the said east line to the south line of said Lot 3; thence East along said south line, a distance of 133.92 feet; thence North parallel with the said east line to a point 150.0 feet south of the north line of said Lot 1; thence West, a distance of 133.92 feet to the actual point of beginning, except the South 30.0 feet thereof.

Area = 19,348 Sq. Ft.  
0.44 Acres

**GENERAL NOTES**

- no Denotes iron monument
- x800.0 Denotes existing elevation
- - - - - Denotes existing contour line
- Utility information obtained from City of Crystal records

Benchmark - Top of sanitary sewer manhole 30 feet South and 33 feet east of Southwest corner of above described property.  
Elevation = 869.55

**EXISTING ZONING** R-1

**OWNER AND DEVELOPER**

Duane A. Roman  
5701 Kentucky Avenue North  
Crystal, Minnesota 55428

**PROPOSED AREAS**

Lot 1 9,674 Sq. Ft.  
Lot 2 9,674 Sq. Ft.

DEMARA-GABRIEL  
LAND SURVEYORS, INC.

2000 Harbor Lane NW  
Plymouth, MN 55441  
Phone: 763-884-8888

I hereby certify that this is a true and correct representation of a survey of the boundaries of the above described land and of the location of all buildings, if any, thereon, and all visible encroachments, if any, upon or on said land.

As surveyed by me this 29th day of MAY, 1920

*Signature of Surveyor*  
S. J. Roman

Min. Reg. No. 9000

File No.

61266

Sheet - Page

257-22

Sheet

1 of 2

PRELIMINARY  
ROMAN  
FLAT  
ADDITION

PREPARED FOR  
DUANE ROMAN

**BOTNER AND SECOND UNIT**  
3 2 1 3  
24 16 08 7000 28 20 4912 16 10 4804 24 20 14 47

**THOMPSON ADDITION**  
LOMBARDY AVE.  
32 24 7008 7000  
29 21 13 6405  
4 7 6 12 4904

**ADDIT**  
LOMBARDY AVE.  
19 13  
13 07 4801  
2 10 4800  
19 12

**CRYSTAL APARTMENTS**  
WAYNE C. BLES  
PARK  
5940 5930 5920 5902 5910  
W. A. SWARTZ  
HERR  
ADD.  
5901 5902 5910

**CUSACK AND CARLSO**  
KENTUCKY  
5900 5901 5902 5903 5904 5905 5906 5907 5908 5909 5910 5911 5912 5913 5914 5915 5916 5917 5918 5919 5920 5921 5922 5923 5924 5925 5926 5927 5928 5929 5930 5931 5932 5933 5934 5935 5936 5937 5938 5939 5940 5941 5942 5943 5944 5945 5946 5947 5948 5949 5950 5951 5952 5953 5954 5955 5956 5957 5958 5959 5960 5961 5962 5963 5964 5965 5966 5967 5968 5969 5970 5971 5972 5973 5974 5975 5976 5977 5978 5979 5980 5981 5982 5983 5984 5985 5986 5987 5988 5989 5990 5991 5992 5993 5994 5995 5996 5997 5998 5999 6000

**ADDIT**  
IDAHO  
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DATE: July 11, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Bill Barber, Building Inspector  
SUBJECT: 5257 Hanson Court  
Proposal to build temporary cold storage

Jerry Womack, owner of Industrial Stainless Steel has requested a permit to build a 50'x80' cold storage building. The building will be used for storage of materials that are used in their operation located at 5265 Hanson Court (next door).

They are currently using the back portion of the property now for storage but due to the type of materials they have, they need to get it inside a structure.

The building being proposed has a steel panel exterior with a structural steel frame inside. There will be basic lighting in the structure.

There currently is a house on the property which is occupied by the owner's son. In discussing this matter of two uses on a property with the City Attorney, he suggested that the residential use has been grandfathered in as a non-conforming use, the new structure is a permitted use and at such time as the house becomes vacant, it will need to be removed.

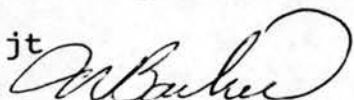
Mr. Womack's plan is to have this structure up for perhaps 3-5 years or when feasible to build a permanent addition onto the existing building. At that time, the two lots would be replatted into one lot and a new addition to the building.

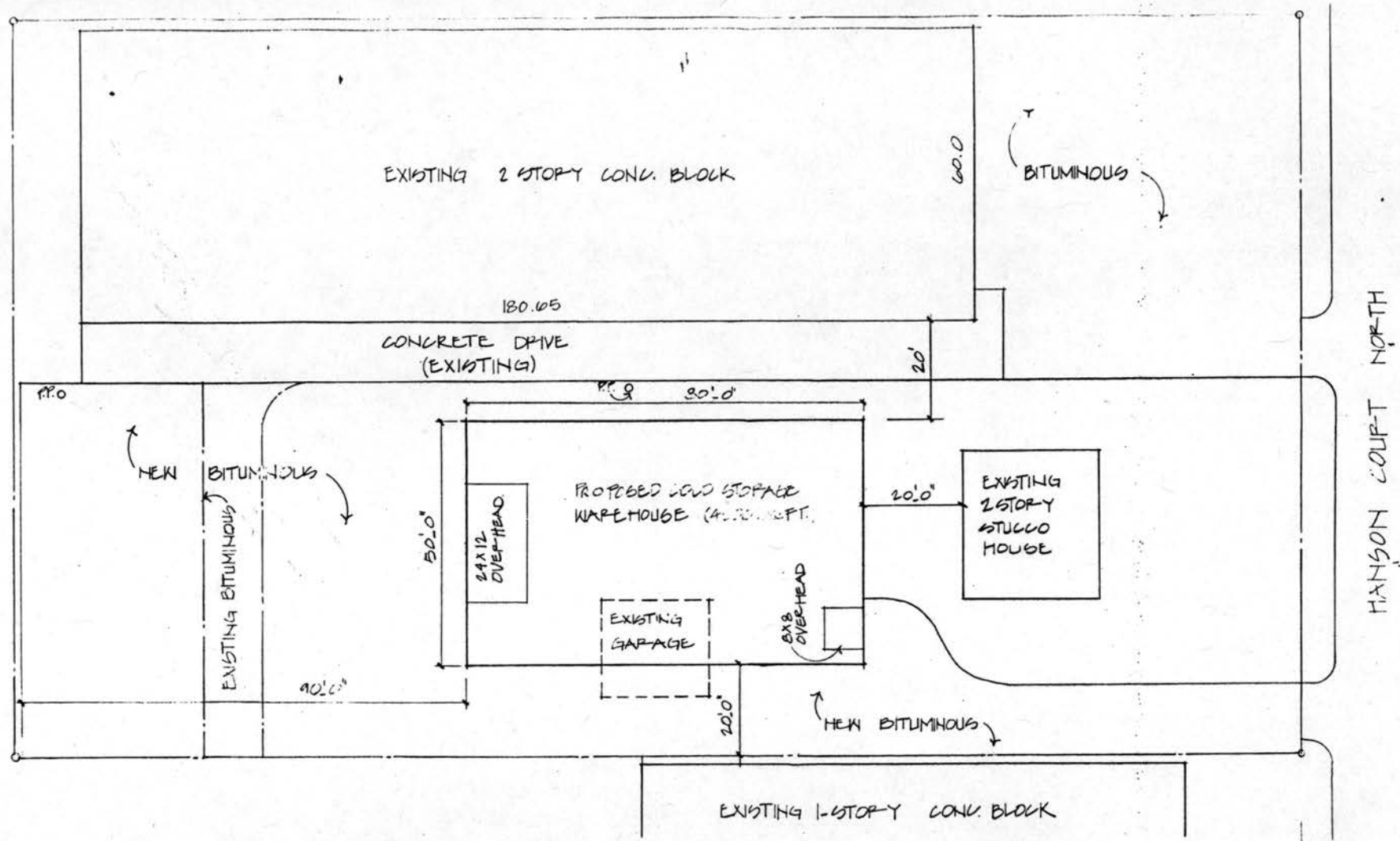
We have not received a detailed site plan but the site improvements will be subject to standard procedures. The site plan will be available Monday night.

Update from Planning Commission - July 9, 1990

The Planning Commission recommended to the City Council to authorize issuance of a building permit for a 50'x 30' temporary cold storage building. Staff will be meeting with Mr. Womack and his architect on Thursday to try to finalize site improvements which will be required at this time.

jt





5  
1

SITE PLAN

SCALE: 1"=20'

BUTLER 28 GA METAL  
ROOF AND WALLS

⊕

12 1/2

562.72

SOUTH LINE OF LOT 34 

4 TH

ADD.

CRYSTAL INDUSTRIAL  
BURLINGTON

33  
3

DEAN  
CASTING &  
MANUFACTURING  
ADDITION

CRYSTAL  
INDUSTRIAL  
2ND ADD

COUNTY

WOOLSTON'S  
368.2  
5217

NELSON  
ADD.

500

PLACE

FIRST

(1150)  
City of Crystal

M E M O R A N D U M

DATE: July 9, 1990  
TO: Crystal City Council  
FROM: John Olson, Asst. City Manager/  
Community Development Director  
SUBJECT: Housing Maintenance Code Changes

The last time the Council considered the Housing Maintenance Code, the Council members asked that the Planning Commission changes be incorporated into the Code.

In this memo I will show the original wording in parentheses and the changed wording underlined so that you can tell how the changes are incorporated into the Code.

Attached to this memo will be the pages as changed so you may put them into your present Code which you received the last time you considered the ordinance.

The changes are as follows:

Page 2 at the top of the page, "An initial licensing period, (of less than two years as determined by the compliance officer,) such operating license shall be issued (biannually) every four years and shall expire on the anniversary date of issuance. License renewals shall be filed at least (60 days) after 90 days prior to license expiration date."

Page 4 bottom of the page, "Section \_\_\_\_: Enforcement and Inspection Authority. The City Manager and his designated agents shall be the compliance officials who shall administer and enforce the provisions of this ordinance and is hereby authorized to cause inspections (on a scheduled basis for rental units) upon complaint, change in ownership, or otherwise when reason exists to believe that a violation of this Ordinance has been or is....."

These are the changes of the Planning Commission, as incorporated into the existing draft to the Code.

JAO:jt

an initial licensing period, each such operating license shall be issued every four years and shall expire on the anniversary date of issuance. License renewals shall be filed at least 90 days prior to license expiration date.

Section            Applicability of Ordinance. This ordinance establishes minimum standards for maintaining rental dwelling units, accessory structures and related premises. Every building and its premises used in whole or in part as a home or residence, or as an accessory structure thereof, for a single family or person, and every building used in whole or in part as a home or residence of two or more persons or families living in separate units shall conform to the requirements of this ordinance, irrespective of when such building may have been construed, altered, or repaired. This ordinance is intended to provide standards for licensed rental housing and to provide standards to allow resolution of complaints regarding licensed rental housing.

Section            License Fees. License fees shall be due 60 days prior to the license expiration date; in the cases of new unlicensed dwellings, license fees shall be due upon issuance of the certificate of occupancy; in the cases of licensing periods of less than two years, license fees shall be prorated monthly.

A delinquency penalty of 5% of the license fee for each day of operation without a valid license shall be charged operators of rental dwellings. Once issued, a license is nontransferable and the licensee shall not be entitled to a refund of any license fee upon revocation or suspension; however, the license shall be entitled to a license fee refund, prorated monthly, upon proof of transfer of legal control or ownership.

Section            Licensing Phase-In Policy. Starting on the effective date of this code, initial licensing inspections will begin according to inspection areas established by the Compliance Official. All rental properties will receive initial inspections to obtain licensing within the first 18 months after the effective date of this code.

Section            Owner or Agent to Apply. License application or renewal shall be made by the owner of rental units or his legally constituted agent. Application forms may be acquired from and subsequently filed with the Compliance Official. The applicant shall supply:

1. Name, address, and telephone number of dwelling owner, owning partners if a partnership, corporate officers if a corporation;
2. Name, address and telephone number of designated resident agent, if any;

shall include the name and address of the person succeeding to the ownership or control of such rental dwelling or dwellings.

Section            Occupancy Register Required. Every owner of a licensed rental dwelling containing three or more dwelling units shall keep, or cause to be kept, a current register of occupancy for each dwelling unit which provides the following information:

1. Dwelling unit address;
2. Number of bedrooms in dwelling unit;
3. Names of adult occupants and number of adults and children (under 18 years of age) currently occupying the dwelling units;
4. Dates renters occupied and vacated dwelling units;
5. A chronological list of complaints and requests for repair by dwelling unit occupants, which complaints and requests are related to the provisions of this ordinance; and
6. A similar chronological list of all corrections made in response to such requests and complaints.

Such register shall be made available for viewing or copying by the Compliance Official at all reasonable times.

Section            License Suspension or Revocation. Every operating license issued under the provisions of this ordinance is subject to suspension or revocation by the City Council should the licensed owner or his duly authorized resident agent fail to operate or maintain licensed rental dwellings and units therein consistent with the provisions of the ordinance of the City of Crystal and the laws of the State of Minnesota. In the event that an operating license is suspended or revoked by the City Council for just cause, it shall be unlawful for the owner or his duly authorized agent to thereafter permit any new occupancies of vacant or thereafter vacated rental units until such time as a valid operating license may be restored by the City Council. Any person violating this provision shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than five hundred dollars (\$500) and by imprisonment not to exceed ninety (90) days. Each day of each violation shall constitute a separate punishable offense.

Section            Enforcement and Inspection Authority. The City Manager and his designated agents shall be the Compliance Official who shall administer and enforce the provisions of this ordinance and who is hereby authorized to cause inspections upon complaint, change of ownership, or otherwise when reason exists to believe that a violation of this ordinance has been or is being committed. Inspections shall be conducted during reasonable daylight hours and the Compliance Official shall

M E M O R A N D U M

DATE: July 9, 1990

TO: Crystal City Council

FROM: John Olson, Asst. City Manager/  
Community Development Director

SUBJECT: Housing Maintenance Code -- Fee For Service

The City Council asked staff to calculate the fee for service for the rental licensing portion of the Housing Maintenance Code.

Exhibits 1, 2 and 3 give the detailed calculations for arriving at the total revenues and expenditures for this program.

As you will see on Exhibit 3, the total cost of personnel only, for the program, will be \$45,843.60, with revenues generated being \$33,400 or a difference (deficit) of \$12,443.60.

This total assumes that the license fee is charged on an annual basis. The Planning Commission has recommended that licensing and inspections occur every four years. Therefore, the revenue flow from the rental licensing code would fluxuate from year to year.

The first year we would have \$33,400 to offset the expenditures. But in the next three succeeding years, we would have no revenue generated from rental licensing, but still have personnel cost for inspector at \$40,560.

To provide for a continue flow of revenue, City Council may wish to consider spreading the license fee over a four year period with inspections occurring every four years. Based on the fees used, this would generate \$8,350 per year. Even though this method provides income every year, there is still not enough to cover the cost of an inspector.

My recommendation would be that the City Council consider, after Planning Commission consultation, approving the point of sale section of the Housing Maintenance Code in addition to the rental licensing section, and to have the entire Code come into force at the same time or within six months of each other.

The Assessing Department estimates that we have on average 350 homes sold each year. At a fee of \$50 a home, this would generate \$17,500 per year. In addition to the \$8,050 from the rental licensing, this would give the City revenue of \$25,850 per year.

Second, I would suggest that the Housing inspector also be the Fire inspector inspecting those portions of rental housing and commercial property that the part-time Fire inspector inspects now.

By combining services, we can eliminate the need for a part-time Fire inspector and not have to further increase expenditures for the Housing inspector. This recommendation could transfer approximately \$6,100.

Although this does not bring the cost of this Maintenance Code in line with revenues, it brings it much closer than before and would provide steady revenue each year.

JAO:jt

EXHIBIT 1

HOUSING MAINTENANCE CODE  
FEE FOR SERVICE

(Based on Housing Inspection of \$15 per hr. + 30% fringes = \$19.50 per hr.; and secretarial time of \$10.987 per hr. + 30% fringes = \$14.28 per hr.)

SINGLE FAMILY RENTAL HOUSING

<u>Time</u>	<u>Cost</u>	
Initial Inspection		
Inspector		
Inspection - 20 minutes		
Travel Time 15 minutes		
<u>Report Prep. 20 minutes</u>		
Total 55 min. say 1 hr.	\$19.50	
Secretary		
Report Typing - 30 min.	7.14	
Travel Reimburse.		
3 miles @ .24 per mile	.72	
	<hr/>	
Total	\$27.36	\$27.36
Follow-up Inspection		
Inspector		
Inspection 15 min.		
Travel Time 15 min.		
Report Prep <u>15 min.</u>		
45 min.	\$14.63	
Secretary		
Report Typing 30 minutes	7.14	
Travel Reimbursement		
3 miles @ .24 per mile	.72	
	<hr/>	
Total	\$22.49	\$22.49
Total Single Family Rental Fee		\$49.85
Charge \$50		

**EXHIBIT 2  
DUPLEXES, TRIPLEXES, QUADS**

<u>TIME</u>	<u>COST</u>
Basic S.F.R.H. Inspection Fee	\$50.00
Inspector	
Additional Units - 30 min.	9.75
Secretary	
Additional typing time - 20 min.	<u>4.75</u>
Total Duplex, Triplex, Quad Fee	\$64.46

**Charge \$65**

**MULTIPLE DWELLING  
(more than 4 units)**

Basic Building Charge - based on 4 unit minimum and 15 minute inspection time per unit.

<u>Time</u>	<u>Cost</u>	
Initial Inspection		
Inspector		
Unit Inspection minimum - 60 min.	\$19.50	
Common Area Inspection - 20 min.	6.44	
Report Preparation - 30 min.	9.75	
Travel Time - 15 min.	4.88	
Secretary		
Report Typing - 30 minutes	\$7.14	
Travel Reimbursement 3 miles @ .24 per mi.	<u>.72</u>	
Initial Inspection Charge	\$48.43	\$48.43
Follow-up Inspection (1/2 inspection time)		
Inspector		
Inspection - 30 minutes		
Travel Time - 15 minutes		
Report Prep - <u>15 minutes</u>		
60 minutes	\$19.50	
Secretary		
Report Typing 20 minutes	4.76	
Travel Reimbursement 3 mi. @ .24 per mile	<u>.72</u>	
Follow-up Inspection Charge	\$24.88	<u>\$24.88</u>
Total Basic Building Charge		\$73.41

**Multiple Dwelling Charge-\$75; plus \$5 for each apartment unit (based on 1/4 hr. inspection time (\$4.88)).**

**EXHIBIT 3**  
**RENTAL LICENSING REVENUE AND EXPENDITURE REPORT**

<u>REVENUE</u> TYPE	NUMBER	FEE	REVENUE
Non-Homestead Single Family	357 (use 300)	\$50	\$15,000
Duplexes	72	\$65	\$ 4,680
Triplexes	1	\$65	\$ 65
Multiple Buildings	59	\$75	\$ 4,425
Apartments	1,846	\$ 5	<u>9,230</u>
		Total	\$33,400

(\$33,400 annual revenue if  
license renewed every year)

**HOUSING MAINTENANCE EXPENDITURE**  
**(Personnel Only)**

Inspector - 2,080 hrs.* @\$19.50*** an hr.	\$40,560.00
Secretary - 370 hrs** @ \$14.28*** an hr.	<u>5,283.60</u>
Total	\$45,843.60

\* One work year

\*\* Calculated based on anticipated actual work time

\*\*\* Salary plus fringes

**SUMMARY**

Revenue (if licensed annually)	\$33,400.00
Expenditure	<u>45,843.60</u>
Total	- \$12,443.60 (deficit)



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

ADMINISTRATIVE OFFICE

July 9, 1990

Dear Rental Property Owner:

The City Council of the City of Crystal will be conducting a public meeting at 7:00 P.M., Tuesday, July 17, 1990, to discuss the Housing Maintenance Code as it relates to rental housing.

The Council has requested that both owners and residents of rental property be notified about this meeting. We have sent a separate notice to the resident managers of your property asking that they post the enclosed notice for the residents to see.

Thank you for your cooperation and if you have questions regarding the Code, please feel free to call me or Julie Jones at 537-8421.

Sincerely,

John A. Olson  
Asst. City Manager/  
Community Development Director

JAO:jt

July 9, 1990

Resident Managers of  
Apartment Units

Dear Resident Manager:

The City Council of the City of Crystal will be conducting a public meeting to discuss the Housing Maintenance Code as it relates to rental housing.

The Council has requested that both owners and residents of rental property be notified about this meeting. We have sent a separate notice to the owners of your property and would ask that you would post this notice for the residents to see.

Thank you for your cooperation and if you or any of the residents or the building owner have questions regarding the Code, please feel free to call me or Julie Jones at 537-8421.

Sincerely,

John A. Olson  
Asst. City Manager/  
Community Development Director

JAO:jt

NOTICE OF PUBLIC MEETING  
TO CONSIDER AN AMENDMENT  
TO THE CITY CODE

HOUSING MAINTENANCE -  
LICENSED RENTAL DWELLINGS

City of Crystal, MN

NOTICE IS HEREBY GIVEN that the City Council of the City of Crystal, Minnesota, will meet on Tuesday, July 17, 1990 at 7:00 p.m., or as soon thereafter as the matter may be heard, at the Crystal Municipal Building, 4141 Douglas Drive, in said City, to consider an amendment to the City Code which would protect the public health, safety and the general welfare of the people of the City through licensing rental dwellings.

Specifically, the ordinance amendment details a licensing procedure for all rental properties in Crystal, including the inspection provisions and costs associated with procuring such a license.

Persons desiring to be heard on this matter may do so at this time.

Darlene George  
City Clerk

(Published in the Crystal-Robbinsdale Post News July 11, 1990)



July 2, 1990

TO: Jerry Dulgar - City Manager

RE: 1991 DUES FOR THE ASSOCIATION OF METROPOLITAN MUNICIPALITIES  
(AMM)

The AMM Board, in accordance with the By-Laws, is responsible for establishing the Annual Budget and Work Program and setting the corresponding membership dues rate. The process for 1991 is more complicated due to the impact of the recommendations contained in the final report of the Mission and Membership Services Task Force which you recently received under separate cover. The Board voted at the June 28th Board Meeting to recommend implementation of the major Mission Task Force recommendations. Implementing the major Task Force recommendations, including the additional staff person has a total cost of about \$38,000 which would result in a 19% dues increase for member cities over the 1990 dues paid. Consequently, the 1991 AMM dues for Crystal based on this decision would be \$5,563 and I would ask you to use that amount when preparing your 1991 budget.

The Board recognizes that this is a large increase but believes it is essential for several reasons detailed in said report including the following:

1. The need for the AMM to become more proactive and visible in helping set the metropolitan agenda. We need to be 'there' to represent the AMM member cities adequately at the Council. We need to have a staff person there 12-15 hours per week. Increased responsibilities at the legislature have made it impossible for our small staff to maintain that kind of commitment.
2. The AMM also needs to increase its presence at the State Legislature. The AMM has been 'spread to thin' with the number of policy issues involved and with outstate groups promoting tax policies detrimental to the collective interests of metropolitan area cities, the AMM staff needs to increase the amount of time it can spend 'one-on-one' promoting AMM policy positions. We also need to hold metropolitan legislators more accountable to the AMM agenda.

3. If the AMM is to achieve the status of being recognized as the organization that speaks and represents the collective interests of metropolitan area cities, it is important that the association increase its visibility in the eyes of the Legislature, City Officials, the general public and the Metropolitan Council. An enhanced public relations system must be implemented and this cannot be done effectively without an additional staff person.

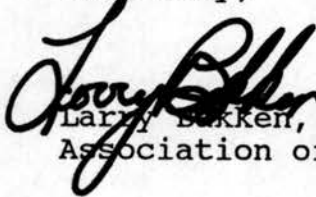
A dues increase of such magnitude however, requires membership approval and there will be a special AMM Membership Meeting on Thursday evening September 6, 1990 to vote on this matter. (a two-thirds majority of those present and voting is required for approval). It is intended that the new staff person would handle a lot of the enhanced communications and public relations effort thereby 'freeing-up' the Director of Legislative Affairs and the Executive Director for more 'one-on-one' contact at both the metro and state levels.

A back-up budget based on a work program and staffing level similar to our 1990 level of activity and effort has also been prepared in case the 19% dues increase is not approved at the membership meeting. The dues for Crystal to support the back-up budget would not exceed \$4,885 which represents a 4.5% increase over the 1990 dues. The Board appreciates your continued support of the AMM efforts and strongly endorses the enhanced work program and resultant increase in dues. Do not hesitate to call me or our Executive Director, Vern Peterson should you have questions.

We would also encourage you to make plans now to assure that your city has representation at the September 6th. meeting to vote the will of your city.

Thank you.

Sincerely,



Larry Bakken, President  
Association of Metropolitan Municipalities

City of Crystal

Memorandum

DATE: July 11, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Kevin J. McGinty  
SUBJECT: Agreement with State Fire Marshal's Office to Inspect Hotels

As you are aware, the Minnesota State Fire Marshal's office has a program to contract with municipalities that have a fire inspection program to conduct certain required fire inspections. In return, the State Fire Marshal's office provides fire code enforcement training for inspector's of Fire Departments that have entered into such agreement.

The State Fire Marshal has encouraged local Fire Departments to become part of this program. I am recommending that we enter into this agreement for the following reasons:

- a) The agreement fosters good cooperation between the State Fire Marshal's office and the Crystal Fire Department.
- b) It assures us the ability to enforce the fire code to locally acceptable standards, and to control the level of fire hazards that we are willing to accept in the community.
- c) It will allow the Fire Department to access training at no charge, that is, developed and delivered from time to time by the State Fire Marshal's office.
- d) We are currently inspecting hotels annually. When a State Inspector also comes through for an inspection at a different time than ours, it can be an undue burden on the business owner.

This agreement can be cancelled at any time with a 30 day notice, should we decide it is no longer beneficial to the City.

The State requires a simple Council Resolution authorizing the City Manager and the Fire Chief to execute this agreement.

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

KJM:jls

RESOLUTION NO.90-

RESOLUTION AUTHORIZING THE CITY MANAGER AND FIRE CHIEF  
TO ENTER INTO AGREEMENT WITH  
STATE OF MINNESOTA FIRE MARSHAL'S DIVISION FOR  
FIRE INSPECTION OF HOTELS WITHIN  
LIMITS OF THE CITY OF CRYSTAL

WHEREAS, the City of Crystal has adopted the Minnesota Uniform Fire Code as a City Ordinance for fire protection, and

WHEREAS, the City of Crystal Fire Department inspects for compliance to the fire code all hotels within the City limits on an annual basis, and

WHEREAS, the State Fire Marshal is required to cause all hotels to be inspected to the Minnesota Uniform Fire Code on a tri-annual basis, and

WHEREAS, Minnesota Statute 299f.46 Subdivision 2, allows for the State Fire Marshal to enter into an agreement with a municipality to perform these inspections,

NOW BE IT THEREFORE RESOLVED by the City Council of the City of Crystal, that the City Manager and Fire Chief are hereby authorized to enter into an agreement with the State of Minnesota and State Fire Marshal's Division to perform fire inspections of hotels within the City of Crystal on at least a tri-annual basis, and to forward copies of the inspection records to the State Fire Marshal's office.

Adopted by the City Council this 17th day of July, 1990.

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Mayor

ATTEST:

---

City Clerk



## STATE OF MINNESOTA

## CONTRACTUAL (non-state employee) SERVICES

Trn. No.	FY	Account I.D.	Dept./Div.	Sequence No.	Suffix	Object	Vendor	Type	Amount
	0	535039	07400						
Purchase Terms		Asset No.	C.C.D. 1	C.C.D. 2	C.C.D. 3	Cost Code 4		Cost Code 5	
Type of Transaction			Date		Number		Entered By		
<input type="checkbox"/> A 40 <input type="checkbox"/> A 41									
<input type="checkbox"/> A 44 <input type="checkbox"/> A 45 <input type="checkbox"/> A 46			Date		Number		Entered By		

**NOTICE TO CONTRACTOR:** You are required by Minnesota Statutes, 1981 Supplement, Section 270.66 to provide your social security number or Minnesota tax identification number if you do business with the State of Minnesota. This information may be used in the enforcement of federal and state tax laws. Supplying these numbers could result in action to require you to file state tax returns and pay delinquent state tax liabilities. This contract will not be approved unless these numbers are provided. These numbers will be available to federal and state tax authorities and state personnel involved in the payment of state obligations.

THIS CONTRACT, which shall be interpreted pursuant to the laws of the State of Minnesota, between the State of Minnesota, acting through its **Department of Public Safety**

(hereinafter STATE) and **City of Crystal**

address **4141 Douglas Drive N., Crystal**

**MN 55422-1696**

Soc. Sec. or MN Tax I.D. No. \_\_\_\_\_ Federal Employer I.D. No. (if applicable) \_\_\_\_\_

(hereinafter CONTRACTOR), witnesseth that:

WHEREAS, the STATE, pursuant to Minnesota Statutes **1978, Section 299F.46 subdivision 2** is empowered to **enter into an agreement with any county, two or more contiguous counties or city or other municipality**, and

WHEREAS, **under which agreement the county(ies), city or municipality may agree to perform all or part of the inspection duties set forth in M.S. 299F.46, subdivision 1 (1978)**, and

WHEREAS, CONTRACTOR represents that it is duly qualified and willing to perform the services set forth herein,

NOW, THEREFORE, it is agreed:

I. **CONTRACTOR'S DUTIES** (Attach additional page if necessary). CONTRACTOR, who is not a state employee, shall:

1. **Triannually inspect every hotel within its jurisdiction and enforce the provisions of the Minnesota Uniform Fire Code as it applies to those facilities at no cost to the State.**
2. **Furnish to the State Fire Marshal, for processing and service, a copy of the inspection report, orders issued and exit interview.**
3. **Require all inspectors employed for the purposes of this contract to successfully complete the State Fire Marshall's 120 hour, and/or refresher course, on the enforcement inspection training program to be provided to the municipality at no cost.**
4. **Adopt ordinances establishing fire safety standards at least equivalent to the minimum standards established by M.S. 299F.011 and the rules promulgated thereunder, as such statutes and rules are amended from time to time. The consultant may enact ordinances with more stringent requirements.**
5. **Attach to the contract a certified copy of the municipality's fire ordinance and Council resolution to enter into an agreement.**

II. **CONSIDERATION AND TERMS OF PAYMENT.**

A. **Consideration** for all services performed and goods or materials supplied by CONTRACTOR pursuant to this contract shall be paid by the STATE as follows:

1. Compensation n/a
2. Reimbursement for travel and subsistence expenses actually and necessarily incurred by CONTRACTOR performance of this contract in an amount not to exceed n/a dollars (\$ n/a); provided, that CONTRACTOR shall be reimbursed for travel and subsistence expenses in the same manner and in no greater amount than provided in the current "Commissioner's Plan" promulgated by the Commissioner of Employee Relations. CONTRACTOR shall not be reimbursed for travel and subsistence expenses incurred outside the State of Minnesota unless it has received prior written approval for such out of state travel from the STATE. The total obligation of the STATE for all compensation and reimbursements to CONTRACTOR shall not exceed n/a dollars (\$ n/a).

B. **Terms of Payment**

- III. CONDITIONS OF PAYMENT. All services provided by CONTRACTOR pursuant to this contract shall be performed to the satisfaction of the STATE, as determined in the sole discretion of its authorized agent, and in accord with all applicable federal, state and local laws, ordinances, rules and regulations. CONTRACTOR shall not receive payment for work found by the STATE to be unsatisfactory, or performed in violation of federal, state or local law, ordinance, rule or regulation.
- IV. TERM OF CONTRACT. This contract shall be effective on May 1, 1990, or upon such date as it is executed as to encumbrance by the Commissioner of Finance, whichever occurs later, and shall remain in effect until June 30, 1992, or until all obligations set forth in this contract have been satisfactorily fulfilled, whichever occurs first.
- V. CANCELLATION. This contract may be cancelled by the STATE or CONTRACTOR at any time, with or without cause, upon thirty (30) days' written notice to the other party. In the event of such a cancellation CONTRACTOR shall be entitled to payment, determined on a pro rata basis, for work or services satisfactorily performed.
- VI. STATE'S AUTHORIZED AGENT. The STATE'S authorized agent for the purposes of administration of this contract is Allen Rupp
- Such agent shall have final authority for acceptance of CONTRACTOR'S services and if such services are accepted as satisfactory, shall so certify on each invoice submitted pursuant to Clause II, paragraph B.
- VII. ASSIGNMENT. CONTRACTOR shall neither assign nor transfer any rights or obligations under this contract without the prior written consent of the STATE.
- VIII. AMENDMENTS. Any amendments to this contract shall be in writing, and shall be executed by the same parties who executed the original contract, or their successors in office.
- IX. LIABILITY. CONTRACTOR agrees to indemnify and save and hold the STATE, its agents and employees harmless from any and all claims or causes of action arising from the performance of this contract by CONTRACTOR or CONTRACTOR'S agents or employees. This clause shall not be construed to bar any legal remedies CONTRACTOR may have for the STATE'S failure to fulfill its obligations pursuant to this contract.
- X. STATE AUDITS. The books, records, documents, and accounting procedures and practices of the CONTRACTOR relevant to this contract shall be subject to examination by the contracting department and the legislative auditor.
- XI. OWNERSHIP OF DOCUMENTS. Any reports, studies, photographs, negatives, or other documents prepared by CONTRACTOR in the performance of its obligations under this contract shall be the exclusive property of the STATE and all such materials shall be remitted to the STATE by CONTRACTOR upon completion, termination or cancellation of this contract. CONTRACTOR shall not use, willingly allow or cause to have such materials used for any purpose other than performance of CONTRACTOR'S obligations under this contract without the prior written consent of the STATE.
- XII. AFFIRMATIVE ACTION. (When applicable) CONTRACTOR certifies that it has received a certificate of compliance from the Commissioner of Human Rights pursuant to Minnesota Statutes, 1981 Supplement, Section 363.073.
- XIII. WORKERS' COMPENSATION. In accordance with the provisions of Minnesota Statutes, 1981 Supplement, Section 176.182, the STATE affirms that CONTRACTOR has provided acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, 1981 Supplement, Section 176.181, Subdivision 2.
- XIV. ANTITRUST. CONTRACTOR hereby assigns to the State of Minnesota any and all claims for overcharges as to goods and/or services provided in connection with this contract resulting from antitrust violations which arise under the antitrust laws of the United States and the antitrust laws of the State of Minnesota.
- XV. OTHER PROVISIONS. (Attach additional page if necessary):

See Attached

IN WITNESS WHEREOF, the parties have caused this contract to be duly executed intending to be bound thereby.

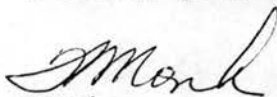
APPROVED: NOTE: Remove carbons before obtaining signatures.

1. The State will discontinue inspection and enforcement actions in those facilities covered by the Agreement. The State will provide, without cost to the Contractor, training and consultation on problems. The State will provide, without cost to the contractor consultation and advice on rules promulgated by the State which are enforced by the Contractor.
2. The State will tri-annually review the Contractor's program to determine its continued compliance with the Agreement. Tri-annual review criteria includes code interpretation, enforcement procedures, inspection results and frequency, records completeness and staff training.
3. The Agreement shall continue to be effective until terminated by either party in accordance with Section V. If the Contractor's program is found by the State to be deficient, but under conditions that do not endanger the fire safety of the community, the State may continue the Agreement on a provisional status for a specific time period.
4. The Agreement may be amended with the mutual consent of both parties.
5. No Agreement shall be effective to transfer any tort liability attributable to any inspection or lack of inspection from the State to the local unit contracting to perform the inspection.

DATE: July 12, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Bill Monk, City Engineer  
SUBJECT: Site Improvements at Crystal Care Center

Back on September 5, 1989, the City Council approved a grading permit at the Crystal Care Center, 3245 Vera Cruz, that included construction of a large park area adjacent to the existing building along with an expansion of the parking lot. For financial reasons the Center proposes to down scale the project and construct a smaller park without expanding the parking area. The proposed park area eliminates 11 existing parking stalls but leaves enough parking to meet current ordinance requirements.

The attached site plan and improvement agreement reflect the recently submitted modifications. Approval of the modified grading permit and improvement agreement is recommended.

  
WM:jrs

Encls

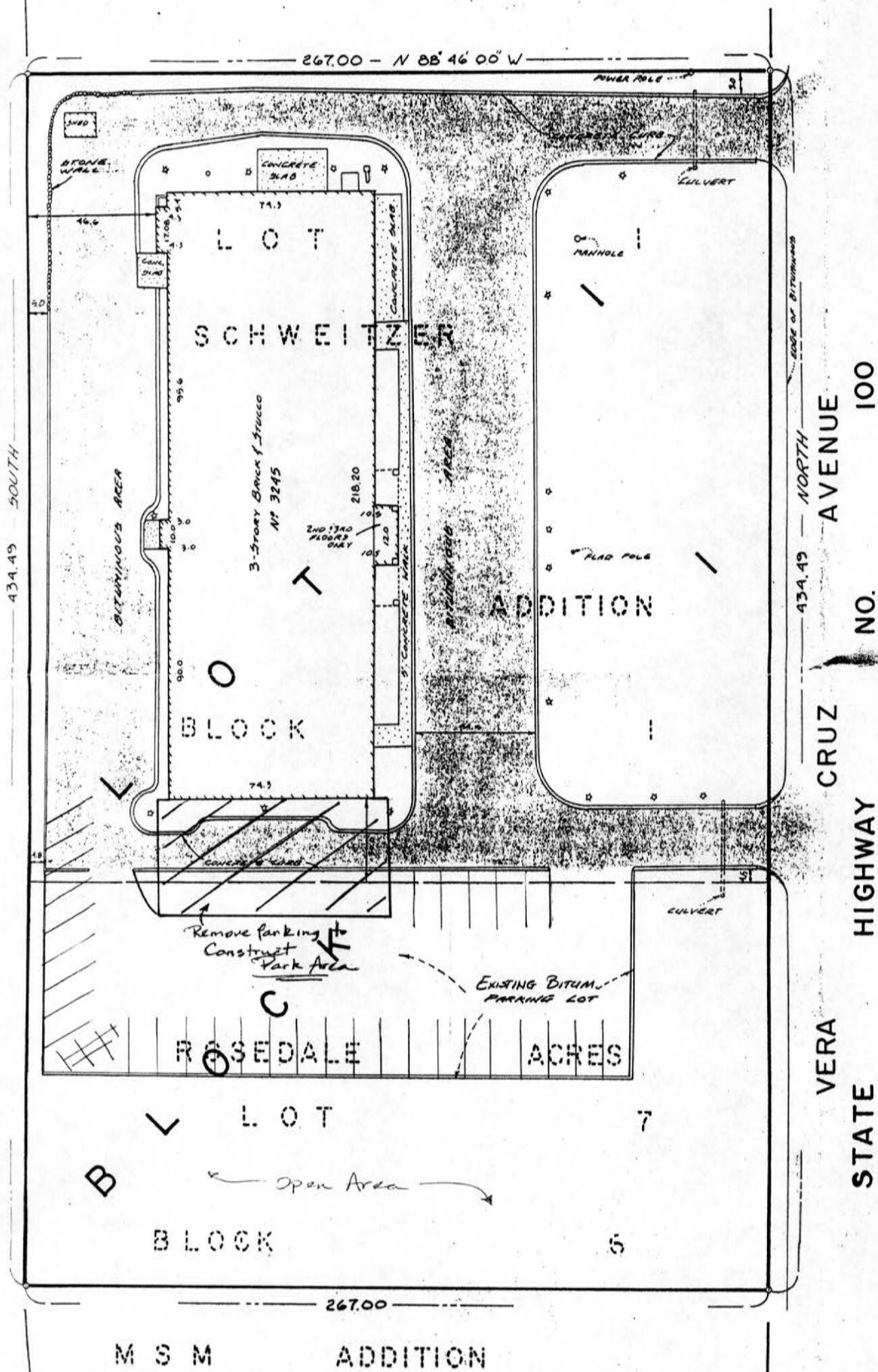


EXHIBIT "A"

A G R E E M E N T

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

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

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

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

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

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

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

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

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

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

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

That surety be deposited with the City in the amount of \$5,000 to insure the faithful performance of the above construction work and requirements, said surety to be in the form and manner as prescribed by law.

IN WITNESS WHEREOF we have hereunto set our hands this \_\_\_\_ day of \_\_\_\_\_.

SEAL

ATTEST:

CITY OF CRYSTAL

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
CITY MANAGER

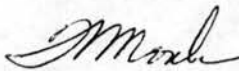
IN THE PRESENCE OF:

\_\_\_\_\_  
SECOND PARTY

\_\_\_\_\_  
SECOND PARTY

DATE: July 11, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Bill Monk, City Engineer  
SUBJECT: Surety Release for Site Improvements  
at 5241 Hanson Court - Beaver Machine

On June 18 the City Council modified the site improvements at Beaver Machine to include loading dock/parking restrictions in place of boulevard curb. The signs noting these restrictions are in place; so site improvements at 5241 Hanson Court are now complete. At this time, Staff recommends the site improvements be accepted as complete and the financial surety in the amount of \$1,950 be released.



WM:jrs

Encls

DATE: May 9, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Bill Monk, City Engineer  
SUBJECT: Site Improvements at 5241 Hanson Court

In July of 1988, Beaver Machine relocated its business from 5249 to 5241 Hanson Court. Building modifications were performed at that time which required site improvements consistent with City policy. Originally, storm sewer and concrete were proposed in the rear parking area; however, this work was deleted by the Council given the possibility of future alley construction. Additionally, the proposed fence relocation could not be completed as the fence was installed and is maintained by Dumarks which abuts this property to the west.

The parking related improvements have been completed. The owner is at this time requesting the boulevard curbing be deleted from the improvement agreement. This curbing was intended as a means to prohibit parking on the boulevard. This practice is a problem with several of the businesses along Hanson Court in that the area between the street curb and the buildings is completely hard-surfaced with bituminous material. As I recall, sodding of the boulevard area was discussed previously but not pursued because of maintenance.

While I do not view this issue as critical to the operation of business, it does impact vehicular traffic in terms of sight distance and the proximity to access drives. For that reason I cannot recommend this item be dismissed without some resolution of the boulevard parking issue.

The owner, Jim Haberle, will be in attendance on Tuesday night to discuss this matter.

#### 6/13/90 UPDATE

The City Manager and I recently met with Mr. Haberle, the owner of Beaver Machine, to discuss options on the boulevard curb situation. Mr. Haberle restated his position that parking on the public boulevard is not a problem at his site and that the proposed curb will only worsen the delivery situation and create a snow plowing headache. While Mr. Haberle understands the City's policy on this matter and staff acknowledges the owner's concerns, no resolution was reached.

Jerry Dular  
Site Improvements at 5241 Hanson Court  
June 13, 1990  
Page 2

The options discussed included:

- 1) Sodding the boulevard area
- 2) Curbing the edge of the boulevard (as proposed in the site agreement)
- 3) Striping the building area to denote no parking
- 4) Installing signs on the front of the building identifying the loading zone and prohibiting parking.

As stated previously, the City's intent is to promote vehicular and pedestrian traffic by keeping the public boulevard clear. The building at 5241 Hanson Court is located close to the street and was constructed with an overhead access in front which is being appropriately used by the occupants. Item 4 listed above involving the signage does achieve the City's objective but would only be acceptable to staff from a policy perspective if parking is prohibited altogether from in front of the building.

  
WM:jrs

Encls

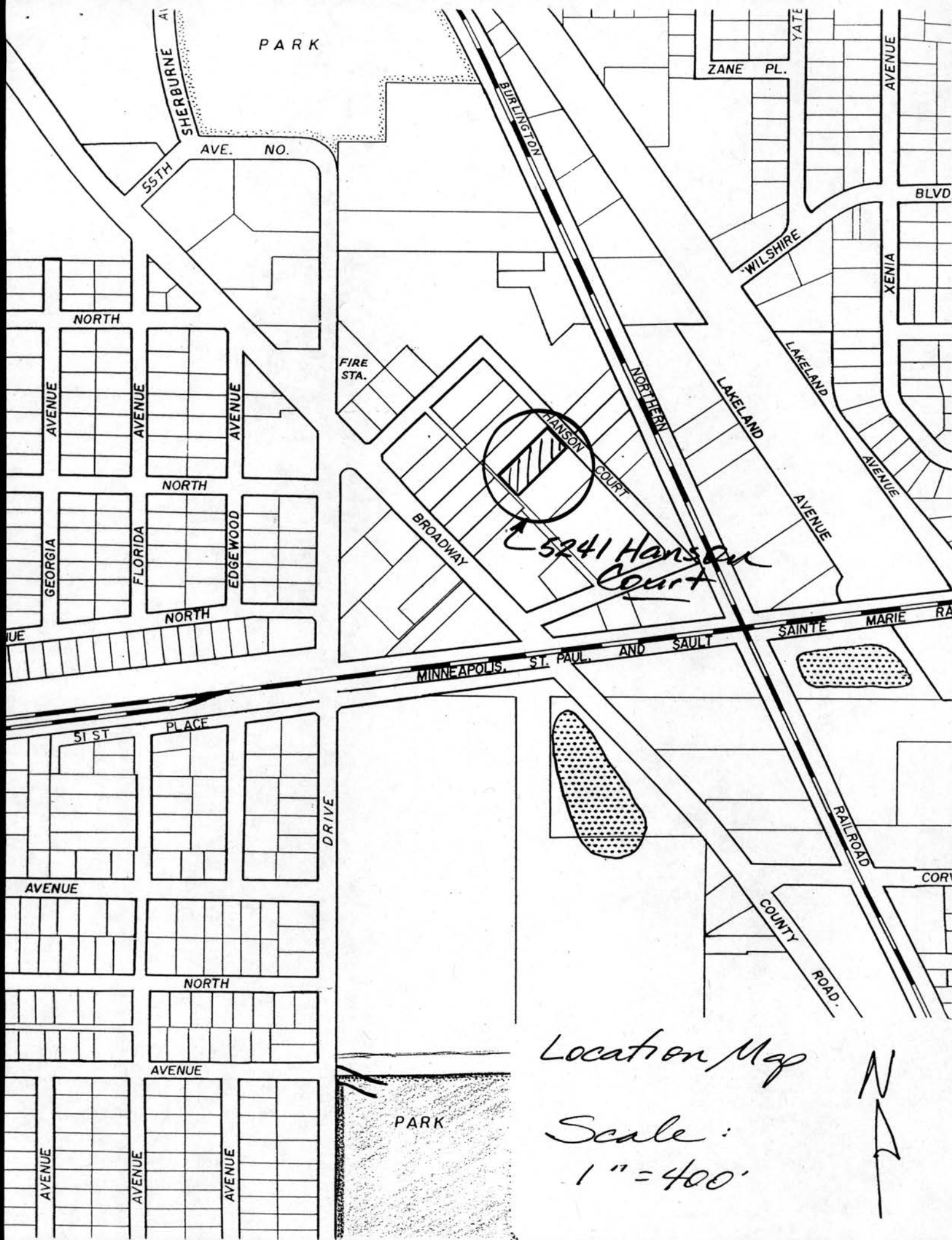




EXHIBIT "A"

A G R E E M E N T

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

WHEREAS, second party has requested that the City Council approve the issuance of a building permit.

WHEREAS, as a prerequisite to the approval of said permit, the City Council requires the construction of certain improvements for the orderly development of property known as Jasmic, 5241 Hanson Court.

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

- Construct V6 (minimum section) cast-in-place concrete barrier curb.
- Stripe parking stalls with white paint.
- Erect 1 handicap parking stall sign.
- Relocate portion of existing chain-link fence.

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

That construction work be completed prior to issuance of the occupancy permit but not later than one year from issuance of building permit.

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

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

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

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

That surety be deposited with the City in the amount of \$1,950 to insure the faithful performance of the above construction work and requirements, said surety to be in the form and manner as prescribed by law.

IN WITNESS WHEREOF we have hereunto set our hands this 20 day of July, 1988.

SEAL

ATTEST:

Darlene George  
CITY CLERK

CITY OF CRYSTAL

[Signature]  
MAYOR

[Signature]  
CITY MANAGER

IN THE PRESENCE OF:

[Signature]

[Signature]  
SECOND PARTY

[Signature]  
SECOND PARTY



**HOLMES & GRAVEN**

**CHARTERED**

470 Pillsbury Center, Minneapolis, Minnesota 55402

(612) 337-9300

**DAVID J. KENNEDY**

Attorney at Law

Direct Dial (612) 337-9232

July 9, 1990

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

Dear Jerry:

Enclosed find the text of a proposed resolution on consent agenda procedure. Let me know if you think any changes are necessary.

Yours very truly,



David J. Kennedy

DJK:caw

Enclosure

RESOLUTION NO. 90-\_\_\_\_\_

RESOLUTION RELATING TO CITY COUNCIL  
PROCEDURES: CONSENT AGENDA

Be it resolved by the City Council of the City of Crystal, Minnesota, as follows:

Section 1. Background.

1.01. Subsection 200.17 of the City Code provides for the use of a consent agenda by the City Council.

1.02. The purpose of the consent agenda is to expedite Council meetings by allowing the Council to consider and, in a single motion, act on items of a routine, non-controversial nature that are expected to be passed by unanimous consent of the Council.

1.03. The Council finds that it is desirable to formalize the procedures for establishment of and disposition of matters on the consent agenda.

Sec. 2. Procedures.

2.01. The City Manager places on the consent agenda those matters that in the Manager's judgment are routine, non-controversial and are not likely to require input from the public.

2.02. The consent agenda will be considered by the Council immediately after the approval of minutes of the previous meeting.

2.03. The Mayor, or at the Mayor's direction the Clerk, will state in full the title of each item on the consent agenda. When a consent agenda item is read any member of the Council may, without a formal motion, request that item be removed from the consent agenda and placed on the regular agenda. A request to remove an item from the consent agenda may not be objected to by any other Councilmember. No discussion on the request is permitted other than a request by the requesting Councilmember for clarification of the content of the item for purposes of making the request for removal.

2.04. The Clerk will place items removed from the consent agenda at the end of the regular agenda for the meeting in the order in which the items were removed.

2.05. The Clerk is directed to place a copy of this resolution in each Councilmember's permanent agenda packet.

Dated: \_\_\_\_\_, 1990.

\_\_\_\_\_  
Mayor

Attest:

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

LeFevere  
Lefler  
Kennedy  
O'Brien &  
Drawz

a Professional  
Association

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Thomas R. Galt  
Steven B. Schmidt  
John G. Kressel  
James M. Strommen  
William P. Jordan  
William R. Skallerud  
Corrine A. Heine  
David D. Beaudoin  
Steven M. Tallen  
Mary Frances Skala  
Leslie M. Altman  
Timothy J. Pawlenty  
Rolf A. Sponheim  
Julie A. Bergh  
David C. Roland  
Paul D. Baertschi  
Arden Fritz  
Mark J. Gergen  
Julie A. Lawler  
Janet J. Coleman  
Stephen J. Bubul  
E. David Reyes

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

October 2, 1989

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

Re: Suburban Rate Authority (SRA)

Dear Jerry:

Enclosed you will find copies of materials relating to the Suburban Rate Authority.

You will recall from the last Council meeting that a number of members expressed interest in the organization and its history and past activities. I hope they find this useful.

Yours very truly,



David J. Kennedy

DJK:caw

Enclosures

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Lefler  
Kennedy  
O'Brien &  
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Darcy L. Hitesman  
David C. Roland  
Karen A. Chamerlik  
Paul D. Baertschi  
Arden Fritz

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

# MEMORANDUM

TO: SRA Board of Directors

FROM: Glenn Purdue, SRA Counsel *GP*

DATE: April 20, 1988

SUBJ: Review of SRA Achievements

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

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

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

Metropolitan Waste Control Commission

- 1987 SAC Refund Plan, Sewer Service Areas, Rate Structure. SRA provided testimony (through Grady Boeck) at the legislature. Board resolution supporting changes in sewer services areas and the rate structure as proposed by the study commission.
- 1986 Supported similar legislation, which failed.
- 1985 Directors DeGhetto and Honchell served on the Rate Structure Task Force.

The Board was active in the formulation of funding proposals for the Combined Sewer Overflow projects in the Cities of Minneapolis, St. Paul and South St. Paul. SRA involvement probably limited the pass-through of these costs to member communities.

- 1984 SRA Director Jim Spore served on the MWCC Administrative Review Committee. Jim and Clayt LeFevere assisted Touche Ross with the management review study of the MWCC (the "Boland Commission")
- 1982 SRA organized and, with other organizations, sponsored a conference on the management of the MWCC. Dubbed "Spotlight on the MWCC," the conference started the ball rolling toward review of management practices, policies and philosophies of the MWCC. The one-day conference was attended by over 100 persons and it started a dialogue which resulted in the management study and rate structure reviews.
- 1981 SRA created an ad hoc committee on MWCC oversight.

The committee, chaired by Bill Schoell, established subcommittees to study operating efficiency, storm sanitary sewer separation, total costs and allocation methodology, future construction program, wage rates, comparative costs and similar districts. Committee reports were received and forwarded to MWCC.

Uniform Franchise Ordinances

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

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

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

#### Intervention in Utility Rate Cases

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

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

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

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

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

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

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

#### PUC Legislation

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

The resulting statutory amendments provide safeguards for the public.

#### Other Subject Areas

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

#### Estimated Dollar Savings from SRA Efforts

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

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

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

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

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

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

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

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

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

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

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

1984	-	\$245.40
1985	-	368.10

April 20, 1988  
Page 7

1986	-	200.00
1987	-	350.00
1988	-	350.00

0060ME01.B18

LeFevere  
Lefler  
Kennedy  
O'Brien &  
Drawz

A Professional  
Association

2000 First Bank Place West  
Minneapolis  
Minnesota 55402

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Clayton L. LeFevere  
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John B. Dean  
Glenn E. Purdue  
Richard J. Schieffer  
Charles L. LeFevere  
Herbert P. Lefler III  
James J. Thomson, Jr.  
Thomas R. Galt  
Dayle Nolan  
Brian F. Rice  
John G. Kressel  
Lorraine S. Clugg  
James M. Strommen  
Ronald H. Batty  
William P. Jordan  
Susan Dickel Minsberg  
Kurt J. Erickson  
William R. Skallerud  
Rodney D. Anderson  
Corrine A. Heine  
John R. McDonald, Jr.  
David D. Beaudoin

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

July 19, 1989

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

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

2. **ROLL CALL:**

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

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

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

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

5. UNFINISHED BUSINESS:

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

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

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

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

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

6. OLD BUSINESS:

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

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

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

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

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Secretary

Attest:

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Chairman

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

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

April 19, 1989

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

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

2. **ROLL CALL:**

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

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

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

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

5. **UNFINISHED BUSINESS:**

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

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

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

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

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

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

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

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

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

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

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

Next regular meeting: July 19, 1989.

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Secretary

Attest:

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Chairman

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

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

January 18, 1989

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

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

2. **ROLL CALL:**

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

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

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

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

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

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

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

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

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

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

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

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

7. **UNFINISHED BUSINESS:**

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

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

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

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

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

\_\_\_\_\_  
Secretary

Attest:

\_\_\_\_\_  
Chairman

Attachments:  
Treasurer Report  
NWB Memo  
CSO Letter

0060MI02.B18

Page Two  
June 12, 1990

In terms of return on membership dollar, I don't think that any other organization which a metro area city could join can match membership in the SRA. A conservative calculation of dollar savings to SRA members from 1975 to the present is \$175,000 per vote on the SRA Board. Each member city is allowed one vote per 5,000 population. The assessment per member will be \$375 per vote (5,000 in population) in 1991.

You'll recall that I appeared before the Crystal City Council last fall urging the City to join the SRA. I understand that the council decided to join at that time but budget considerations dictated otherwise. I do hope that you'll take another look at the matter and join with the SRA and its important work. As you know Crystal was an active member of the SRA from its inception until about 1976.

The SRA Board meets quarterly at the Ambassador Motor Hotel in St. Louis Park. Our next meeting is July 17. We welcome your attendance. If you have any questions, please call me at 935-1951 or legal counsel Dave Kennedy at 337-9232. Also enclosed are the minutes from the most recent SRA meeting and a form Joint Powers Agreement and Resolution to become a member.

Sincerely,

*Bob*

Robert DeGhetto  
City of Minnetonka  
Chairman  
SRA Board of Directors

cc: SRA Executive Committee  
D. J. Kennedy, Holmes & Graven, Chartered  
James Strommen, Holmes & Graven, Chartered

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION AUTHORIZING PARTICIPATION IN THE SUBURBAN RATE AUTHORITY; DIRECTING THE EXECUTION AND DELIVERY OF A JOINT POWERS AGREEMENT; AND DESIGNATING A REPRESENTATIVE OF THE CITY AS ITS MEMBER ON THE BOARD OF THE SUBURBAN RATE AUTHORITY.**

WHEREAS, the City of \_\_\_\_\_ is authorized by Minnesota Statutes, Section 471.59 to enter into joint and cooperative agreements with other governmental units, and

WHEREAS, the City Council has determined that the City cooperate with other municipalities in the monitoring of utility services in the Metropolitan Area by participating in the Suburban Rate Authority, and

WHEREAS, the City is presently a member of the Suburban Rate Authority established by joint agreement in 1962 to administer the regulatory provisions of uniform franchises granted to Minneapolis Gas Company, and

WHEREAS, the City Council has determined that it is necessary and desirable that the Suburban Rate Authority continue in existence, notwithstanding the assumption of utility regulatory powers by the State, for the purpose of monitoring utility services and participating to the maximum degree possible in the utility rate-making procedure, and that the Suburban Rate Authority's scope of activities can be broadened to include electric utilities and other utilities if necessary.

NOW, THEREFORE, BE IT RESOLVED by the City Council of \_\_\_\_\_ Minnesota, as follows:

1. The Mayor and (Clerk, Manager) are authorized and directed to execute the attached Joint and Cooperative Agreement providing for membership of the City in the Suburban Rate Authority.

2. In accordance with the provisions of the Joint and Cooperative Agreement, the council hereby designates \_\_\_\_\_ as its first director on the Board of Directors of the Suburban Rate Authority.

Passed and adopted this \_\_\_\_\_ day of April, 1990.

\_\_\_\_\_  
Mayor

Attest:

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

MINUTES OF  
THE QUARTERLY MEETING OF  
THE SUBURBAN RATE AUTHORITY

April 18, 1990

Pursuant to due call and notice thereof, the quarterly meeting of the Suburban Rate Authority was held at the Ambassador Motor Hotel in the City of St. Louis Park, Minnesota, on Wednesday, April 18, 1990, commencing at 6:30 p.m.

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

2. **ROLL CALL:**

Bloomington  
Brooklyn Park  
Circle Pines  
Columbia Heights  
Deephaven  
Edina  
Fridley  
Maplewood  
Minnetonka  
New Brighton  
Robbinsdale  
Roseville  
St. Louis Park  
Shakopee  
West St. Paul

John G. Pidgeon  
Graydon R. Boeck  
James Keinath  
Edward M. Carlson  
William D. Schoell  
John Wallin  
Mark Wenson  
Dan Faust  
Robert DeGhetto  
David Childs  
Jerome Ruffenach  
Steve Gatlin  
Don Rambow  
Gloria Vierling  
William Craig

Also present were Robert Renner of Messerli & Kramer, and Dave Kennedy, Robert Lindall and James Strommen of Holmes & Graven, SRA attorneys.

3. **APPROVAL OF MINUTES:** The minutes of the January 17, 1990 meeting were presented for approval. It was moved by Ms. Vierling and seconded by Mr. Schoell that the Minutes be approved. The motion carried unanimously.

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

5. **ANNOUNCEMENTS:**

a. **New Members:** Mr. Strommen announced that the City of Woodland had indicated its intent to rejoin the SRA. Mr. Schoell's efforts contributed to the City's decision.

b. SRA Uniform Electric Franchise: Mr. Strommen reported that Mr. Purdue has been made aware that NSP has been providing model franchise agreements to municipalities that NSP represents are SRA approved agreements. Upon review, these agreements have been found to contain provisions not approved by the SRA. Mr. Keinath and Mr. Pidgeon indicated that their cities had also received different versions of the franchise agreement from NSP. Mr. Purdue had brought this to the attention of NSP previously. The problem apparently continues to exist. Mr. Boeck moved that counsel for the SRA write a letter to NSP general counsel raising this issue and demanding that there be no further distribution of "SRA approved" agreements unless SRA counsel has reviewed them. Mr. Carlson seconded the motion and it carried unanimously.

c. MWCC Advisory Committee: Mr. Wenson reported that John Flora, director from Fridley, has been appointed to the newly formed MWCC Advisory Committee. SRA directors were encouraged to submit applications for those positions chosen by MWCC precinct. The SRA has several member cities represented on the Committee.

#### 6. UNFINISHED BUSINESS:

a. CSO Funding: Mr. Strommen introduced Robert Renner, attorney and lobbyist for the SRA. Mr. Renner gave a report on the present status of the CSO legislation. Mr. Renner reported that the CSO Funding Bill is presently in conference committee where the primary issue is who will bear the financial responsibility for a projected \$8,000,000 in annual shortfall due to inflation and federal funding shortfall. The options range from looking to Minneapolis, St. Paul and South St. Paul users only, to requiring all state taxpayers to pick up the cost. The SRA supports requiring the three cities to pay on the grounds that they are the cost causers. Mr. Renner's estimates show that the shortfall can be made up with a relatively modest increase of \$15 - \$20 per year per customer of the three cities. The prevailing position in the legislative conference committee is a 50/50 sharing between state taxpayers and users in the three cities. Absent adoption of the conference committee position the state taxpayers would bear the full burden.

Mr. Renner pointed out that continued opposition to the Minneapolis-St. Paul, PCA position on CSO funding may yield limited returns to the SRA. Minneapolis-St. Paul interests are heavily represented in the conference committee, and this funding is part of a large bonding bill allowing the funding to escape closer scrutiny. Mr. Renner opined that SRA examination of potential common ground with Minneapolis, St. Paul, the PCA and/or MWCC on other related issues may net greater gains to SRA communities next legislative session.

A discussion ensued following Mr. Renner's departure about the possibility of forming a committee of SRA directors to study the need or benefit to SRA communities of identifying sewer or water treatment related issues of common interest to SRA communities, Minneapolis-St. Paul, the PCA and MWCC. Mr. Craig explained that potential existed for cooperative efforts between and among those entities. Mr. Craig moved that such a committee be formed. Ms. Vierling seconded the motion. A friendly amendment was added to authorize the committee to meet with representatives of the above entities. Mr. Craig moved for the amendment. Mr. Schoell seconded and the motion as amended passed unanimously. Chairman DeGhetto selected Mr. Craig, Mr. Schoell, Mr. Boeck as committee members. Ms. Vierling and Mr. Ruffenach also volunteered to serve on the committee. The committee is charged to give a report on its findings at the July SRA meeting.

b. Northwestern Bell Update: Mr. Strommen reported that the Commission has tabled its hearing on a Tier System investigation until the Commission has decided whether to accept or reject Bell's incentive regulation plan. The Commission must make a decision on the incentive plan by June 8. This delay was precipitated by the SRA raised issue of separating the rate design issues from any approval of an incentive plan. The Commission has adopted a position consistent with the SRA argument.

Mr. Strommen further reported on the incentive regulation plan proceeding. Briefs are due April 23, oral argument will be held May 14 and a decision made by June 8. Mr. Strommen indicated that the SRA had made a specific proposal calling for a ratioed sharing of revenue returns under the Plan, according to geographic location of the customer. This proposal equalizes the benefit received by outer tier customers as compared with Tier I and outstate customers. There is no indication as yet as to whether the Commission will adopt this proposal, or some version thereof. The Board also agreed to adopt a position supporting a cap on Bell return on equity during the planned period, if the Commission approves the plan. This motion was brought by Ms. Vierling, seconded by Mr. Pidgeon and carried unanimously. The Board also authorized SRA counsel to support a minimum of 50% sharing, with increasing return to ratepayers as Bell's return on equity increases. SRA counsel also has authority to suggest inverted payer-shareholder sharing as an alternative.

c. NSP General Rate Case: Mr. Purdue had submitted a memorandum reporting on the present status of NSP's \$135,000,000 revenue petition. This constitutes a request of 13.25% return on common equity. Mr. Purdue indicated that the SRA will take its traditional position supporting the municipal pumping group, oppose street lighting rate increases and take affirmative

positions on various other issues. The Commission is statutorily required to decide on this rate case by September 2, 1990.

d. EPA-MWCC-MPCA Issues: Mr. Lindall reported on activity in the dispute between the EPA, MPCA and MWCC regarding restrictions to be imposed upon the MWCC in its new national pollutant discharge elimination system permit for the Metro Wastewater Treatment plant. The EPA has threatened to withdraw the MPCA's authority to regulate the MWCC. If stringent EPA standards are imposed the cost to the metropolitan rate payers could greatly increase due to the probable need for over \$100,000,000 in new facilities. Mr. Lindall, and other SRA representatives, attended a March 26, 1990 MWCC breakfast at the Sheraton-Midway. This breakfast was called by the MWCC expressly for the SRA. At the breakfast Mr. Voss expressed his concern about the cost of implementing present EPA requirements. Mr. Voss was open to the possibility of greater MWCC-SRA communication and involvement on this and other issues. Mr. Schoell moved that the SRA continue monitoring MWCC-EPA issues and that such monitoring be coordinated with the efforts of the newly formed CSO Funding Committee. The motion was seconded by Mr. Childs and passed unanimously.

e. Membership: There was discussion regarding the value of the SRA and the need for additional members. Ms. Vierling moved and Mr. Gatlin seconded a motion authorizing SRA counsel to prepare a letter and short summary of SRA purpose and accomplishments. The letter would be signed by Chairman DeGhetto and sent to nonmember suburban cities.

7. NEW BUSINESS: Mr. Strommen and Mr. Wallin presented a proposed 1991 budget, attached to these Minutes. The proposed budget is to be discussed with the SRA member cities. The Board will take formal action on the proposed budget at the July meeting. After review and discussion there were no suggested modifications to the budget.

8. CLAIMS: Mr. Purdue of Messerli & Kramer submitted a bill for his services to date in the amount of \$11,320.29. Mr. Renner of Messerli & Kramer presented a bill for his services totalling \$6,461.45. Mr. Strommen submitted a bill totalling \$11,110.65 for services rendered by the Holmes & Graven law firm. Mr. Faust moved that the claims be paid as presented. Mr. Wenson seconded that motion and it carried unanimously.

9. ADJOURNMENT: Mr. Boeck moved that the meeting be adjourned. Mr. Pidgeon seconded the motion which passed unanimously. The Chair declared the meeting adjourned. Next regular meeting to be held July 18, 1990.

Attest:

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

Attachments:  
Treasurer's Report  
Proposed 1991 Budget

## JOINT AND COOPERATIVE AGREEMENT

### I. PARTIES

The parties to this agreement are governmental units of the State of Minnesota. This agreement is made pursuant to Minnesota Statutes, Section 471.59, as amended.

### II. GENERAL PURPOSE

The general purpose of this agreement is to establish an organization to monitor the operation and activities of public utilities in the metropolitan area; to conduct research and investigation of the activities of such utilities; and to conduct such other activities authorized herein as may be necessary to insure equitable and reasonable public utility rates and service levels for the citizens of the members of the organization.

### III. NAME

The name of the organization is the SUBURBAN RATE AUTHORITY. The name may be changed in accordance with Article XII.

### IV. DEFINITIONS

Section 1. For purposes of this agreement, the terms defined in this article have the meaning given them.

Section 2. "Authority" means the joint and cooperative organization created by this agreement.

Section 3. "Board" or "Board of Directors" means the Board of Directors of the Authority established by Article VI.

Section 4. "Council" means the governing body of a governmental unit.

Section 5. "Governmental Unit" means a city or town in the metropolitan area.

Section 6. "Metropolitan Area" means the metropolitan area defined and described by Minnesota Statutes, Chapter 473B.02, as amended.

Section 7. "Member" means a governmental unit which has entered into and become a party to this agreement.

Section 8. "Public Utility" or "Utility" means an investor owned utility supplying gas or electricity under franchise within one or more governmental units; the term may include other utilities as provided in Article XII. The term does not include municipally owned utilities.

Section 9. "Statutory Cities" means cities organized under Minnesota Statute, Chapter 412.

#### V. MEMBERSHIP

Section 1. Any governmental unit in the metropolitan area is eligible to be a member of the Authority.

Section 2. A governmental unit desiring to become a member shall execute a copy of this agreement and conform to the membership provisions of Article VII.

Section 3. The initial members shall be those members who become members on or before January 1, 1975.

Section 4. Governmental units wishing to become members after January 1, 1975, may be admitted only upon the favorable vote of two-thirds of the votes of the members of the Board of Directors. The Board may, in its by-laws, impose conditions upon the admission of additional members.

Section 5. A change in the governmental boundaries, structure, classification or organization of a governmental unit affects the eligibility of a unit to become a member of the Authority.

#### VI. GOVERNING BODY: BOARD OF DIRECTORS

Section 1. The governing body of the Authority is its Board of Directors. Each member is entitled to one director on the Board. Each director is entitled to one vote for each 5,000 of population or fraction thereof of the governmental unit represented by the director; provided, however, that each director shall have at least one vote and no director shall have more than 20 votes. For purposes of this section, population of a governmental unit shall be that population determined pursuant to the provisions of Minnesota Statute 275.53. Prior to December 31 of each year, the Secretary-Treasurer of the Authority shall determine the population of each member in accordance with this section and certify the results to the chairman.

Section 2. A director shall be appointed by resolution of the council of the members for a term of one calendar year. A director shall serve until his successor is appointed and qualifies. Directors shall serve without compensation from the Authority, but nothing in this section shall be construed to prevent a governmental unit from compensating its director for service on the Board if such compensation is otherwise authorized by law.

Section 3. The Board, in its by-laws, may provide for the appointment of alternate directors and prescribe the extent of their powers and duties.

Section 4. Vacancies in the office of director will exist for any of the reasons set forth in Minnesota Statutes Section 351.02, or upon a revocation of a director's appointment by a member duly filed with the Authority. Vacancies shall be filled by appointment for the unexpired portion of the term of director by the council of the member whose position on the Board is vacant.

Section 5. A majority of the votes of the Board of Directors constitutes a quorum, but a smaller number may adjourn from time to time.

#### VII. MEETINGS - ELECTION OF OFFICERS

Section 1. A governmental unit may enter into this agreement by resolution of its council and the duly authorized execution of a copy of this by its proper officers. Thereupon, the clerk or other appropriate officer of the governmental unit shall file the executed copy of the agreement and a certified copy of the authorizing resolution with the city manager of the City of Columbia Heights, Minnesota. The resolution authorizing the execution of the agreement shall also designate the first director for the governmental unit on the Board.

Section 2. This agreement is effective on the date when executive agreements and authorizing resolutions of seven governmental units presently members of the existing Suburban Rate Authority have been filed as provided in Section 1 of this Article.

Section 3. Within thirty days after the effective date of this agreement, the mayor of the member having the largest population shall call the first meeting of the Board of Directors

which shall be held no later than 15 days after such call.

Section 4. The first meeting of the Board shall be the organizational meeting of the Authority. At the organizational meeting, and at each annual meeting thereafter, the Board shall select from among the directors a chairman, a vice-chairman, and a secretary-treasurer.

Section 5. At the organizational meeting, or as soon thereafter as it may reasonably be done, the Board shall adopt by-laws governing its procedures, including the time, place, notice for and frequency of its regular meetings, procedure for calling special meetings, and such other matters as are required by this agreement. The Board may amend the by-laws from time to time. The Board shall meet at least once each year and on such other dates as may be provided in its by-laws.

#### VIII. POWERS AND DUTIES OF THE BOARD OF DIRECTORS

Section 1. The powers and duties of the Board of Directors of the Authority are set forth in this article.

Section 2. The Board may make such contracts and enter into such agreements as it deems necessary to make effective any power granted to the Authority by this agreement. It may contract with any of its members or others to provide space, services or materials on behalf of the Authority.

Section 3. It may provide for the prosecution, defense, or other participation in actions or proceedings at law in which it may have an interest, and may employ counsel for that purpose. It may employ such other persons as it deems necessary to accomplish its powers and duties. Such employees may be on a full-time or

part-time, or consulting basis as the Board determines, and the Board may make any required employer contributions which local government units are authorized or required to make by law.

Section 4. It may conduct such research and investigation and take such action as it deems necessary, including participation and appearance in proceedings of state and federal regulatory, legislative or administrative bodies, on any matter related to or affecting utility costs, levels of service, rates or franchises, and advise members concerning such matters with a view toward obtaining compliance with franchises granted to utilities and insuring reasonable rates and service levels for the members and their residents. The Board may conduct the activities authorized by this section on behalf of any governmental unit located outside the metropolitan area at the request of such a unit, embodied in a resolution of its governing body; provided however, that the conduct of such activities on behalf of any such governmental unit shall be specifically authorized by the Board and shall be subject to such reasonable conditions as to cost of service and other matters as may be imposed by the Board.

Section 5. The Board may obtain from any utility and from any other source such information relating to utility rates, costs and service levels as any of its members is entitled to obtain from such utilities.

Section 6. It may receive and hold moneys from any utility to the extent and in the manner as may be provided by this

agreement or any franchise granted to a utility by a member; and it may accept voluntary contributions from its members or other sources as provided in Article X. The Authority shall have no taxing power. It may accumulate reserve funds and may invest and re-invest its funds not needed for current expenses in the manner and subject to the limitations applicable by law to statutory cities. The Board may not incur obligations in excess of funds then available to Authority.

Section 7. The Board shall make a financial accounting and report to the members at least once each year. The books and records of the Authority shall be open and available for inspection by members at all reasonable times.

Section 8. The Board may accept gifts, apply for and use grants of money or other property from members or other governmental units or organizations, and may enter into agreements required in connection therewith, and may hold, use, and dispose of such moneys or property in accordance with the terms of the grant, gift or agreement relating thereto.

Section 9. The Board shall establish the annual budget for the Authority as provided in Article X.

Section 10. The Board may, in its by-laws, establish an executive committee and may delegate duties and authority to such a committee between Board meetings.

Section 11. The Board may purchase public liability insurance and such other security bonds and insurance as it may deem necessary.

Section 12. The Board may exercise any other power necessary and convenient to the implementation of the powers and duties given to it by this agreement. .

#### IX. OFFICERS

Section 1. The officers of the Board shall consist of a chairman, a vice-chairman, and a secretary-treasurer who shall be elected by the Board, for a term of one year and until their successors are elected and qualify, at the annual meeting. New officers shall take office at the adjournment of the annual meeting at which they were elected. An officer must be a duly qualified and appointed director.

Section 2. A vacancy in the office of chairman, vice-chairman, or secretary-treasurer shall occur for any of the reasons for which a vacancy in the office of director shall occur. Vacancies in these offices shall be filled by the Board for the unexpired portion of the term.

Section 3. The chairman shall preside at all meetings of the Board. The vice-chairman shall act as chairman in the absence, disqualification or disability of the chairman.

Section 4. The secretary-treasurer is responsible for keeping a record of all the proceedings of the Board, for custody of all funds, for keeping of all financial records of the Authority and for such other duties as may be assigned to him by the Board. Persons may be employed to perform such services under his supervision and direction as may be authorized by the Board. The secretary-treasurer shall post a fidelity bond or other insurance

against loss of Authority funds in the account specified by the Board. The cost of such bond or insurance shall be paid by the Board. The Board may provide for compensation of the secretary-treasurer for his services.

#### X. FINANCIAL MATTERS

Section 1. The fiscal year of the Authority is the calendar year.

Section 2. Authority funds may be expended in accordance with the procedures established by law for statutory cities. Orders, checks and drafts shall be signed by the chairman and countersigned by the secretary-treasurer or such other person as may be designated by the Board in its by-laws. Other legal instruments shall be executed on behalf of the Authority by the chairman and the secretary-treasurer. Contracts shall be let and purchases made in accordance with the procedures established by law for statutory cities.

Section 3. The activities of the Authority shall be financed by funds available to it under Article XII, from voluntary contributions from its members or from other sources, and by contributions from members of the Authority if it is determined by the Board by a two-thirds vote of all votes of then existing members, that such contributions are necessary. Such determination shall be made by the Board not later than August 1 of each year in order to obligate members to make contributions during the ensuing calendar year. The total annual contribution by members for the ensuing year shall be established

by the Board on the basis to anticipated expenditures and only if the anticipated expenditures are in excess of the anticipated funds otherwise to the Authority. The contribution in any year by a member shall be in direct proportion to the number of votes to which the director representing the member on the Board is entitled. Such contributions shall be made by the member to the Authority as follows: One-half on or before February 1 of each year and one-half on or before August 1 of each year.

Section 4. An annual budget shall be adopted by the Board at the organizational meeting and at the annual meeting each year. Copies of the budget shall be mailed promptly to the chief administrative office of each member. The budget is deemed approved by the members except one who, at any time prior to the annual meeting gives notice in writing to the secretary-treasurer that it is withdrawing from the Authority.

#### XI. DURATION AND DISSOLUTION

Section 1. The Authority shall exist, and this agreement is in effect, for an indefinite term until dissolved in accordance with Section 3 of this article.

Section 2. A member may withdraw from the Authority by filing a written notice with the secretary-treasurer by June 15 of any year giving notice of withdrawal at the end of that calendar year; and membership shall continue until the effective date of the withdrawal. A notice of withdrawal may be rescinded at any time by a member. If a member withdraws before dissolution of the Authority, the member shall have no claim on the assets of the Authority.

Section 3. The Authority shall be dissolved whenever the withdrawal of a member reduces total membership in the Authority to less than the number of members required for organization of the Authority under Article VII, Section 2. The Authority may be dissolved at any time by unanimous vote of all the members of the Board of Directors.

Section 4. In the event of dissolution, the Board shall determine the measures necessary to affect the dissolution and shall provide for the taking of such measures as promptly as circumstances permit, subject to the provisions of this agreement. Upon dissolution of the Authority all remaining assets of the Authority, after payment of obligations, shall be distributed among the then existing members in proportion to the number of their votes on the Board and in accordance with procedures established by the Board. The Authority shall continue to exist after dissolution for such period, no longer than six months, as is necessary to wind up its affairs but for no other purpose.

## XII. TRANSITIONAL AND MISCELLANEOUS MATTERS

Section 1. The activities of the Authority shall be confined to gas and electric utilities, provided however, that the Authority may extend and broaden its activities to any other public utility as defined in this agreement by a 75% majority vote of all the votes of the Board of Directors, taken at a regular meeting of the Board. In the event the activities of the Authority are so extended and broadened, the Authority and

its Board of Directors shall have all of the powers and duties with reference to any other public utility that it has with reference to gas and electric utilities under this agreement.

Section 2. The name of the organization created by this agreement may be changed when deemed appropriate by the Board, but only upon a 75% majority vote of all the votes of the Board of Directors taken at a regular meeting of the Board. If the name of the organization is so changed, the Board shall provide in its by-laws for necessary measures to effect the change in official and unofficial documents, papers, and other essential respects.

Section 3. It is the intention of the parties to this agreement that the organization created thereby is the successor to the Suburban Rate Authority now in existence. It is further the intention of the parties that any funds made available to the organization created by the agreement from assets of the present Suburban Rate Authority shall be used exclusively for the purposes of this agreement.

IN WITNESS WHEREOF, the undersigned governmental unit has caused this agreement to be executed by its duly authorized officers and delivered on its behalf.

In the presence of:

(Governmental Unit)

\_\_\_\_\_, MINNESOTA

\_\_\_\_\_  
By Its \_\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
By Its \_\_\_\_\_

\_\_\_\_\_  
Manager

Dated: \_\_\_\_\_, 1990.

Filed in the office of \_\_\_\_\_  
day of \_\_\_\_\_, 1990.

\_\_\_\_\_, this

# Office of the Sheriff



SHERIFF  
DON OMODT

6 COURTHOUSE  
MINNEAPOLIS, MINNESOTA 55415

(612) 348-3744

June 5, 1990

The Honorable Betty Herbes  
Mayor, City of Crystal  
4141 Douglas Drive North  
Crystal, Minnesota 55422

Dear Mayor Herbes:

In accordance with Minnesota Statutes, I am enclosing a copy of the Lockup Inspection Report of your facility. This inspection was conducted by A/Captain Jalma of the Hennepin County Sheriff's Department, and copies of the report have also been forwarded to the Commissioner of Corrections and to your Chief of Police.

Note - Comments Section K: Fire inspection indicates a rear exit must be made available for jail area.

If you have any questions regarding our findings and written comments, please feel free to call me at 348-4946 or A/Captain Jalma at 348-8358.

Sincerely,

DON OMODT, SHERIFF

*David T. Hile*

By: David T. Hile  
Inspector

DTH:rh

Encl.

cc: Commissioner of Corrections  
Chief James Mossey

STATE OF MINNESOTA  
DEPARTMENT OF CORRECTIONS  
450 No. Syndicate St., St. Paul, MN 55104  
**SHERIFF LOCKUP INSPECTION REPORT**

City or village Crystal County Hennepin  
Type of Lockup: ☒ City ☐ Village ☐ Used by Municipality and County  
Name of Officer in Charge James Mossey Title Chief  
Mayor Betty Herbes Clerk Darlene George

**A. Administration**

- How is prisoner register kept? Good ( ☒ ) Fair ( ) Poor ( )
- How are firearms, tools, etc., safeguarded? Well ( ☒ ) Poor ( )
- How is fire protection? Good ( ☒ ) Fair ( ) Poor ( )
- How often are prisoners checked? Every 1/2 Hrs.
- How long are prisoners held? Maximum Time 36 hours Average Time 2-4 hours
- Is a Jailer or Custodian always present when someone is being held? Yes ( ☒ ) No ( )  
If not, explain procedure used: \_\_\_\_\_
- Does Jailer or Custodian sleep nights while on duty? Yes ( ) No ( ☒ )
- Do security procedures appear proper? Yes ( ☒ ) No ( )
- What is general condition of cleanliness?  
Excellent ( ) Good ( ☒ ) Fair ( ) Poor ( )
- Is lockup swept every day? Yes ( ☒ ) No ( )
- Is lockup thoroughly cleaned at least once every two weeks or whenever needed? Yes ( ☒ ) No ( )

COMMENTS: Items 10 & 11: daily cleaning service maintains cleanliness.

**B. Building**

- General condition? Excellent ( ) Good ( ☒ ) Fair ( ) Poor ( )
- Are safety screens provided? Yes ( ) No ( ☒ ) What are their condition? Good ( ) Fair ( ) Poor ( )
- Does Jailer or Custodian have suitable space? Yes ( ☒ ) No ( )
- What is condition of windows? Good ( ☒ ) Fair ( ) Poor ( )

COMMENTS: Item 4: No windows in cell area

**C. Cells**

- Operation of cell doors? Good ( ☒ ) Fair ( ) Poor ( )
- Condition of cell locks? Excellent ( ) Good ( ☒ ) Fair ( ) Poor ( )
- Type of cell locks? Keyed, snap ( ☒ ) Keyed, bolt ( ☒ ) Padlock ( ) Remote control ( )

COMMENTS: Item 3: outer door entry is bolted and inner cell door is a snap lock

**D. Bedding**

- What is supplied? None ( ) Mattress ( ☒ ) Mattress covers ( ) Sheets ( )  
Pillows ( ) Pillow cases ( ) Blankets ( ☒ )
- Is clean bedding issued to each prisoner? Yes ( ☒ ) No ( ) If not, explain procedure \_\_\_\_\_
- Are blankets kept clean and fresh? Yes ( ☒ ) No ( )

COMMENTS: \_\_\_\_\_

**E. Plumbing**

- Does each cell have a toilet? Yes ( ☒ ) No ( )
- Does each cell have a washbasin? Yes ( ☒ ) No ( )
- Is there a shower for prisoner use? Yes ( ☒ ) No ( )
- If answer is no to any above; Explain: \_\_\_\_\_
- How is drinking water supplied? Fountain ( ☒ ) Faucet ( ) Paper cups ( ) Other ( );  
Explain: \_\_\_\_\_
- Cleanliness of fixtures? Excellent ( ) Good ( ☒ ) Fair ( ) Poor ( )
- Condition of plumbing? Excellent ( ) Good ( ☒ ) Fair ( ) Poor ( )

COMMENTS: \_\_\_\_\_

**F. Heating and Ventilation**

- Heating system: Furnace ( ) Steam ( ) Hot Air ( ☒ ) Other ( );  
Explain Building has central heating and air conditioning
- Heat supply: Excellent ( ) Good ( ☒ ) Fair ( ) Poor ( )
- Ventilation: Winter: Good ( ☒ ) Fair ( ) Poor ( )  
Summer: Good ( ☒ ) Fair ( ) Poor ( )
- Condition of windows: Good ( ☒ ) Fair ( ) Poor ( )
- Condition of screens: Good ( ) Fair ( ) Poor ( ) N/A
- Is there danger of prisoner asphyxiation? Yes ( ) No ( ☒ )

COMMENTS: \_\_\_\_\_

**G. Lighting**

1. Amount of light: Days: Good (X) Fair ( ) Poor ( )  
Nights: Good (X) Fair ( ) Poor ( )  
2. Wiring: Excellent ( ) Good (X) Fair ( ) Poor ( )  
3. Are switches and fixtures out of reach of prisoners? Yes (X) No ( )  
4. Are cells well enough lighted for reading? Yes (X) No ( ) How well? Good ( ) Fair ( ) Poor ( )

COMMENTS: \_\_\_\_\_

**H. Medical and Health Services**

1. Is illness given immediate attention? Yes (X) No ( )  
2. Is a doctor readily available? Yes (X) No ( )  
3. Is a hospital available? Yes (X) No ( ) Distance from Lockup? 2.5 miles to North Memorial  
4. First aid supplies? Good (X) Fair ( ) Poor ( ) None ( )

COMMENTS: \_\_\_\_\_

**I. Food**

1. Is food prepared at lockup? Yes (X) No ( )  
2. Who supplies food? Frozen TV dinners are purchased at the local super valu and stored  
3. Preparation: Excellent ( ) Good (X) Fair ( ) Poor ( ) at the Police Dept.. They  
4. Quantity: Good (X) Fair ( ) Poor ( ) are served by on duty staff  
5. Temperature when served? Hot (X) Cool ( ) Cold ( ) needed.  
6. Cleanliness in food serving? Good (X) Fair ( ) Poor ( )

COMMENTS: \_\_\_\_\_

**J. Paint and General Appearance**

1. Outside appearance: Good (X) Fair ( ) Poor ( )  
2. Interior appearance: Good (X) Fair ( ) Poor ( )  
3. Paint condition: Excellent Good Fair Poor  
- Ceilings ( ) (X) ( ) ( )  
- Walls ( ) (X) ( ) ( )  
- Floors ( ) (X) ( ) ( )  
- Cellwork ( ) (X) ( ) ( )

4. Painting needs: None

5. General cleanup needed: None

6. Improper use of detention space? Yes ( ) No (X)

Explain: Total number of 1989 bookings: 1,124 (905 males, 219 females)

**K. Recommendations:** On May 25, 1990 the Crystal Fire Department inspected the  
lock up area. The inspector noted that a "rear exit must be made available  
by jail area".

Date of Inspection May 22, , 19 90

SCW. J. Neubauer  
Signature of Sheriff or Deputy

**DISTRIBUTION BY SHERIFF**

Hennepin

County

Governing Body of Municipality  
Commissioner of Corrections  
Sheriff's File

Minneapolis

County Seat

**(Include fire inspection report)**

INSPECTION #

101719

CRYSTAL FIRE DEPARTMENT  
FIRE INSPECTION REPORT

PROPERTY NAME:

City of Crystal (Police Dept)

PROPERTY  
NUMBER:

111411115781416

PROPERTY  
ADDRESS:

NUMBER

STREET

SUITE/UNIT

4111 Douglas Drive N.

CONTACT NAME:

Jerry Botho

OWNER  
NAME:CONTACT  
PHONE:

537-4571

OWNER  
ADDRESS:

NUMBER

STREET

CITY

STATE

ZIP

OWNER  
PHONE:

537-8421

INSPECTOR NAME:

David Weis

INSPECTOR

111

COMPUTER  
CODE

CORRECTIONS NEEDED

CODE  
REFERENCE

CORRECT BY

CORRECTED

12

Rear Exit must be made  
available by jail area

The above property was inspected by the Crystal Fire Dept. on the date noted. The following items must be completed by the date indicated in order to bring the property into compliance with the Minnesota Uniform Fire Code.

If you have any questions regarding these items, please call the Crystal Fire Dept. at 537-8421.

All orders subject to appeal.

SIGNATURE OF PERSON RECEIVING NOTICE

Jerry Botho

## OCCUPANCY CLASSIFICATIONS:

A1	B1	E1	H1	"	R1
A2	B2	E2	H2	"	R3
A2.1	B3	E3	H3	(13)	
A3	B4	E4	H4		M1
A4			H5		M2

DISTRICT

1

SUPPLEMENTAL ATTACHED

☐

INSPECTION DATE(S):

INITIAL 5-25-90

REIN.

REIN.

REIN.

REIN.

REIN.

PERMITS REQUIRED:

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ALARM TEST ON:

NUMBER OF INSPECTIONS:

NUMBER OF VIOLATIONS:

SCHEDULE FOR:

1

2

3

4

## DISPOSITION:

☐ No Violations☐ Compliance ( )☐ Notice of Non-Compliance ( )☐ Citation ( )



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

POLICE DEPARTMENT

July 6, 1990

Kevin McGinty, Fire Chief  
City of Crystal  
4141 Douglas Drive  
Crystal, MN. 55422

Dear Kevin:

On 6-19-90 the Crystal Police Department was called to the scene of a domestic. The situation escalated into a 7 hour ordeal with a man locked in a room with several rifles and ammunition. The situation required that an emergency response team deliver tear gas into the residence. Members of the Crystal Fire Department were called to the scene to protect against fire and to exhaust the house. The Crystal Firemen had to wait in intense heat for several hours prior to the decision to use gas. After the man was taken into custody, the firemen immediately entered the residence and set up fans to reduce the effects of the gas on the residence. Crystal Firemen also sealed the broken window and took photographs of the interior of the house. They performed their duties in an extremely professional manner. Their actions played an integral part in the success of the operation. Please express our appreciation and thanks for their excellent performance.

Lt. Rick Gautsch

Chief James Mossey  
Crystal Police Department

July 11, 1990

TO: Jerry Dulgar, City Manager  
FROM: Darlene George, City Clerk *D.G.*  
RE: Charitable Gambling License Application  
494 Ministry

On July 3, 1990 the City Council continued the above referenced item until the investigation of the organization was complete. Some preliminary work has been done on the investigation but further time is needed.

The 60-day time period for notification to the State Gambling Board expires August 15. The item will be placed on the August 7 City Council meeting for consideration.



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

ADMINISTRATIVE OFFICE

June 26, 1990

The Honorable Roberta K. Levy  
Chief Judge  
Hennepin County District Court  
1959C Government Center  
Minneapolis, Minnesota 55487

Dear Judge Levy:

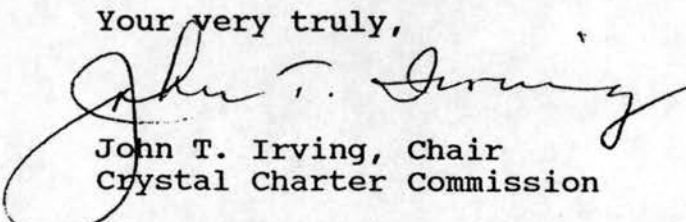
One of the Crystal Charter Commission members, James R. Ryan, has resigned. The City Council has contacted those persons on the original list of possible appointees and a list of those potential Charter Commission appointees is enclosed.

As Chair of the Charter Commission, I respectfully request that you appoint someone from the list of nominees to replace Mr. Ryan. My files indicate that his term expires on May 15, 1991.

I am also enclosing a copy of Mr. Ryan's resignation letter.

If you have any questions or need any further information, please don't hesitate to contact me.

Your very truly,

  
John T. Irving, Chair  
Crystal Charter Commission

cc: Jerry Dulgar, City Manager  
Dave Kennedy, City Attorney

enclosures

**POTENTIAL CHARTER COMMISSION APPOINTEES  
CITY OF CRYSTAL**

1. Arthur Cunningham, 7720 - 36th Avenue North, #310
2. Bill Garber, 3441 Florida Avenue North
3. E. Gary Joselyn, 4068 Hampshire Avenue North
4. Philip G. Karno, 3109 Aquila Avenue North

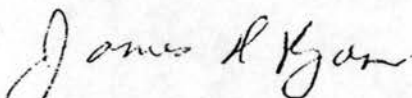
May 31, 1990

Jack Irving  
Chair  
Crystal Charter Commission  
4141 Douglas Drive, North  
Crystal, MN 55422

Dear Jack:

Please accept my resignation from the Charter Commission.  
I have other committments that are currently taking priority  
and I do not wish to serve on the commission any longer.

Very truly yours,

A handwritten signature in cursive script that reads "James R. Ryan".

James R. Ryan

JRR/skw

## CityBriefs

### 69th Ave. redevelopment

Revisions and policy changes in the 69th Avenue widening were approved at the June 25 City Council meeting which should please at least some home owners, if not all.

In particular, the Council voted 3-2 to drop special assessments against three single family homes abutting 69th Avenue between Brooklyn Boulevard and Shingle Creek Parkway. It also made clear it has dropped consideration of purchasing any homes on the south side of the project.

"It's a matter of fairness and equity," said Phil Cohen of the assessments provision, arguing that the three homes will gain no value from the widening of 69th Avenue.

But Jerry Pedlar and Celia Scott disagreed. "My problem is giving a break to only three homes," said Scott. "There are other single family homes in the area who are getting nothing."

### Apartment licenses restored

Two controversial apartment buildings had their licenses restored at the June 25 meeting after the City Council decided that new owners had met city requirements.

"It's nice to see a building that one almost thought was hopeless and what can be done by people that care," said Celia Scott of 5500 Bryant, which had its license denied in October, 1989 while under the ownership of Herbert Zwirn.

"We got a lot of criticism for pulling this thing," said City Manager Gerald Splinter of the building's lack of code compliance. "But I think the results bear us out."

Also restored was the license for a triplex at 4010 65th Ave., which was denied approximately a year ago when the Council objected to the previous owner's rental of an illegal fourth unit.

"We've got to show that we'll be fair and consistent," said Phil Cohen. "But I think the housing ordinance is working well."

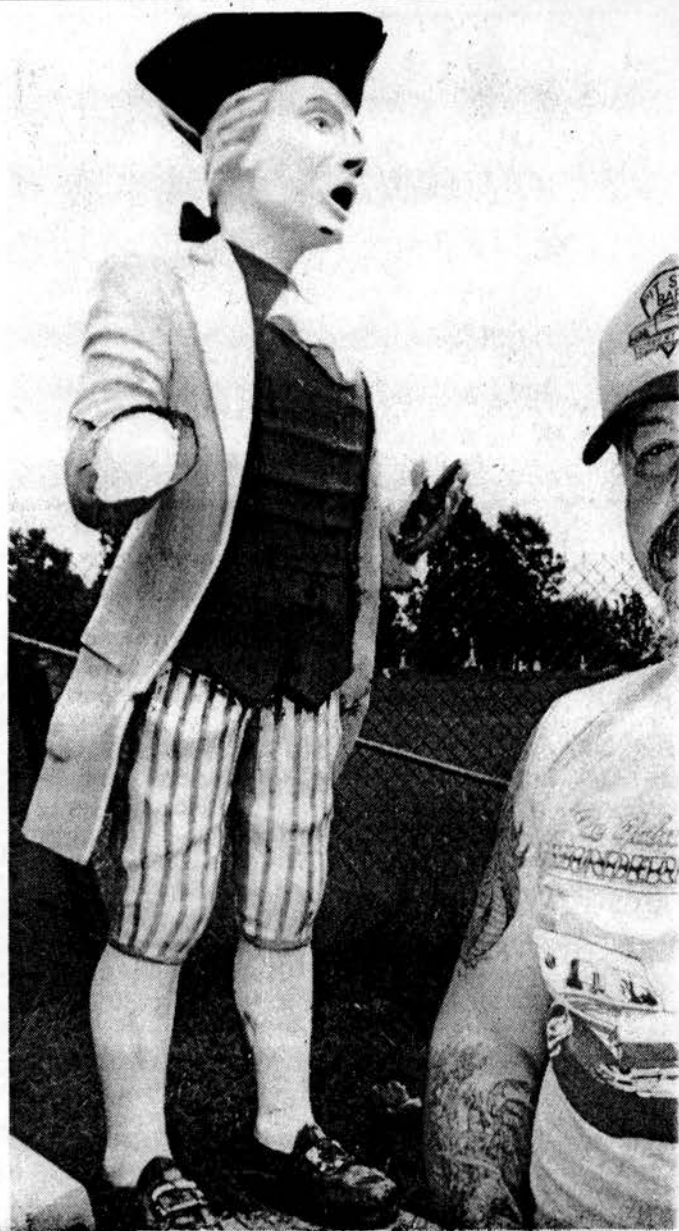
### EBF employees get pay raise

Two employees of the EBF Management, which is contracted to run the Earle Brown Farm, received retroactive ten percent pay raises after some heated City Council discussion, June 25.

"I personally have some mixed emotions even though the people deserve a raise," said city planner Brad Hoffman, who brought a letter requesting the raises from EBF president Al Beisner to the Council. The employees were not scheduled to receive pay increases under an original contract with the city, which pays EBF Mgmt. a total of \$8,166 a month.

A 3-2 Council vote for the pay raise was opposed only by Todd Paulson and Jerry Pedlar.

But there seemed general agreement with Phil Cohen's complaint at the process. "These people shouldn't have to come watering at the public trough...I hope we got a clear message across to Mr. Beisner."



### The spirit of revolution

George Washington may not have slept there. But Tom I. Revere statue which he keeps in back of his home at 6836 D.

Laschua, a painter, picked up the statue several years ago from a colonial furniture store and hopes to restore it to the form groups such as Paul Revere and The Raiders.

In the meantime it has a second function, says Laschua of the graveyard." (Photo by Mark Weygand)

## Police to run a Founder leaves domestic

By Jon Kerr

each year will now be entirely by the Brooklyn Police Department

HUMAN RELATIONS COMMISSION  
May 21, 1990

The Human Relations Commission meeting was called to order at 7:00 p.m. Members present were: Chair Linda Museus, John Luzaich, Kathryn Huston, Renee Werner, Bob Techam, Bonnie Toenies, Arlene West and James Allen Brown. Also present was Joan Schmidt, Staff Liaison.

Members absent: James Allison (excused) and William Johnson (excused). Also absent was Elmer Carlson, Council Liaison.

1. Moved by commission member Jim Brown and seconded by commission member John Luzaich to approve the minutes of the April 23, 1990 Human Relations Commission meeting.

Motion Carried.

2. Bill Gentry, Chairperson of Park & Recreation Commission, was present and interested in the Human Relations Commission's plans for the Human Rights Day since the Park & Recreation Commission had discussed a fall Multi-Cultural event. Individual reports were given and discussion followed with the final decision being to contact and invite the following participants for a 45 minute entertainment segment:

Mariachi Players  
Black Bear Drum Group  
Rap Group  
Hmong Traditional Music Program Group

Moved by commission member John Luzaich and seconded by commission member Jim Brown to contact these four groups and hire them for this event.

Motion Carried.

Artisans will also be invited to display and sell their wares and discuss their culture. The Twins Promotion Department was contacted with a follow-up letter sent. They could not commit at this time because of the playoffs, the lockout with season extended, and when season is over the players take a vacation with their families. Other sports' players will be contacted and asked to sign autographs.

The possibility of this event being broadcast on Cable T.V. will be checked into.

3. New/old Business. The Northwest Suburban Coalition meeting was held at Crystal City Hall on May 19 with some participation from Golden Valley and Robbinsdale. Some discussion was held of the growing number of hate groups. Tim Krieger from Robbinsdale has a tape which the Crystal Human Relations Commission would like to view at their next meeting.

No Fault Grievance Training was successful on May 5 with approximately 25 participants. Possibility of obtaining name tags for commission members will be checked into.

Jim Brown will write a brief regarding the Human Rights Award to be sent to the Post News.

4. Election of Officers was held.

Chair - Linda Museus  
Vice Chair - Renee Werner  
Secretary - Arlene West

Moved by commission member John Luzaich and seconded by commission member Kathy Huston to accept the motions to elect as nominated.

Motion Carried.

Having no further business, it was moved by commission member John Luzaich and seconded by commission member Kathy Huston to adjourn.

Meeting adjourned at 8:41 p.m.

CRYSTAL PARK AND RECREATION ADVISORY COMMISSION

Minutes

June 13, 1990

Welcome Park

The regular meeting of the Crystal Park and Recreation Advisory Commission was called to order at 7:07 p.m. by Chairperson Bill Gentry. Members present were: Ms. Reid, Mr. O'Reilly, Mr. Theisen, Mr. Smothers, Ms. Spaulding, and Ms. Pitts. Also present were: Mr. Brandeen and Ms. Hackett from the department staff.

The minutes were approved as sent.

Residents from the Welcome Park area had these comments:

1. Ball players do not respect private property. Use yards as trash cans. They also stay after games and block streets.
2. Park Vandalsim - older youths "hanging out." Residents were asked to call police when any suspicious behavior is noticed.
3. Request for a satellite bathroom between Welcome 1 and 2.
4. Request additional police and for CSO patrol of the park and neighborhood.
5. Request for reciprocal fees (no non-resident fees) at neighboring cities facilities.
6. Suggestion that police officer to attend outdoor meetings since many questions are related to them.
7. Suggestion to hand out Commission roster at outdoor meetings.
8. Concern about parking and 47th Avenue North. With cars parked on both sides of the street, it is difficult for cars to pass and also to watch for pedestrians. Citizen request to have one side only for parking. Mr. Smothers informed the residents on the procedure to work through the City Council.

The Welcome Park residents were thanked for their comments.

Mr. Gentry explained the concept of the "Adopt-A-Park" program to the residents. Program ideas for the Welcome Park area were suggested. Two residents volunteered to investigate coordinating an activity.

Ms. Hackett reviewed the monthly report, highlighting major activities.

Mr. Brown from the Human Relations Commission informed the Commission of the October 20 Cultural Program to be held at the Community Center. Performing groups and crafters have been lined up. The HRC asked the Commission to co-sponsor the event and to find food vendors.

**Moved by Ms. Reid and seconded by Mr. O'Reilly to recommend to pursue food vendors for the October 20 Cultural Arts Program.**

**Motion carried - unanimous.**

Mr. Brandeen informed the Commission that the Council has approved an updating of the comprehensive plan. A study on the development of a golf course is included but not a nature center. Mr. Gentry felt that the nature center should be included since the comprehensive plan should include all issues. Mr. Theisen suggested a special meeting to discuss and compile all information so the Commission can attend a future Council meeting to ask to include both projects. A special meeting will be held Monday, June 25 at 7 p.m. at the Community Center.

Five-year plan reductions were discussed. The city Long-Range Planning Commission deleted the Bassett Creek picnic shelter and night light. The Commission Long Range Planning Commission will meet June 25 at 6 p.m. to discuss and revise the 1991-92 plan.

Mr. O'Reilly reviewed the last Crystal Frolics meeting. The raffle is dropped due to the state gaming laws; a craft fair may be subbed. Mr. Smothers informed everyone of the July 4 Octoberfest. Mr. O'Reilly reminded everyone of the softball game with the Crystal royalty on July 4.

The Community Center dedication was reviewed. Events ran well, although more publicity was needed. The Teen Night should have been advertised as 7-9th grade, as older teens were turned away. More lines were needed for hors-d'oeuvres. Clocks should have been checked before handing them out. Mr. O'Reilly thanked the staff for their hard work. Everyone agreed it was a fun week.

Ms. Hackett updated the Commission on the joint summer school program and the summer program registrations.

Mr. Gentry read a letter from the Robbinsdale Park, Recreation and Forestry Commission commending the public support for the Community Center project. They also donated a tree to the Community Center.

The meeting was adjourned at 8:45 p.m.

The next meeting will be Wednesday, July 11 at Crystal  
Highlands Park.

Respectfully submitted,

Gene Hackett  
Recorder

CRYSTAL PARK AND RECREATION DEPARTMENT  
MONTHLY REPORT  
JUNE 1990

PROGRAM ACTIVITIES: JUNE START

ACTIVITY NAME	REGISTRATION 1990 1989		LOCATION	AGE GROUP	DAY/TIME
-----					
TENNIS LESSONS					
ADULT	8	7	Bassett Cr, Lions VP	18+	Weekday-eves
YOUTH	63	60	Lions VP, Hel	6-12	Weekday-afts/eves
TENNIS LEAGUES					
ADULTS	43	41	Various Courts	18+	Weekday-eves
TEEN	20	10	Various Courts	13-18	Weekday-afts
GYMNASTICS	22	28	Sandburg	Pre-school-gr 6	Weekday-morn
BALL SKILLS					
PRESCHOOL	20	31	Comm. Ctr	Pre-school	Weekday-aft
TINY TOTS	74	75	Bck, Hel, N Lions, RR Lib, Yun, For, CCC	Pre-school	Weekday-morn
MY SPECIAL FRIEND/ME	12	8	Comm Ctr	Parent/Preschool	Weekday-morn
READ ME	30	45	LVP, Hel, For, Bdwy, CCC	Pre-school & up	Weekday-aft
SOFTBALL INSTRUCTION					
TOTAL	32 Teams	30 Teams			
	351 Youth	347 Youth			
TBALL DAY	6 Teams	7 Teams	Hel-2T, LVP-2T, For-2T, Bdwy-1T	Age 5-6	Weekday-aft.
	70 Youth	90 Youth			
TBALL MORNING	4 Teams	4 Teams	Becker - 4T	Age 5-6	Weekday-morn.
	40 Youth	40 Youth			
TBALL EVENING	6 Teams	5 Teams	Fair-4T/Cav-1T	Age 5-6	Weekday-eve
	65 Youth	50 Youth			
MITEBALL DAY	8 Teams	6 Teams	Hel-1T, LVP-2T, For-2T, Bdwy-1T	Age 7-8	Weekday-aft.
	95 Youth	87 Youth			
MITEBALL MORNING	3 Teams	3 Teams	Becker - 3T	Age 7-8	Weekday-morn.
	26 Youth	30 Youth			
MITEBALL EVENING	5 Teams	5 Teams	Fair-4T/Cav-1T	Age 7-8	Weekday-eve
	55 Youth	50 Youth			
ARTS & CRAFTS	63	68	NL, Bdwy, TO, Yun, LVP, BC,	Ages 6-10	Weekday-aft.

ACTIVITY NAME	REGISTRATION		LOCATION	AGE GROUP	DAY/TIME
	1990	1989			
-----					
YOUTH SOFTBALL					
TOTAL	19 Teams	18 Teams			
	261 Youth	259 Youth			
34 LEAGUE	4 Teams	6 Teams	Area parks	Grades 3-4	Weekday-eve
	58 Youth	93 Youth			
56 LEAGUE	5 Teams	5 Teams	Area parks	Grades 5-6	Weekday-eve
	74 Youth	72 Youth			
JR. HI BOYS	4 Teams	2 Teams	Area parks	Age 15 & under	Weekday-eve
	57 Youth	24 Youth			
SR HI BOYS	6 Teams	5 Teams	Area parks	Age 18 & under	Weekday-eve
	72 Youth	70 Youth			
*Leagues combined with other communities/numbers are Crystal only					
SWIM LESSONS - SESSION 1					
			Crystal Pool	Pre-school - Teen	
DAY	168	139			Weekday-morn
4/5 YR	32	28			
BEGINNER	64	38			
ADV BEGINNER	30	28			
INT/SWIM	36	36			
DIVING	6	9			
EVENING	100	115	Crystal Pool	Pre-school - Teen	Weekday-eve
2/3 YR	16	31			
4/5 YR	24	24			
BEGINNER	39	40			
ADV BEGINNER	21	20			
NEIGHBORHOOD VOLLEYBALL					
	15 Teams	19 Teams	Area parks	Adults Age 18+	Weekday-eve
SAND VOLLEYBALL					
	4 Teams	4 Teams	Bassett Cr.	Adults Age 18+	Weekday-eve
INDOOR VOLLEYBALL: CCC					
WOMEN'S	4 Teams	n/a	Community Ctr		
CO-REC	6 Teams	n/a	Community Ctr		
GENERAL SWIMMING					
	16,996	10,359	Crystal Pool	All Age	Every day
SUMMER PLAYGROUNDS					
	1600	2617		Ages 4 - 14	Weekday-aft
FOREST	121	453*			
LEE (T,TH,F)	63	85			
N BASS LAKE (T,TH,F)	49	65			
NORTH LIONS	217	227			
SKYWAY (M,H)	28	31			
TWIN OAK	285	615*			
LIONS VALLEY PLACE	103	119			
WELCOME	128	180			
YUNKERS	92	80			
BASSETT CREEK	163	192			
BROADWAY	128	169			
CAVANAGH (M,H)	28	75			
BECKER (M,H)	50	89			
CRYSTAL HILANDS	106	136			
KENTUCKY (T,TH,F)	39	51			

\* - Includes 1989 wading pool attendance

1990 - open 10 days/1989 - open 10 days

ACTIVITY NAME	REGISTRATION		LOCATION	AGE GROUP	DAY/TIME
	1990	1989			
SUMMER PLAYGROUNDS - MORNINGS				Ages 4 - 14	Weekday-morn
LIONS VALLEY PLACE (M/W)	30	36			
WELCOME (T/TH)	42	30			
THIN OAK (M/W)	35	50			
COMMUNITY CENTER OPEN GYMS					
ADULT	15	n/a		Adults	Weekday/Weekend
YOUTH	25	n/a		Youth	Weekday/Weekend

#### ONGOING PROGRAMS - JUNE 1990

SENIORS	ADULTS	BECKER CONCERTS
CENTER MEMBERSHIP: 700 (May. 1990 - 673/June 1989 - 585 **Quarterly Update /Last quarter in (**) CRIBBAGE: 48 (40) WELCOME: 4 (4) 500 DAY: 80 (72) 500 NITE: 40 (40) SCRAPBOOK: 4 (4) POKER FOR FUN: 21 (21) BRIDGE DAY: 72 (56) BRIDGE NITE: 40 (40) DUPLICATE BRIDGE: 64 (48) POOL: 16 (n/a) EXECUTIVE COMMITTEE: 10 (12)	MEN SOFTBALL LGE WOMEN SOFTBALL LGE CO-REC SOFTBALL LGE WOMEN/SR GOLF LGE MEN GOLF LGE MORNING EXERCISE - 12 (June)	Golden Valley Orchestra 180+ Teddy Bear Band 300 Robbinsdale City Band 200 Jazz Festival 75 (rain) Jazz Festival 60 (rain) Zuhrah Concert Band 225 Spangalang 100 Samoa 225 Red Gallagher Trio 125  TOTAL 1490 AVG JUNE ATT 165  JUNE 1989 TOTAL 4250 AVG JUNE 1989 326
SPECIAL EVENTS: OTLB: 25 to Rudolphs Restaurant COOK-OUT: 54 GRAND OPENING DANCE: 350 GRAND OPENING "TASTE OF...": 325		

#### YOUTH

#### GYMNASTICS

#### OTHER ACTIVITIES

##### CCC GRAND OPENING EVENTS

##### TMH-EMH/ADAPTED\*\*

##### COMMUNITY TRIPSTERS\*\*

CANTERBURY DOWNS: 100 Total/37 Crystal

BOAT TRIP - MISSISSIPPI: 90 Total/24 Crystal

BLACK HILLS/BADLANDS: 42 Total/8 Crystal

##### GETAWAY\*\*

BOAT CRUISE ON ST. CROIX: 47 Total/10 Crystal

##### PICNIC PERMITS:

JUNE: 18 (1989 - 16)

##### SOFTBALL PRACTICE PERMITS:

JUNE: 153 (1989: 189)

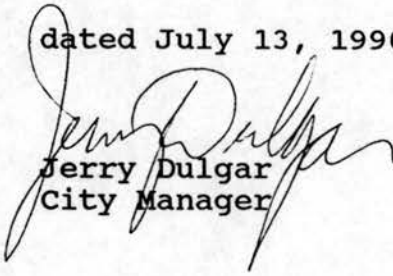
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PROGRAMS COMPLETED - JUNE  
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NONE

NOTICE

Pursuant to the authority granted in Section 1350.01, Subdivision 7 "Skateboards" and under Subsection 815.07 "Recreational Areas: Rules and Regulations", I hereby prohibit the use of skateboards in Becker Park on the days July 27, 28, and 29, 1990.

dated July 13, 1990



Jerry Dulgar  
City Manager

7-16-90

The the undersigned, would like  
the city of crystal Council to  
investigate and hopefully resolve  
the problem with barking dogs.

In specific, the dogs at 6727  
Dudley ave No.

Mr & Mrs Don L. Chandler 6806 58th Ave 537-3337

Mr & Mrs Richard Schueremann - 6818-58th Ave No. 536-1195

Mr & Mrs Maurice L. Palmer 6812-58ave no. 537-2941

Mr & Mrs Donald H. Ellison 6821 Dudley Ave 533-0275

Sue Loftness 6816 Dudley N. 533-9167

Mr & Mrs Troy McArthur 6810 Dudley 535-7804

Mr & Mrs Kenneth Mastrian 6720 Dudley Ave 537-1390

Mr & Mrs Charles Kuhn 6721- Dudley No. 537-8272

Mrs. Danna Hoger 5825 Hampshire Ave 535-0438

Mr Ernest Beard 5859 Hampshire

Roger Blair 5801 Hampshire Ave N.  
Laura Cunningham 6714-58th Ave N

537-7403

Mr. & Mrs. W. H. Peterson  
6722-58<sup>th</sup> Ave. N.  
Crystal, Minn 55428

535-7240

Kurt M. Hill  
6730 58<sup>th</sup> Ave N  
Crystal Minn 55428

537-2135

The problem of the dogs barking has  
gone on for 2 years now.

These dogs are left outside, unattended  
24 hours a day.

They bark at all hours of the day  
and night.

# SUBURBAN RATE AUTHORITY

June 12, 1990

## MEMBERS

BLOOMINGTON  
BROOKLYN PARK  
BURNSVILLE  
CHAMPLIN  
CIRCLE PINES  
COLUMBIA HEIGHTS  
DEEPHAVEN  
EDEN PRAIRIE  
EDINA  
FRIDLEY  
GREENWOOD  
HASTINGS  
HOPKINS  
LAUDERDALE  
MAPLE PLAIN  
MAPLEWOOD  
MINNETONKA  
MINNETRISTA  
NEW BRIGHTON  
NORTH ST. PAUL  
ORONO  
OSSEO  
PLYMOUTH  
RICHFIELD  
ROBBINSDALE  
ROSEVILLE  
SAVAGE  
ST. LOUIS PARK  
SHAKOPEE  
SHOREVIEW  
SPRING PARK  
WAYZATA  
WEST ST. PAUL  
WOODLAND

**Mr. Jerry Dular**  
**City Manager**  
**City of Crystal**  
**Crystal City Hall**  
**4141 Douglas Drive North**  
**Crystal, MN 55422**

Dear Mr. Dular,

I am writing to you on behalf of the Suburban Rate Authority (SRA), a joint powers organization consisting of 34 metropolitan area suburban municipalities. On behalf of the SRA Board of Directors I want to invite the City of Crystal to join the SRA. Crystal's participation is vitally important to the continued representation of suburban ratepayers in utility matters that significantly affect residents, businesses and municipal services.

The SRA monitors on behalf of its members, rate matters involving Northern States Power, Minnegasco, Northwestern Bell and the Metropolitan Waste Control Commission. The SRA has actively intervened in rate cases before the Minnesota Public Utilities Commission and on numerous occasions has realized substantial savings for its member residents and those of all suburban communities. For example, the tiered Northwestern Bell metropolitan telephone rate ratios have been cut in half over the last ten years to the benefit of outer suburban residents and businesses. The SRA was the sole voice in favor of such ratio modification until recently when the Attorney General began supporting the SRA position. SRA intervention in NSP rate cases through the 80s has also resulted in significant dollar savings to suburban ratepayers and municipalities. The SRA has successfully and repeatedly prevented the municipal pumping rates from being raised substantially by NSP.

The present issues in which the SRA is involved include an NSP petition to increase revenues by \$120,000,000, a Northwestern Bell petition for approval of a four year incentive regulation plan, and Environmental Protection Agency proposed requirements of the MWCC for stringent water and sewer discharge standards. Each of these issues involves millions of dollars to the suburban ratepayers. Without SRA intervention in these cases, suburban city residents affected by potential rate changes have no voice.

The SRA benefits all metropolitan area suburban municipalities whether those municipalities are SRA members or not. The risk to the City of Crystal in nonmembership, however, is that the SRA may be unable to continue its active intervention in rate matters. The greater the membership, the greater the voice of suburban cities in important utility issues. Those issues will clearly become more and more important during the 90's. The SRA must maintain its voice.