



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

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Harlene

COUNCIL AGENDA

September 4, 1990

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on September 4, 1990, at 7:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota.

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

Councilmembers

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

Staff

P Dulgar
P Olson
P Kennedy
P Monk
P Barber
P George
P Heenan
P Gohman

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

Brigadier General Eugene Andreotti, Minnesota Adjutant General, appeared before the City Council to present a Certificate of Appreciation from the National Committee for Employer Support of the Guard and Reserve to the City of Crystal. *Tom Heenan, Supervising Sanitarian and Mark Hauke of the Water and Sewer Dept and members of the Guard and Reserve accepted the certificates for*
The Mayor acknowledged a donation to the City of Crystal from the *their respective* Knights of Columbus, 4947 West Broadway, in the amount of \$2,000. *Supervisors.*

The Mayor proclaimed the week of September 23 through 29, 1990 as "Toastmasters' Week" in the City of Crystal.

The Mayor proclaimed the week of September 14 through 21, 1990 as "National Ballroom Dance Week" in the City of Crystal.

The Mayor proclaimed the week of September 17 through 23, 1990 as "Constitution Week" in the City of Crystal.
The Mayor proclaimed September 13, 1990 as National Drug Abuse Resistance Education (D.A.R.E.) Day in the City of Crystal.
1. The City Council considered the minutes of the Regular City Council meeting of August 21, 1990 and the Special Work Session of August 28, 1990.

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

to) the minutes of the Regular City Council meeting of August 21, 1990 and the Special Work Session of August 28, 1990.

Motion Carried.

CONSENT AGENDA

1. Set 7:00 p.m., October 2, 1990, as the date and time for a public assessment hearing for the 1990 Sealcoat Program 90-1; Sidewalk Repair 90-3; Diseased Tree Removal; Debris Removal; Weed Cutting; Delinquent Sewer and Water Bill.
2. Acceptance of a letter of resignation from James Allison of the Human Relations Commission dated 8-26-90 and a request from the Human Relations Commission to remove Bonnie Toenies from the Commission due to unexcused absences and to replace one of these openings with a student member.

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

Motion Carried.

PUBLIC HEARINGS

1. It being 7:00 p.m., or as soon thereafter as the matter may be heard, Mayor Herbes declared this was the date and time as advertised for a public hearing at which time the City Council will consider an ordinance vacating a portion of an utility and drainage easement on Lot 3, Block 1, Froehlich Addition. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. Those present and heard were:

The Mayor closed the Public Hearing.

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

ORDINANCE NO. 90-18

AN ORDINANCE VACATING A
CERTAIN DRAINAGE AND UTILITY EASEMENT

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

Motion Carried.

REGULAR AGENDA

1. The City Council considered the parking situation at 6024-36 42nd Avenue North. Those appearing and heard were:

*Arie Mann, owner of the property
Brian Anderson, Total Register Systems
Mr. Ross, Ross Plumbing
Unidentified ^{female} employee of Ross Plumbing*

*M/G to accept the Public Works Director's recommendations as follows
to take effect upon notification to the owner of the property:*

2. Mr. Bill Morris of Decision Resources, Inc. appeared before the City Council to discuss the community survey. *The Council gave direction to proceed with the survey as discussed.*

- 1) Provide the west side of Brunswick Avenue North between 42nd and 43rd Avenues for parking of business owners and employees. This can be accomplished by establishing a policy restricting parking in this area to individuals with a validated permit between 8 a.m. and 6 p.m. Monday through Saturday. Enforcement of such a policy would keep students from parking in this area while allowing area residents to use the parking every evening and Sundays. Twelve permits would be issued to the impacted businesses.
- 2) Maximize the parking along 42nd Avenue for customers by requesting MTC relocate the bus stop presently located at the corner of 42nd and Brunswick Avenues.
- 3) Prohibit parking in the front yard area along 42nd Avenue.
- 4) Designate the boulevard area adjacent to the building along Brunswick Avenue as a loading/delivery zone.

WM
WM:jrs

5) Install time restriction signs along the inset parking East of Brunswick along westbound 42nd Avenue.

Motion carried

Fold Out

3. The City Council considered curb opening permits for a proposed bank building at 7009 - 56th Avenue North (building being located in New Hope; two access points on Louisiana Avenue which is a Crystal street). *Jerry Choromanski, proponent of the bank building, appeared and was heard.*

G to continue to the September 18, 1990 City Council meeting to allow time for notification to residents in the area.
Motion failed for lack of a second

I/G to set 7:00 p.m. on September 13, 1990 as the date and time for a public informational meeting ^{at which} ~~regarding~~ time residents in the area of the proposed bank building may voice their opinions regarding the two proposed access points on Louisiana Avenue.
Motion Carried

#8 Next

5. The City Council considered a recommendation from the Human Relations Commission that the City Council send a letter to School District 281 regarding the recent vandalism and desecration problems at Adath Chesel Shel Emes Cemetery, 37th & Winnetka Avenues North.

C/G to direct the ^{Human Relations Commission} ~~Human~~ to send a letter to School District 281 regarding the recent vandalism and desecration problems at Adath Chesel Shel Emes Cemetery, 37th and Winnetka Avenues North as recommended by the Commission.

Motion Carried,

- 6 5. The City Council considered Site Improvement Agreement for Walgreen's at 6918 - 56th Avenue North.

Moved by Councilmember C and seconded by Councilmember M to (approve) (deny) (continue until _____ the discussion of) Site Improvement Agreement as part of a condition of building permit issuance for Walgreen's at 6918 - 56th Avenue North, and further, to authorize the Mayor and City Manager to sign such agreement.

Motion Carried.

- 7 6. The City Council ^{discussed} considered a feasibility study for drainage improvements at 6321 and 6407 - 46th Place. *No action was taken.*

Moved by Councilmember _____ and seconded by Councilmember _____ to (approve) (deny) (continue until _____ the discussion of) a feasibility study for drainage improvements at 6321 and 6407 - 46th Place.

Motion Carried.

8. The City Council considered the Second Reading of an ordinance amending the City Garbage Ordinance addressing backyard composting requirements.

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

ORDINANCE NO. 90-19

AN ORDINANCE RELATING TO PUBLIC HEALTH:
COMPOSTING: AMENDING CRYSTAL CITY CODE,
SUBSECTION 605.01: AMENDING CRYSTAL
CITY CODE SECTION 605 BY ADDING A SUBSECTION

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

Motion Carried.

4. 8. The City Council considered the Second Reading of an ordinance amending the Lawful Gambling Ordinance to conform with state law. Those appearing and heard were John Westphal, Jane Elen and George Haacken, all representing the Knights of Columbus Charitable Gambling Organization.

G/C to continue discussion to the September 18, 1990 City Council meeting and direct staff to contact the State Gaming Division regarding procedure of approval of Charitable Gambling premises permits. Motion carried

Moved by Councilmember _____ and seconded by Councilmember _____ to adopt the following ordinance:

ORDINANCE NO. 90-

AN ORDINANCE RELATING TO LAWFUL GAMBLING:
AMENDING CRYSTAL CITY CODE BY
ADDING A SECTION: REPEALING CRYSTAL
CITY CODE SUBSECTION 1100.19

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

Motion Carried.

Recess 9:13 p.m. - Reconvened 9:20 p.m.
Item 4 next

9. The City Council considered approval of the Pets Under Police Security (PUPS) seven-city animal impound facility.

- A. 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. 90-54

RESOLUTION RELATING TO ANIMAL
CONTROL: AUTHORIZING MEMBERSHIP
OF THE CITY IN PETS UNDER POLICE SECURITY (PUPS)

By roll call and voting aye: C, M, I, G, H,
J, _____; voting no: _____; absent, not
voting: _____

Motion carried, resolution declared adopted.

- B. Moved by Councilmember I and seconded by Councilmember J to appoint the City Manager as a representative on the PUPS Board and Councilmember Carlson as the alternate representative.
Motion Carried.

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

RESOLUTION NO. 90-

RESOLUTION APPROPRIATING PIR FUNDS
FROM PART B FOR THE SEVEN-CITY
ANIMAL IMPOUND FACILITY PUPS
(PETS UNDER POLICE SECURITY)

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

Motion carried, resolution declared adopted.

10. The City Council discussed a resolution that was adopted by the Crystal Police Relief Association relating to the retirement benefits of and member contributions to the Crystal Police Relief Association.

I/G to deny the resolution relating to the retirement benefits of and member contributions to the Crystal Police Relief Association; restating the Board's determination of the maximum rate of monthly salary of a first grade patrol officer, adopted by the Crystal Police Relief Association on July 26, 1990.

Motion Carried

11. Consideration of a resolution and an interim ordinance relating to a moratorium on development at 36th Avenue and Highway 100.

- A. 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. 90-55

RESOLUTION PLACING A MORATORIUM ON DEVELOPMENT
WITHIN REDEVELOPMENT PROJECT NO. 2

By roll call and voting aye: A, M, I, G, H,
J, _____; voting no: _____; absent, not
voting: L, _____.

Motion carried, resolution declared adopted.

- B. Moved by Councilmember J and seconded by Councilmember I to adopt the following ordinance:

ORDINANCE NO. 90-

AN INTERIM ORDINANCE FOR THE PURPOSE OF PROTECTING
THE PLANNING PROCESS AND HEALTH, SAFETY AND WELFARE OF THE
RESIDENTS, AND RESTRICTING DEVELOPMENT WITHIN
REDEVELOPMENT PROJECT NO. 2

and further, that the second and final reading be held on September 18, 1990.

Motion Carried.

12. The City Council considered the designation of voting and alternate voting delegates for the National League of Cities Annual Congress of Cities in Houston, Texas, December 1-5, 1990; and discussion regarding policy proposals and resolutions for consideration at the Congress of Cities Conference.

Moved by Councilmember I and seconded by Councilmember J to designate Mayor Nerkes as the voting delegate and Councilmember Carlson as the alternate voting delegate for the National League of Cities Annual Congress of Cities Conference in Houston, Texas, on December 1-5, 1990.

Motion Carried.

13. The City Council discussed setting meetings for the 1991 City of Crystal Budget discussions.

Moved by Councilmember J and seconded by Councilmember I to set 7:00 p.m. on October 23, 1990 and 7:00 p.m. on October 30, 1990 to discuss the 1991 City of Crystal Budget.

Motion Carried.

OPEN FORUM

INFORMAL DISCUSSION AND ANNOUNCEMENTS

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

Motion Carried.

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

Motion Carried.

Meeting adjourned at 10:25 p.m.

APPLICATIONS FOR LICENSE
SEPTEMBER 4, 1990

FOOD ESTABLISHMENT - Restaurant (\$275.00 w/0 QA Plan, \$150. with QA Plan)

Key's Restaurant, 6408 56th Avenue North

SIGN HANGER'S LICENSE - \$66.00 Renewals

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

PERMIT FOR WINE AND BEER IN PARK/COMMUNITY CENTER

Maren Brandel, 3254 Brunswick Ave. N. - Lions ValleyPlace on
September 9, 1990 from 11 a.m. to 4 p.m. for a birthday party.

Sent with Council packet on 8-31-90:

Letter from Supervising Sanitarian dated 8-23-90
re: presentation of certificate from Guard & Reserve.
Letter from K of C dated 8-23-90 and copy of check
re: donation to City.
Proclamation re: Toastmasters Week.
Proclamation re: National Ballroom Dance Week.
Proclamation re: Constitution Week.
Minutes of the Council mtg. of 8-21-90 and Work
Session of 8-28-90.
Letter of resignation dated 8-26-90 from James
Allison, Human Relations Commission.
Unapproved Human Relations Minutes of 8-27-90.
Ordinance vacating drainage & utility easement -
6605- 45th Pl.
Memo from City Engr. dated 8-28-90 re: Parking at
commercial complex at 42nd & Brunswick Ave. No.
Memo from City Engr. dated 8-29-90 re: Curb cuts
on Louisiana Ave. No. at 56th.
Memo from Admin. Secretary dated 8-28-90 re:
vandalism & desecration of gravestones.
Memo from City Engr. dated 8-27-90 re: Site Improve-
ments at Walgreen's.
Memo from City Engr. dated 8-31-90 re: feasibility
study for drainage on 46th Place No.
Letter from City Attorney dated 8-29-90; copy of
ordinance re: composting.
Letter from City Attorney dated 8-27-90; ordinance
re: lawful gambling.
Analysis of Animal Impound Facility Needs; resolution
authorizing membership under PUPS; Joint and
Cooperative Agreement; Resolution appropriating
funds from PIR.
Memo from Julie Lawler dated 1-12-90 re: Police
Relief Association; letter from Best & Flanagan
dated 11-28-89.
Resolution relating to retirement benefits of and
member contributions to the Crystal Police Relief
Assoc.
Resolution placing a moratorium on development
within Project No. 2 (36th & Highway 100).
Memo from Nat'l. League of Cities dated 8-10-90 re:
designation of voting and alternate voting delegates
for Annual Congress of Cities (Dec. 1-5, 1990).
Memo from Nat'l. League of Cities dated 8-10-90
re: proposed amendments fo National Municipal Policy.

Memo from City Manager, Finance Director and Asst. Finance Director dated 8-30-90 re: Proposed 1991 Budget.

Letter from Met Council re: Regional Breakfast meetings for local officials in Hennepin County.

Copy of Human Relations Commission minutes of 7-23-90 meeting.

Park & Rec. Advisory Commission agenda for the 9-5-90 meeting at MAC Park.

Memo from Police Dept. dated 8-30-90 re: complaint regarding 5417 - 34th Place.

Memo from Asst. Finance Director dated 8-30-90 re: mileage charges - Council budget.

Parking - 42nd and Brunswick.

Questions concerning proposed gambling ordinance (submitted by Mayor Herbes).

Memo from Phil Johnson, Police Dept. re: complaint - 5417 - 34th Place North.

Memo from Police Chief dated 9-4-90 re: code enforcement of off-street parking violations.

Revised Crystal Residential Questionnaire.

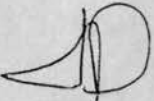
Revised ordinance relating to lawful gambling; fax cover page from City Attorney.

Memo from Chief Mossey dated 9-4-90; proclamation for National D.A.R.E. Day, September 13, 1990.

Excerpt from City Council minutes of 12-19-89 re: Statement of Support for the Nat'l. Guard & Reserve.

Harlene

Memorandum

DATE: August 31, 1990
TO: Mayor and Council
FROM: Jerry Dulgar, City Manager 
SUBJECT: Preliminary Agenda for the September 4, 1990 Council Meeting

Public Hearings

1. Public hearing to consider an ordinance vacating a portion of a utility and drainage easement on Lot 3, Block 1, Froehlich Addition. If you recall from the last meeting the situation where the owner built partially on the easement, we don't really need all the easement so we have agreed to vacate a portion of it. I'd recommend that we approve it.

Regular Agenda:

1. Consideration of parking situation at 6024-36 42nd Avenue North. I would concur with Bill's recommendation in the enclosed memo relative to this situation. I will have some information to pass out at the meeting that we have gathered relative to the parking volume at the location also.

2. Appearance by Bill Morris to discuss community survey. Mr. Morris has discussed the survey with members of the Council and is proposing some changes. He will be in attendance to review those for the Council.

3. Consideration of curb opening permits on Louisiana Avenue for proposed bank in New Hope. I would recommend that we not take action on this until we have notified the Crystal residents in that area of the proposal. As I understand it there was a lot of controversy when the Burger King went in and there were no curb cuts allowed onto Louisiana. A bank with a drive-in can generate an awful lot of traffic too and I would think that we would want to notify the residents before we go ahead and okay curb cuts.

4. Consideration of the recommendation from the Human Relations Commission that the City Council send a letter to School District 281 regarding the recent vandalism and desecration problems at Adath Chesel Shel Emes Cemetery, 37th & Winnetka Avenues. I think the Human Relations Commission's recommendation in this situation is appropriate and I would recommend that the Council authorize sending the letter to the School District.

6. Consideration of feasibility study for drainage improvements at 6321 and 6407 - 46th Place. If Council recalls sometime back

you asked Bill to do a feasibility study for drainage in this area. He hopes to have it done for this meeting and be able to discuss it with the Council.

9. Consideration of approving PUPS (Pets Under Police Security) seven-city animal impound facility. Enclosed you have a memo and information relative to this. I will be prepared to further discuss this with the Council. Should you have any questions, please contact me.

10. Consideration of a resolution adopted by the Crystal Police Relief Association relating to the retirement benefits of and member contributions to the Crystal Police Relief Association. The attorney working for the Crystal Police Relief Association thinks he has found what you might call a loophole in the law that will allow them to increase their pension by 9%. That increase in theory might sound great, however it was never the intention of the law and it's going to cost the taxpayers tens-of-thousands of dollars to pay these additional pensions to the Relief Association members. I along with the Mayor and Miles attended their meeting and objected to their adopting this but of course the Board of the Relief Association are the members who receive the pensions and they approved going into this plan without asking for the Attorney General's opinion or anything. I would recommend that the City challenge the increase in pensions by whatever legal actions the City Attorney recommends that we would have to take. Mr. Kennedy and I will be prepared to discuss this further with you at the meeting.

11. Consideration of a moratorium on development at 36th Avenue and Highway 100. John Olson and Dave Kennedy will be prepared to discuss with the Council the idea of declaring a moratorium on development in this area to try to prevent speculators from capitalizing on acquisitions the State might have to make to implement the road improvements in that area.

12. Consideration of the designation of voting and alternate voting delegates for the National League of Cities Annual Congress of Cities in Houston, Texas, December 1-5, 1990; discussion regarding policy proposals and resolutions for consideration at the Congress of Cities Conference. The Council should designate a delegate and an alternate delegate for voting at the National League of Cities meeting.

13. Set meetings for 1991 budget discussions. In addition to that you will find attached the summary of the budget. We will have the remainder of the budget to you as soon as we can get the copies made.

Have a great weekend. See you on Tuesday if not before.

JD/js

COUNCIL AGENDA - SUMMARY

COUNCIL MEETING OF
September 4, 1990

Call to order

Roll call

Pledge of Allegiance to the Flag

Appearance by Brigadier General Eugene Audreotti, Minnesota Adjutant General, to present a Certificate of Appreciation from the National Committee for Employer Support of the Guard and Reserve to the City of Crystal.

Acknowledgement of a donation to the City of Crystal from Knights of Columbus, 4947 West Broadway, in the amount of \$2,000.

Proclamation by Mayor - "Toastmasters' Week" - September 23-29, 1990.

Proclamation by Mayor - "National Ballroom Dance Week" - September 14-21, 1990.

Proclamation by Mayor - "Constitution Week" - September 17-23, 1990.

Approval of the minutes of the regular meeting of August 21, 1990 and Special Work Session of August 28, 1990.

Consent Agenda

1. Set Public Assessment Hearing for October 2, 1990: 1990 Sealcoat Program, 90-1; Sidewalk Repair, 90-3; Diseased Tree Removal; Debris Removal; Weed Cutting; Delinquent Sewer and Water Bill.
2. Consideration of a letter of resignation from James Allison of the Human Relations Commission dated 8-26-90 and a request from the Human Relations Commission to remove Bonnie Toenies from the Commission due to unexcused absences and to replace one of these openings with a student member.

Public Hearings

1. Public hearing to consider an ordinance vacating a portion of a utility and drainage easement on Lot 3, Block 1, Froehlich Addition.

Regular Agenda Items

1. Consideration of parking situation at 6024-36 42nd Avenue North.
2. Appearance by Bill Morris to discuss community survey.
3. Consideration of curb opening permits on Louisiana Avenue for proposed bank in New Hope.
4. Consideration of the recommendation from the Human Relations Commission that the City Council send a letter to School District 281 regarding the recent vandalism and desecration problems at Adath Chesel Shel Emes Cemetery, 37th & Winnetka Avenues.
5. Consideration of Site Improvement Agreement for Walgreen's at 6918 - 56th Avenue North.
6. Consideration of feasibility study for Drainage Improvements at 6321 and 6407 - 46th Place.
7. Consideration of Second Reading of an Ordinance Amending the City Garbage Ordinance Addressing Backyard Composting Requirements.
8. Consideration of the Second Reading of an Ordinance Amending the Lawful Gambling Ordinance to Conform With State Law.
9. Consideration of approving PUPS (Pets Under Police Security) seven city animal impound facility.
10. Consideration of a resolution adopted by the Crystal Police Relief Association relating to the retirement benefits of and member contributions to the Crystal Police Relief Association.
11. Consideration of a moratorium on development at 36th Avenue and Highway 100.
12. Consideration of the designation of voting and alternate voting delegates for the National League of Cities Annual Congress of Cities in Houston, Texas, December 1-5, 1990; discussion regarding policy proposals and resolutions for consideration at the Congress of Cities Conference.
13. Set meetings for 1991 budget discussions.

Open Forum

Informal Discussion and Announcements

APPLICATIONS FOR LICENSE
SEPTEMBER 4, 1990

FOOD ESTABLISHMENT - Restaurant (\$275.00 w/0 QA Plan, \$150. with QA Plan)

Key's Restaurant, 6408 56th Avenue North

SIGN HANGER'S LICENSE - \$66.00 Renewals

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

Tom

August 23, 1990

Mary Erickson
Department of Military Affairs
4th Floor
Service Building
St. Paul, MN 55155

Dear Ms. Erickson:

Thank you for arranging General Andreotti's schedule so he can present the certificates from the Committee for Employee Support of the Guard and Reserve on September 4, 1990. The Council meeting will begin at 7:00 P.M., in the City Council Chambers, Crystal City Hall, 4141 Douglas Drive.

I have enclosed a copy of the certificates, a map, and a listing of City officials from a recent City newsletter.

Sergeant Mark Gaulke from the Army Guard (Brooklyn Park Armory) who works for the City Water and Sewer Department and myself will be present. If I can be of any assistance, please call me at 537-8421.

Sincerely,

Thomas L. Heenan

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

Moved by Councilmember Smothers and seconded by Councilmember Carlson to approve a Statement of Support for the National Guard and Reserve as presented by the National Committee for Employers Support of the National Guard and Reserve.

Motion Carried.

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

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

Motion Carried.

9. The City Council considered a resolution transferring funds.

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

RESOLUTION NO. 89-89

RESOLUTION TRANSFERRING FUNDS

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

10. The City Council discussed the acquisition of property at 5231 Douglas Drive. Staff was directed to send this item to the Economic Development Authority Advisory Commission.
11. The City Council discussed the City Manager Evaluation form. The Mayor asked that each Councilmember fill out the form and return it.
12. The City Council considered the First Reading of an Ordinance relating to Second Hand Goods Dealers.

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

ORDINANCE NO. 89-

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



STATEMENT OF SUPPORT FOR THE GUARD AND RESERVE

We recognize the National Guard and Reserve as essential to the strength of our nation and the well-being of our communities.

In the highest American tradition, the patriotic men and women of the Guard and Reserve serve voluntarily in an honorable and vital profession. They train to respond to their community and their country in time of need. They deserve the support of every segment of our society.

If these volunteer forces are to continue to serve our nation, increased public understanding is required of the essential role of the Guard and Reserve in preserving our national security. Their members must have the cooperation of all American employers in encouraging employee participation in Guard and Reserve training programs.

Therefore, we join other employers in pledging that:

1. Employment will not be denied because of service in the Guard or Reserve;
2. Employee job and career opportunities will not be limited or reduced because of service in the Guard or Reserve;
3. Employees will be granted leaves of absence for military training in the Guard or Reserve, consistent with existing laws, without sacrifice of vacation; and
4. This agreement and its resultant policies will be made known throughout our organization.

Betty Herberts
Employer

12-17-89
Date

John G. McElwee
Chairman
National Committee for Employer Support
of the Guard and Reserve

Richard B. Cheney
Secretary of Defense





Knights of Columbus

FATHER WILLIAM BLUM COUNCIL, No. 3656

4947 West Broadway

Crystal, Minnesota 55429

August 23, 1990

Mrs. Betty Herbes, Mayor
City of Crystal
4141 Douglas Drive
Crystal, MN 55422

Dear Mayor Herbes,

The balance in the gambling account of this Club has finally reached a point where we can begin a program of sharing with our City.

Therefore, we are happy to enclose our check in the amount of \$2,000.00.

Please ask the City Council to use this amount at their discretion.

Yours sincerely,

KNIGHTS OF COLUMBUS

Donald J. Churilla Jr.

Donald Churilla,
Grand Knight

Enc.

KNIGHTS OF COLUMBUS FATHER WM. BLUM, COUNCIL NO. 3656 GAMBLING ACCOUNT 4947 WEST BROADWAY MINNEAPOLIS, MN 55429		2759
PAY TO THE ORDER OF <u>THE CITY OF CRYSTAL</u>		75-1656/910
<u>TWO THOUSAND AND 00/100</u>		\$ 2000.00
CITIZENS STATE BANK OF ST. LOUIS PARK MAIN OFFICE 928-6561, 5050 Excelsior Blvd., St. Louis Park, MN 55416 MINNETONKA Blvd. Office 926-6521, 4201 Minnetonka Blvd., St. Louis Park, MN 55416 ROBBINSDALE Office 568-2715, 3700 West Broadway, Robbinsdale, MN 55422		DOLLARS
FOR <u>DENATION</u>	<i>Robert E. Churilla</i> <i>Robert E. Churilla</i>	



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

ADMINISTRATIVE OFFICE

PROCLAMATION

**September 23 through 29, 1990
Toastmasters Week**

WHEREAS, Communication and Leadership skills are vital skills in ensuring the continued growth of individuals and businesses in the United States; and

WHEREAS, Toastmasters International is the largest non-profit organization in the United States, dedicated to communication excellence and the North Hennepin Toastmasters, Crystal, is the local club of Toastmasters International; and

WHEREAS, There are over 5,000 members in over 230 clubs throughout Minnesota; and

WHEREAS, Toastmasters in Minnesota are helping people improve their communication and leadership skills in business, schools, communities, and organizations throughout the State of Minnesota.

NOW, THEREFORE, I, Betty Herbes, Mayor of the City of Crystal, do hereby proclaim the week of September 23 through 29, 1990 to be

TOASTMASTERS WEEK

in Crystal, Minnesota.

Date

Mayor



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

ADMINISTRATIVE OFFICE

PROCLAMATION

**September 14 - 21, 1990
National Ballroom Dance Week**

WHEREAS, Ballroom dancers around the nation are making plans for a NATIONAL BALLROOM DANCE WEEK the week of September 14 - 21, 1990; and

WHEREAS, Minnesota is known for its many recreational activities, and ballroom dance is a form of recreation enjoyed by many throughout the state; and

WHEREAS, For this celebration of social dance in Minnesota, the ballrooms, the dance studios and dance instructors are mobilizing to provide a barrage of special events mixed in with the regular dancing that is offered to Minnesota residents every week of the year; and

WHEREAS, Dance people in Minnesota want to spread the fun and the good times of dancing to as many people as possible, these Dance Week activities will be carried on all across the state.

NOW, THEREFORE, I, Betty Herbes, Mayor of the City of Crystal, do hereby proclaim the week of September 14 - 21, 1990 as

MINNESOTA BALLROOM DANCE WEEK

in the City of Crystal.

Date

Mayor



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

ADMINISTRATIVE OFFICE

PROCLAMATION

**September 17 through 23, 1990
Constitution Week**

WHEREAS, The Constitution of the United States, the guardian of our liberties, is a product of reflection and choice, embodying the principles of limited government in a Republic dedicated to rule by law, not by men; and

WHEREAS, September 17, 1990 marks the two hundred third anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, It is fitting and proper to accord official recognition to this memorable anniversary, and to the patriotic exercises that will commemorate the occasion; and

WHEREAS, Public Law No. 915, guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through September 23 as Constitution Week,

NOW, THEREFORE, I, Betty Herbes, Mayor of the City of Crystal, do hereby proclaim the week of September 17 through 23, 1990 as Constitution Week, in the City of Crystal, and urge all our citizens to pay special attention during that week to our Federal Constitution and the advantage of American Citizenship.

Date

Mayor

**CITY OF CRYSTAL
POLICE DEPARTMENT
MEMORANDUM**

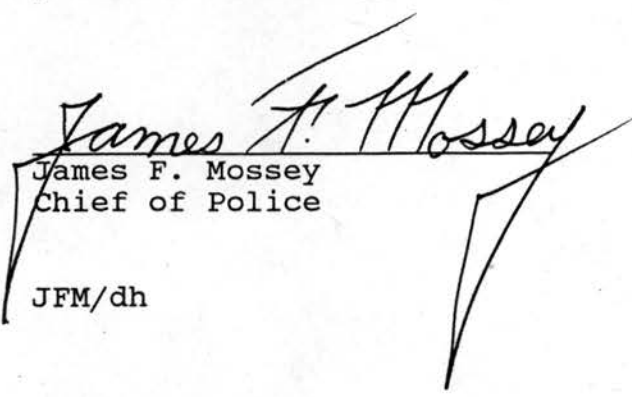
DATE: September 4, 1990
TO: Jerry Dulgar, City Manager
FROM: James F. Mossey, Chief of Police
SUBJECT: PROCLAMATION BY MAJOR "NATIONAL D.A.R.E. DAY"-
SEPTEMBER 13, 1990

The D.A.R.E. program is positive and substantive. It avoids scare tactics and relies on accurate information in a straight-forward approach. D.A.R.E. lessons focus on:

- providing accurate information on drugs and alcohol;
- teaching students decision-making skills;
- showing them how to resist peer pressure;
- suggesting healthy alternatives to drug abuse;
- building self-esteem.

City of Crystal, its employees and citizens, have wholeheartedly supported the D.A.R.E. program in the past, which has resulted in its many successes. We look forward to continued support during the 1990-91 school year.

Thank you for the recognition of National D.A.R.E. Day, and your continued support will be most graciously appreciated.


James F. Mossey
Chief of Police

JFM/dh



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

ADMINISTRATIVE OFFICE

PROCLAMATION

September 13, 1990
National D.A.R.E. DAY

- WHEREAS, The Drug Abuse Resistance Education Program (D.A.R.E.) is positive and substantive; and
- WHEREAS, The D.A.R.E. Program avoids scare tactics and relies on accurate information in a straight-forward approach; and
- WHEREAS, The D.A.R.E. Program provides accurate information on drugs and alcohol; teaching students decision making skills; showing them how to resist peer pressure; suggesting healthy alternative to drug abuse; and building self-esteem; and
- WHEREAS, The City of Crystal, its employees and citizens, have wholeheartedly supported the D.A.R.E. Program in the past, which has resulted in its many successes.

NOW, THEREFORE, I, Betty Herbes, Mayor of the City of Crystal, do hereby proclaim September 13, 1990 as National D.A.R.E. Day, in the City of Crystal.

Date

Mayor

August 21, 1990

page 644

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on August 21, 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, Grimes, Herbes, Joselyn. Absent was: Langsdorf. Also in attendance were the following staff members: Jerry Dular, City Manager; John Olson, Assistant City Manager; Dave Kennedy, City Attorney; William Monk, Public Works Director; Bill Barber, Building Inspector; Darlene George, City Clerk; Julie Jones, Redevelopment Coordinator.

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

The Mayor acknowledged a \$2,500 donation to the City of Crystal from Ray Jordan & Sons, Inc., 1985 - 105th Avenue N.E.

The City Council considered the minutes of the Regular City Council meeting of August 7, 1990.

Moved by Councilmember Grimes and seconded by Councilmember Irving to approve the minutes of the Regular City Council meeting of August 7, 1990.

Motion Carried.

The City Council considered the following Public Hearing:

1. It being 7:00 p.m., or as soon thereafter as the matter may be heard, Mayor Herbes declared this was the date and time as advertised for a public hearing at which time the City Council will consider a recommendation from the Crystal City Charter Commission for an amendment to the Crystal City Charter relating to the Civil Service Commission. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. The Mayor advised that an unanimous vote of the entire Council was required to act on this item.

Moved by Councilmember Irving and seconded by Councilmember Moravec to continue the public hearing to consider a recommendation from the Crystal City Charter Commission for an amendment to the Crystal City Charter relating to the Civil Service Commission to the September 4, 1990 City Council meeting.

Motion Carried.

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

1. Mr. Arie Mann, 4208 Brunswick Avenue North, appeared before the City Council to discuss parking on commercial property located at 6024, 6028, 6032 and 6036 - 42nd Avenue North.

August 21, 1990

page 645

Others appearing and heard were: Ross Taormina of the Plumbery and Bruce Johnson, 4204 Brunswick Avenue North.

Moved by Councilmember Irving and seconded by Councilmember Joselyn to declare a moratorium for 2 weeks to allow staff and the Council to look at the site.

Motion Carried.

2. Mr. Bill Morris of Decision Resources, Inc. appeared before the City Council to discuss the Community Survey.
3. The City Council considered Hennepin Recycling Group Rules and Policies.

Moved by Councilmember Moravec and seconded by Councilmember Irving to approve Hennepin Recycling Group Curbside Collection Service Rules and Policies as submitted by the Hennepin Recycling Group.

Motion Carried.

4. The City Council considered the First Reading of an amendment to the City garbage ordinance addressing backyard composting requirements.

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

ORDINANCE NO. 90-

AN ORDINANCE RELATING TO PUBLIC HEALTH: COMPOSTING:
AMENDING CRYSTAL CITY CODE, SUBSECTION 605.01:
AMENDING CRYSTAL CITY CODE, SECTION 605
BY ADDING A SUBSECTION

and further, that the second and final reading be held on September 4, 1990.

Motion Carried.

The Mayor called a recess at 8:15 p.m. and the meeting was reconvened at 8:25 p.m.

5. The City Council considered a resolution authorizing Negotiation Agreement with Paster Enterprises.

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

RESOLUTION NO. 90-49

RESOLUTION AUTHORIZING A NEGOTIATION AGREEMENT
WITH PASTER ENTERPRISES, INCORPORATED

August 21, 1990

page 646

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

6. The City Council considered approval of final plat of Roman Addition, located at 6922 Dudley Avenue North as submitted by Duane Roman.

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

RESOLUTION NO. 90-50

RESOLUTION APPROVING PLAT
ROMAN ADDITION

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

7. The City Council considered issuance of a building permit to build an airplane hangar on Lot 74B, Crystal Airport, as requested by Dean R. Johnson.

Moved by Councilmember Moravec and seconded by Councilmember Grimes to approve the authorization to issue a building permit for a 40' x 168' airplane hangar on Lot 74B, Crystal Airport, subject to standard procedure, as recommended by the Planning Commission.

Motion Carried.

8. The City Council considered the Second Reading of an ordinance rezoning property, a conditional use permit to allow auto sales in a B-3 zoning, and site improvement agreement for 6048 and 6058 Lakeland Avenue North. Daniel Pearson, applicant, appeared and was heard.
- A. Moved by Councilmember Irving and seconded by Councilmember Grimes to adopt the following ordinance:

ORDINANCE NO. 90-17

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

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

Motion Carried.

- B. Moved by Councilmember Carlson and seconded by Councilmember Joselyn to approve conditional use permit to allow auto sales in a B-3 District (Section 515.35, Subd. g) not to include future parking and future showroom as noted on the site plan,

August 21, 1990

page 647

at 6048-6058 Lakeland Avenue North, as requested by Daniel Pearson.

Motion Carried.

- C. Moved by Councilmember Irving and seconded by Councilmember Moravec to approve site improvement agreement to include rock drain field for 6048 and 6058 Lakeland Avenue North.

Motion Carried.

The Mayor called a recess at 9:00 p.m. and the meeting was reconvened at 9:07 p.m.

9. The City Council considered the First Reading of an ordinance to vacate a portion of the drainage and utility easement at 6605 - 45th Place North as requested by Joel Norling.

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

ORDINANCE NO. 90-

AN ORDINANCE VACATING A PORTION OF
A CERTAIN DRAINAGE AND UTILITY EASEMENT

and further, that the second and final reading be held on September 4, 1990.

Motion Carried.

10. The City Council considered a Charitable Gambling license for Minnesota Therapeutic Camp, Inc. at Nicklow's, 3516 Lilac Drive North.

Moved by Councilmember Grimes and seconded by Councilmember Carlson to approve a Charitable Gambling license for Minnesota Therapeutic Camp, Inc. at Nicklow's, 3516 Lilac Drive North.

Motion Carried.

11. The City Council considered a solicitor's permit for Clean Water Action, 326 Hennepin Avenue E., Minneapolis, to solicit in Crystal from August 22 through September 30, 1990.

Moved by Councilmember Grimes and seconded by Councilmember Joselyn to table consideration of a solicitor's permit for Clean Water Action until outstanding warrants on the applicant as determined by the police investigation are paid.

Motion Carried.

12. The City Council considered the extension of the transient merchant license of Jones R. Losen, 613 N.E. 3rd, Little Falls, Minnesota, to sell sweet corn at Jack's Superette, 7200 Bass Lake Road, to include August 23, 24, 25, 26, 1990.

Moved by Councilmember Carlson and seconded by Councilmember Irving to approve authorization to extend the transient

August 21, 1990

page 648

merchant license of Jones R. Losen, 613 N.E. 3rd, Little Falls, Minnesota, to sell sweet corn at Jack's Superette, 7200 Bass Lake Road, to include August 23, 24, 25, 26, 1990.

Motion Carried.

Councilmembers advised staff that Mr. Losen is in violation of the sign ordinance and gave direction to correct the violation.

13. The City Council considered the Second Reading of an amendment to the lawful gambling ordinance to conform with State law.

Moved by Councilmember Moravec and seconded by Councilmember Irving to postpone the Second Reading of an amendment to the lawful gambling ordinance until the September 4, 1990 City Council meeting to allow the City Attorney time to review concerns of the Council.

Motion Carried.

14. The City Council considered the acceptance of site improvements and release of surety for U.S. West expansion at 4700 Welcome Avenue North.

Moved by Councilmember Joselyn and seconded by Councilmember Moravec to accept site improvements for U.S. West expansion at 4700 Welcome Avenue North, subject to guaranty provisions of the agreement; effective this date, and that surety in the amount of \$1,350 be released, subject to said guarantee, as recommended by the City Engineer.

Motion Carried.

15. The City Council considered a Resolution Adopting Proposed Budget and Levying Proposed Taxes for Certification to the County Auditor and to set a public hearing for the proposed 1991 City of Crystal Budget.

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

RESOLUTION NO. 90-51

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

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

- B. Moved by Councilmember Grimes and seconded by Councilmember Moravec to set 7:00 p.m., or as soon thereafter as the matter may be heard, December 10, 1990 as the date and time for a public hearing to consider the proposed 1991 City of Crystal Budget and to set 7:00 p.m., or as soon thereafter as the

August 21, 1990

page 649

matter may be heard, December 18, 1990 as a continuation date of the Public Hearing if addition time is required.

Motion Carried.

16. The City Council considered a Resolution Amending the 1990 Adopted City of Crystal Budget due to state aid reductions.

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. 90-52

RESOLUTION AMENDING THE 1990 GENERAL FUND BUDGET
DUE TO REDUCTION OF STATE AID

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

17. The City Council considered the allocation of funds from the Contingency Reserve for storm damage to City owned trees.

Moved by Councilmember Irving and seconded by Councilmember Moravec to approve the allocation of \$3,107 from the Contingency Reserve Fund to cover the cost of damage to City trees caused by the June 21 and July 8, 1990 storms.

Motion Carried.

18. The City Council considered the labor agreement contract between the City of Crystal and Law Enforcement Labor Services, Inc., Local #44.

Moved by Councilmember Joselyn and seconded by Councilmember Moravec to approve labor agreement contract between the City of Crystal and Law Enforcement Labor Services, Inc., Local #44, effective January 1, 1990 through December 31, 1990, and further, that the Mayor and City Manager be authorized to sign such agreement.

Motion Carried.

19. The City Council discussed the League of Minnesota Cities' regional meeting to be held Wednesday, September 12, 1990 at Oak Glen Country Club, 1599 McKusick Road, Stillwater.

20. The City Council considered a resolution relating to City participation in a Narcotics Control Program.

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

August 21, 1990

page 650
RESOLUTION NO. 90-53

RESOLUTION RELATING TO CITY PARTICIPATION
IN NARCOTICS CONTROL PROGRAM

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

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

Motion Carried.

Meeting adjourned at 9:50 p.m.

Mayor

ATTEST:

City Clerk

Work Session - August 28, 1990

page

Pursuant to due call and notice given in the manner prescribed by Section 3.01 of the City Charter, the Special Meeting of the Crystal City Council was held on August 28, 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, Grimes, Herbes, Langsdorf (arrived at 7:28 p.m.). Absent: Joselyn. Also in attendance were the following staff members: Jerry Dulgar, City Manager; John Olson, Assistant City Manager; Dave Kennedy, City Attorney; William Monk, Public Works Director; Bill Barber, Building Inspector; Darlene George, City Clerk; Tom Heenan, Supervising Sanitarian.

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

The City Council discussed the following items:

A Housing Maintenance Code for the City of Crystal

State Aid Street System

Travel Guidelines for City Employees and Elected Officials

"Use of Personal Auto" Expenses for the 1990 City of Crystal Budget

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

Motion Carried.

Meeting adjourned at 9:35 p.m.

Mayor

ATTEST:

City Clerk

I resign my Commission
on the Human Rights Relations.
due to military activities and
moving from Crystal.
My enjoyment and learning
experience has been very valuable
to my further growth.

Thank you
James Allison
26 August 1990

UNAPPROVED
MINUTES

HUMAN RELATIONS COMMISSION
August 27, 1990

The Human Relations Commission meeting was called to order at 7:08 p.m. Members present were: Chair Linda Museus, James Allison, John Luzaich, Kathryn Huston, Bob Techam, William Johnson, Renee Werner, Arlene West, and James Allen Brown. Also present was Elmer Carlson, Council Liaison and Joan Schmidt, Staff Liaison.

Member absent: Bonnie Toenies (unexcused).

1. Moved by commission member Jim Brown and seconded by commission member John Luzaich to approve the minutes of the July 23, 1990 Human Relations Commission meeting.

Motion Carried.

2. Morton Ryweck and Ardiss Wexler, representatives from the Anti-Defamation League, appeared and spoke to the commission regarding the reoccurring problem of vandalism and desecration of grave stones at Adath Chesel Shel Emes Cemetery, 37th & Winnetka Avenues. Mr. Ryweck asked the commission's help in making the public aware of the problem.

Mrs. Wexler also told of a gentleman in the vicinity of 42nd and Brunswick Avenues who has received harassing phone calls and has had property spray painted displaying swastikas.

Moved by commission member Jim Brown and seconded by commission member Arlene West that we recommend to the City Council that a letter be sent to School District 281 regarding the vandalism and desecration problems at Adath Chesel Shel Emes Cemetery suggesting that an article be published in the Vita Link to make people aware and to approach the schools in educating children of this problem.

Motion Carried.

Other suggestions: send mailing to homes in the vicinity of the cemetery; approach the Coalition of N.W. Suburban Human Rights Commissions; place article in the Crystal Newsletter, Post, Star & Tribune; send also to the Post - Letter to the Editor from the H.R.C.; recommend to the police and prosecutors that we view this as a serious act and it should have serious consequences.

James Allison submitted his resignation and left the meeting.

- 3a. Bill O'Reilly, co-chairperson with Rollie Smothers of the Cultural Awareness Committee, and Bill Gentry, Chair of the Park & Recreation Advisory Commission, were present and spoke about their joint plans with our commission to have ethnic food vendors available at the Human Rights Day celebration.

It was reported that Gene Hackett has contacted Boy Toy who will make Asian food free of charge. It was suggested to sell portions for \$1.50 to \$1.75. Boy Toy knows someone who might be

interested in making Hispanic food. It was decided to have a maximum of two caterers.

- b. Kathy Huston reported that the Vikings cannot commit a player; will give us memorabilia to give away. Could possibly get Bill (Boom Boom) Brown or Matt Blair to sign autographs.

Bob Techam reported that he had nothing further to report regarding the Timberwolves; that he will call them back in September.

- c. Prizes: The Park Commission will try to get gift certificates from local merchants.
 - d. Crafts: Renee Werner reported that updated invitations to artisans and craftspersons were sent out.
 - e. Publicity: Bob will work on both blank posters for contest and advertising posters. It was reported that Gene Hackett will get copies of this event run off for all students.
 - f. P.A. System: This will be necessary for several of the performing groups; possibility of renting system will be checked into.
- 4. The next meeting of the Coalition of N.W. Suburban Human Rights Commission will be September 15 at Robbinsdale.
 - 5. New/old business.
 - a. Advanced Mediation Training will take place Saturday, September 8. Jim Brown would like to attend.
 - b. 19th Annual Conference, Human Rights Leadership in the Nineties...A Bridge to the Future will be held October 13, at the Thunderbird Hotel. Joan will send in the reservations.

Moved by commission member Renee Werner and seconded by commission member James Brown to recommend to the City Council to remove Bonnie Toenies from the Human Relations Commission due to lack of attendance.

Motion Carried.

Moved by commission member James Brown and seconded by commission member Bob Techam to recommend to the City Council to replace one of the two openings on the commission with a student member.

Motion Carried.

Things to do:

- a. John Luzaich will find out the number of students in District 281 Schools and how many in the fifth grade in the Crystal Schools.
- b. Bob Techam will work on flyers and posters.

- c. Bill Johnson will contact the Post News to release information on this event and find out the price of press release.
- d. Jim Brown will contact local radio stations.
- e. Renee will work on contacting the artisans.
- f. Kathy on making directional posters to be displayed at the Community Center.
- g. Linda on contacting the State, County and League of Minnesota; Kirby Puckett.
- h. Jim Brown will check on PA system.

A special meeting will be scheduled at the Community Center on September 10 at 7 p.m.

Having no further business, it was moved by commission member Jim Brown and seconded by commission member Bob Techam to adjourn.
Motion Carried.

Meeting adjourned at 9:45 p.m.

45th PLACE NORTH

ORDINANCE NO. 90-

AN ORDINANCE VACATING A CERTAIN
DRAINAGE AND UTILITY EASEMENT

THE CITY OF CRYSTAL ORDAINS:

Section 1. Pursuant to Minnesota Statutes, Section 462.358, Subdivision 7, and Crystal City Charter, Section 12.06 (collectively, Act), a request to vacate a portion of a City drainage and utility easement (Easement) located on property at 6605 45th Place North in the City has been submitted to the Council.

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

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

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

The west 2 feet of the east 5 feet of the north 25 feet of the south 30 feet

and

The north 2 feet of the south 5 feet of the west 29 feet of the east 32 feet, Lot 3, Block 1, Froehlich Addition.

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

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

First Reading: August 21, 1990

Passed by City Council September 4, 1990

Mayor

Attest:

City Clerk

(Published in the Crystal/Robbinsdale Post News September 12, 1990)

DATE: August 28, 1990
TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
SUBJECT: Parking at Commercial Complex on 42nd at
Brunswick Avenue North

The following facts and observations regarding the parking situation at the commercial complex on 42nd Avenue North just east of Brunswick Avenue are intended to clarify many of the issues raised at the Council meeting of August 7:

- When the building was built in 1952, 42nd Avenue North was a two-lane roadway and customers pulled right up to the building at a 90° angle.
- 42nd Avenue North (CR 9) was upgraded by Hennepin County in 1965. The roadway was constructed with four thru lanes and a parking lane in front of the building in question.
- In 1978 the City Council approved Resolution 78-79 in response to parking conflicts between commercial and residential uses along Brunswick Avenue North. This resolution prohibits parking in front of the residential property while allowing parking in the boulevard adjacent to the commercial building.
- At present the building is set up for four commercial tenants along 42nd and three along Brunswick Avenue North and up to three apartment units in the rear. The building occupies the entire parcel except for the fifteen (15) foot wide strip behind the sidewalk in front of the building.
- The building is defined as a non-conforming structure due to the lack of required front yard and side yard/side street setbacks. As a non-conforming structure, the property is subject to provisions of Section 515.05 of the Zoning Code.
- In observing usage of the site, it appears business customers routinely use the seven parking spaces along 42nd Avenue North. The five spaces along the front yard area as well as the three spaces in the Brunswick Avenue boulevard are used by the business people and employees.
- The building directly to the east has a separate on-site parking area (unimproved) that will handle about eight vehicles. This space along with the parking

Jerry Dular

August 28, 1990

Parking at Commercial Complex on 42nd at Brunswick Ave. N.

Page 2

along 42nd Avenue North appear to adequately service this site.

- The violation being cited with parking in the front yard involves Section 515.09, Subd. 4 h) 3) of the Zoning Code which states:

"Except in the case of single, two family and townhouse dwellings, parking areas shall be designed so that circulation between parking bays or aisles occurs within the designated parking lot and does not depend upon a public street or alley. Except in the case of single, two family and townhouse dwellings, parking area design which requires backing into the public street is prohibited."

It should be noted that while the lack of on-site parking in this instance is somewhat unique, this ordinance section has been enforced by the police in several similar situations to discourage parking adjacent to commercial buildings.

In reviewing this situation the biggest problem seems to involve parking for the business owners and employees. While parking in the front yard and boulevard areas is convenient, as noted in all three of the attached letters, it is not a safe practice in terms of conflicts with vehicular and pedestrian traffic. The parking of vehicles in the Brunswick Avenue North boulevard can at times be especially hazardous when vehicles parked in this area extend out into the street.

There is no question that options are limited in addressing this situation. The Council may decide to leave present conditions unchanged and allow parking in the front yard and side boulevard to continue. However, I feel some action is warranted and suggest the following items be considered:

- 1) Provide the west side of Brunswick Avenue North between 42nd and 43rd Avenues for parking of business owners and employees. This can be accomplished by establishing a policy restricting parking in this area to individuals with a validated permit between 8 a.m. and 6 p.m. Monday through Saturday. Enforcement of such a policy would keep students from parking in this area while allowing area residents to use the

Jerry Dulgar

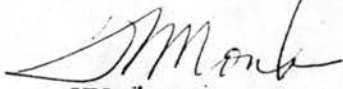
August 28, 1990

Parking at Commercial Complex on 42nd at Brunswick Ave. N.

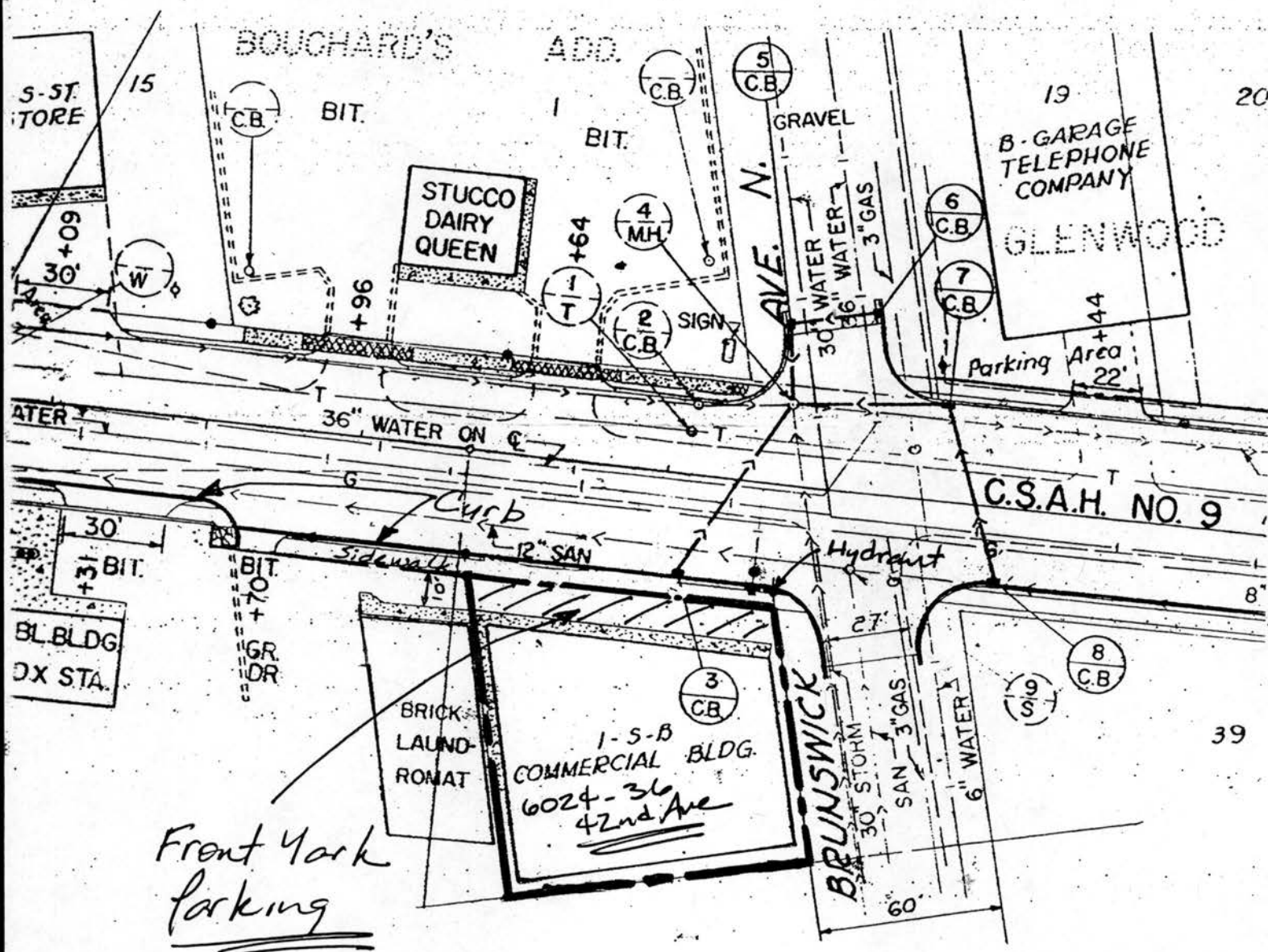
Page 3

parking every evening and Sundays. Twelve permits would be issued to the impacted businesses.

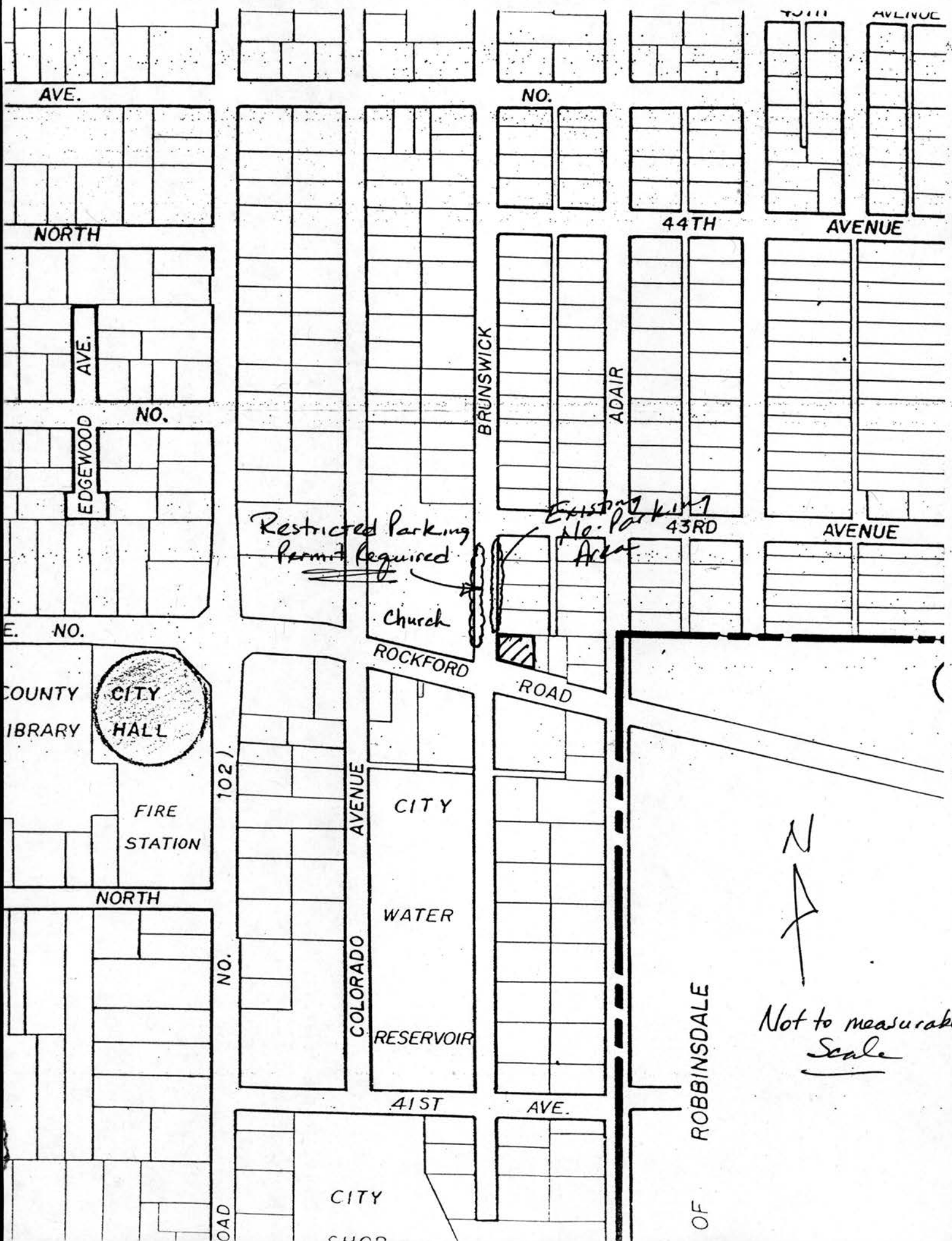
- 2) Maximize the parking along 42nd Avenue for customers by requesting MTC relocate the bus stop presently located at the corner of 42nd and Brunswick Avenues.
- 3) Prohibit parking in the front yard area along 42nd Avenue.
- 4) Designate the boulevard area adjacent to the building along Brunswick Avenue as a loading/delivery zone.



WM:jrs



Scale
1" = 50'



Restricted Parking
Permit Required

Existing
No. Parking
Area



Not to measurable
Scale

ROSS ENTERPRISES INC.

6028 42nd Ave. North

Crystal, MN 55422

(612) 537-7821

August 22, 1990

The Office of The Mayor
Crystal Municipal Building
4141 Douglas Drive North
Crystal, Mn. 55422

Dear Mayor Herbes:

First of all, I would like to introduce myself. I am the office manager of Ross Plumbing, 6028-42nd Ave. No. and a resident of the City of Crystal for 26 years.

I attended the city council meeting on the evening of August 21, 1990 regarding the parking problems of our building tenants. I had raised my hand to comment, but did not get the opportunity to speak.

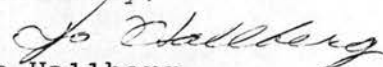
Most of the meeting was aimed toward the parking on the Brunswick Ave. street, but of most concern to me, my employer and our staff is the area in front of the building. I am referring to the newly blacktopped section in front facing 42nd Ave. No.. This is the area owned by our landlord, Arie Mann.

Our store is basically a service-oriented business with our plumbers stopping in to pick up job assignments and supplies and then leaving again. With the parking ban, these men are forced to park at curb-side on 42nd Ave. No. with their service trucks and thus, taking up any spaces that our customers would use. It is also creating a dangerous situation pulling out into this very busy street to leave. It is almost impossible to get out of the drivers side of a vehicle without having the door taken off by passing motorists. (I have had many customers comment on this situation.)

For many years, the tenants and staff have parked on this blacktop area and not one complaint has been issued. All at once, we have the police at our door telling us of an ordinance prohibiting this. I would like to see a copy of this ordinance and also would like to know who issued the complaint. Please respond at your convenience.

Also, I would like to extend an invitation to you and the council members to visit our building as a group during normal business hours, so you can fully realize the seriousness of the parking problem.

Sincerely,


Jo Hallberg

August 28, 1990

VALLEY VIEW INTERIORS
6024-42nd Ave. No.
Crystal, Mn. 55422

The Office of the Mayor
Crystal Municipal Building
4141 Douglas Drive North
Crystal, Mn. 55422

Dear Mayor Herbes and City Council Members:

All of us at Valley View Interiors would like to express our concern about parking in our area. Without the use of the blacktop parking area in front of our building, we find that it is a great inconvenience to our customers and ourselves.

We are a wholesale business, therefore we have many pick-ups and deliveries from our clients who need the convenience of close parking.

It was discussed at the city council meeting on the evening of August 21, 1990, the concern about driving off the curb to exit the parking area. We have come up with a solution that would allow us to exit legally. We are cooperating with our neighbors in order to keep the opportunity of convenient and necessary parking.

Sincerely,

Carolee Huston

4208 Brunswick Avenue
Crystal, MN 55422
8-13-'90

City of Crystal
4141 Douglas Drive North
Crystal, MN 55422

RE: PARKING AT OUR COMMERCIAL PREMISES

Dear Mayor and Council:

I request to be present at the Council meeting to be held on August 21, 1990. I wish to reconfirm the decision passed by Mayor Peter Meintsma and Council regarding parking at our commercial property located at 6024, 6028, 6032, and 6036 42nd Avenue North. This decision was made in 1981, 82, or 83 and is documented in the Council minutes. The years mentioned are to the best of my recollection. At that meeting the mayor apologized to me on behalf of all the Council and himself for the misunderstanding which occurred and for the unpleasantness and anguish caused thereby. The mayor emphasized that the decision was based on a Grandfather Clause, and, therefore, no new ordinance should be passed.

A few months ago I reblacktopped the parking area for the improvement of the property and for the benefit of my tenants. Suddenly, and without prior notification, the police notified each of my tenants separately that they were illegally parked, by ordinance of the City Council, and they were warned that they would be issued parking tickets. I discussed the matter with the present Mayor and she told me that no such ordinance had been passed regarding our property.

Again, I respectfully request that the status quo remain regarding our property and that there be no further harrassment on the subject.

Yours truly,

Arie Mann

Arie Mann

537-7761

Petition enclosed

AM:VM

PETITION

TO THE MAYOR AND CITY COUNCIL OF CRYSTAL:

WE, THE UNDERSIGNED, REQUEST TO CONTINUE PARKING IN FRONT OF OUR BUSINESS ESTABLISHMENTS AS WE HAVE DONE IN YEARS PAST. OUR CARS ARE NOT PARKED THERE DURING MOST OF THE DAYTIME HOURS BECAUSE WE ARE SERVICING OUR CUSTOMERS ELSEWHERE.

Name	Address
<u>Cem Paul Mann</u>	<u>Cambridge Property 4508 Brunswick</u>
<u>Delores Conclison</u>	<u>Crystal Business Machines</u>
<u>Brian K. Mann</u>	<u>6036 42nd Ave N.</u>
<u>Jo Hallberg</u>	<u>6036 42nd Ave N.</u>
<u>Ross Tormina (TH)</u>	<u>6028-42nd Ave No.</u>
<u>Theresa Hutton</u>	<u>6024 42nd Ave No.</u>
<u>Richard Hutton</u>	<u>" " "</u>
<u>Dennis J. Broom</u>	<u>4204 Brunswick</u>
<u>Jo Leaga</u>	<u>6024 42nd Ave N.</u>
<u>Bruce Johnson</u>	<u>4204 Brunswick</u>
<u>Danny Skyles</u>	<u>4232 47th Ave. N.</u>
<u>Rice Mann</u>	<u>Maria Kieckhefer</u>
<u>William G. Guderjohn</u>	<u>4208 Brunswick Ave N.</u>
<u>Randy L. Helmer</u>	<u>4212 Brunswick</u>
	<u>4204 Brunswick</u>

5 DECEMBER 1978

*Regular Agenda
Item #1*

Pursuant to due call and notice thereof, the regular meeting of the Crystal City Council was held on December 5, 1978, at 7:00 P.M. at 4141 Douglas Drive, Crystal, Minnesota. The Secretary of the Council called the roll and the following were present: Brisky, Lundgren, Rygg, Bertrand, Meintsma, Aaker, Rosenthal. Also present were the following staff members: John Irving, City Manager; Dave Kennedy, City Attorney; Peter Herlofsky, Assistant City Manager; William Sherburne, City Engineer; John Olson, Administrative Assistant; Don Peterson, Building Inspector; and Delores Ahmann, City Clerk.

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

The minutes of the regular meeting of November 21, 1978 were approved.

Arie Mann, representing Mann's Hardware, 6024 - 42nd Avenue North, appeared before the City Council to discuss the "No Parking" signs on Brunswick between 42nd and 43rd Avenues North. Also appearing were: Dick Fulton, tenant of the building.

Moved by Councilmember Bertrand and seconded by Councilmember Rosenthal to prohibit parking on the east side of Brunswick Avenue North, adjacent to residential property, from 42nd to 43rd Avenues North.

Motion Carried.

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

RESOLUTION NO. 78-79

RESOLUTION RELATING TO THE ESTABLISHMENT OF A "NO PARKING"
ZONE ON BRUNSWICK AVENUE NORTH

WHEREAS, at the request of certain property owners this Council has established a no parking zone on the east side of Brunswick Avenue North pursuant to City Code, Subsection 1310.05, Subdivision 3, and

WHEREAS, after a reconsideration of the facts surrounding said no parking zone and testimony offered to the Council by Mr. Arie Mann, owner of premises at 6024 - 42nd Avenue North, and other unique factors surrounding the commercial properties on the east side of Brunswick Avenue, it appears desirable to modify the no parking zone and set forth the reasons therefor:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Crystal:

1. A no parking zone on the east side of Brunswick Avenue between 42nd and 43rd Avenues North is hereby established.

2. The land in said zone bordered by commercial uses is excluded from the no parking zone.

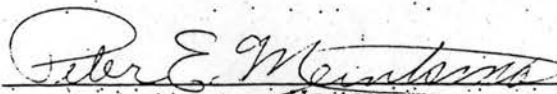
5 DECEMBER 1978

3. The Council recognizes that off-street parking at said commercial uses has, by long usage, been allowed on the boulevard portion of Brunswick Avenue which parking is prohibited by City Code, Subsection 1310.03, Subdivision 2, and hereby finds and determines that because of the unique characteristics of the site and structures at said commercial uses that the best interest of the City will be served by permitting off-street parking on said boulevard area to continue for as long as the present commercial structures remain on the property. 2

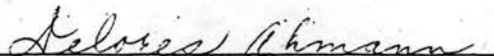
4. It is further determined that this resolution and the permission given by Paragraph 3 is not intended to grant to adjacent property owners any right, title or interest in the boulevard areas except the permission herein given.

5. The City Engineer is directed to erect no parking signs in the zone herein established in accordance with this resolution.

By roll call and voting aye: Brisky, Lundgren, Rygg, Bertrand, Aaker, Rosenthal, Meintsma. Motion carried, resolution declared adopted.


Mayor

ATTEST:


City Clerk

The City Council considered an agreement between the City of Crystal and the Metropolitan Council regarding participation in the Family Housing Program. E. V. Goldsmith; Mary Halverson; and Mary Grace Flannery of the Metropolitan Council, appeared on this matter. 1

Moved by Councilmember Rosenthal to table the matter.

Motion Failed for Lack of a Second.

Moved by Councilmember Aaker and seconded by Councilmember Rygg to approve the agreement with the Metropolitan Council with the amendments as agreed in the discussion, and to authorize the Mayor and City Manager to sign such agreement. Motion Carried.

The City Council considered projects to be included in the Community Development Block Grant Application for Year V. The Assistant City Manager outlined the projects which appeared to be eligible for the program. Also appearing were Jackie Hofheinke and Helen Watkins of the North Suburban Child Care Association. 4

The City Council considered adjustments in the water and sewer rates. 5

PARKING -- 42ND AND BRUNSWICK

Date	Time	Brunswick Set Back	Brunswick Curb	42nd Curb	42nd Set Back
8-22-90	7:00 a.m.	NA	NA	0	1
"	9:15 a.m.	NA	NA	0	1
"	1:15 p.m.	1	NA	2	1
8-24-90	12:12 p.m.	2	NA	2	1
"	12:59 p.m.	2	NA	2	0
8-27-90	11:55 a.m.	1	NA	5	2
"	12:30 p.m.	0	NA	5	3
8-28-90	7:18 a.m.	1	1	5	1
"	8:56 a.m.	2	3	4	1
"	12:25 p.m.	0	0	5	3
"	4:52 p.m.	2	0	1	0
8-29-90	5:20 p.m.	1	2	0	0
"	10:30 p.m.	0	0	0	1
8-30-90	9:28 a.m.	1	3	2	4
"	10:30 a.m.	2	2	2	4
8-31-90	7:36 a.m.	1	0	5	2
"	8:44 a.m.	2	1	5	1

Date	Time	Brunswick Set Back	Brunswick Curb	42nd Curb	42nd Set Back
"	11:13 a.m.	2	0	5	1
"	11:45 a.m.	2	0	5	2
9-4-90	9:15 a.m.	3	3	5	3

NA: Not applicable as not recorded until later time.

**CITY OF CRYSTAL
POLICE DEPARTMENT**

MEMORANDUM

DATE: September 4, 1990

TO: Jerry Dulgar, City Manager

FROM: James F. Mossey, Chief of Police

SUBJECT: Code Enforcement of Off-Street Parking
Violations

In reponse to your inquiries earlier today the following is the general procedure used by the police department when doing Code enforcement for parking violations.

During the spring and fall of the year, the police department concentrates on Code enforcement involving specifically off-street parking in the City. We have found over the years that the residents who own boats, camper trailers, trailer homes, motor homes, etc., tend to store them improperly so we do a major check of the City in the spring and the fall to be sure that they are properly stored and that there are no parking violations. During the rest of the year we try to concentrate on a maintenance program where we do spot checks to be sure no new problems crop up.

During the course of the year I get inquiries from you and other city staff regarding illegally parked vehicles. I received several complaints in July of this year and thought I would do a spot-check of the City and see what I could find.

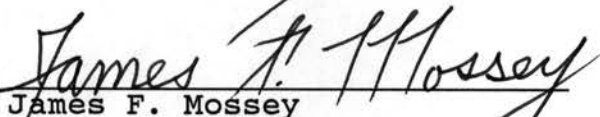
On July 23rd I directed a memorandum to Lt. Thomseth asking him to check 18 violations I had noted on that day and to have the problems corrected. Included in those 18 violations was parking in the set-back area of the building in the 6000 block of 42nd Avenue which is owned by Mr. Arie Mann.

Until a few years ago there was a hardware store as the main occupant of this building. When the hardware store was open the proprietor, Mr. Mann, would use the set-back area in

front of the store to display lawn mowers, fertilizer spreaders and other like hardware equipment. In the evening he would take the merchandise back into the store. Since the hardware store has been closed, the set-back area has had a new hard surface applied and it appears that this is being used for parking. I looked at this area and found that there is only one way in from the east side of the building which involved crossing the set-back area of a building adjacent to and directly to the east of Mr. Mann's building. I felt this was not a legal parking area for vehicles so I asked Lt. Thomseth to check into it.

Apparently an officer informed the tenants of the building that they could not park in that set-back area and that if they did, they would be tagged. This is a practice we generally use throughout the City when vehicles are improperly parked. This gives people an opportunity to find other appropriate parking before we take enforcement action. My understanding is that one tag was issued in that area between the time the officer told the resident they could not park there and the moratorium on enforcement granted by the City Council. Since that time we have not enforced parking restrictions in this area.

As I indicated, off-street parking Code enforcement is an ongoing project with us and we are not singling out any individual. If you have any further questions please let me know.


James F. Mossey

JFM/la

DECISION RESOURCES, LTD.
3128 Dean Court
Minneapolis, Minnesota 55414

CRYSTAL RESIDENTIAL
QUESTIONNAIRE
Version 4.2

Hello, I'm _____ of Decision Resources, Ltd., a nationwide polling firm located in Minneapolis. We've been retained by the City of Crystal to speak with a random sample of residents about issues facing the city. The survey is being taken because your city representatives and staff are interested in your opinions and suggestions. I want to assure you that all individual responses will be held strictly confidential; only summaries of the entire sample will be reported. (DO NOT PAUSE)

1. Approximately how many years have you lived in Crystal?

LESS THAN ONE YEAR.....	1
ONE OR TWO YEARS.....	2
THREE TO FIVE YEARS.....	3
SIX TO TEN YEARS.....	4
ELEVEN - TWENTY YEARS...	5
OVER TWENTY YEARS.....	6
DON'T KNOW/REFUSED.....	7

2. In what city and/or state was your immediately prior residence located?

3. As things now stand, how long in the future do you expect to live in Crystal?

LESS THAN ONE YEAR.....	1
ONE TO TWO YEARS.....	2
THREE TO FIVE YEARS.....	3
SIX TO TEN YEARS.....	4
OVER TEN YEARS.....	5
DON'T KNOW/REFUSED.....	6

4. How would you rate the quality of life in Crystal -- excellent, good, only fair, or poor?

EXCELLENT.....	1
GOOD.....	2
ONLY FAIR.....	3
POOR.....	4
DON'T KNOW/REFUSED.....	5

5. Thinking back to when you moved to Crystal, what factors were most important to you in selecting the city?

6. What do you like MOST about living in Crystal?

7. What do you like LEAST about it?

-
8. How would you rate the general sense of community among Crystal residents -- excellent, good, only fair, or poor?
- | | |
|-------------------------|---|
| EXCELLENT..... | 1 |
| GOOD..... | 2 |
| ONLY FAIR..... | 3 |
| POOR..... | 4 |
| DON'T KNOW/REFUSED..... | 5 |

Changing topics....

9. Would you favor or oppose an increase in city property taxes if it were needed to maintain city services at their current level?
- | | |
|-------------------------|---|
| FAVOR..... | 1 |
| OPPOSE..... | 2 |
| DON'T KNOW/REFUSED..... | 3 |
10. In comparison with neighboring suburban communities, do you feel that property taxes in Crystal are very high, somewhat high, about average, somewhat low, or very low?
- | | |
|-------------------------|---|
| VERY HIGH..... | 1 |
| SOMEWHAT HIGH..... | 2 |
| ABOUT AVERAGE..... | 3 |
| SOMEWHAT LOW..... | 4 |
| VERY LOW..... | 5 |
| DON'T KNOW/REFUSED..... | 6 |

As you may know, property taxes are divided between the City of Crystal, Hennepin County, and the Robbinsdale Area School District.

11. For each dollar of property taxes you pay, about what percentage do you think goes to city government? (READ CHOICES, IF NEEDED)
- | | |
|-------------------------|---|
| UNDER TEN PERCENT..... | 1 |
| 10% TO 20%..... | 2 |
| 21% TO 30%..... | 3 |
| 31% TO 40%..... | 4 |
| 41% TO 50%..... | 5 |
| 51% TO 60%..... | 6 |
| OVER SIXTY PERCENT..... | 7 |
| DON'T KNOW/REFUSED..... | 8 |

As you may know, the City share of the property tax in your school district is about sixteen percent.

12. During the past few years, has the City's tax rate increased, decreased, or remained about the same?
- | | |
|-------------------------|---|
| INCREASED..... | 1 |
| DECREASED..... | 2 |
| ABOUT THE SAME..... | 3 |
| DON'T KNOW/REFUSED..... | 4 |

For your information, the City's tax rate has remained relatively stable during the past few years.

13. When you consider the property taxes you pay and the quality of city services you receive, would you rate the general value of city services as excellent
- | | |
|-------------------------|---|
| EXCELLENT..... | 1 |
| GOOD..... | 2 |
| ONLY FAIR..... | 3 |
| POOR..... | 4 |
| DON'T KNOW/REFUSED..... | 5 |

I would like to read you a list of a few city services. For each one, please tell me whether you would rate the quality of the service as excellent, good, only fair, or poor?

	EXC	GOOD	FAIR	POOR	D.K.
14. Police protection?	1	2	3	4	5
15. Fire protection?	1	2	3	4	5
16. City street repair and maintenance?	1	2	3	4	5
17. Sewers and water?	1	2	3	4	5
18. Snow plowing?	1	2	3	4	5
19. Animal control?	1	2	3	4	5
20. Park maintenance?	1	2	3	4	5

IF "ONLY FAIR" OR "POOR" IN QUESTIONS #14-20, ASK FOR EACH:

21. Why did you rate _____ as (only fair/poor)?

-
22. Other than voting, do you feel that if you wanted to, you could have a say about the way the City of Crystal runs things?
- YES.....1
NO.....2
DON'T KNOW/REFUSED.....3
23. How much do you feel you know about the work of the Mayor and City Council -- a great deal, a fair amount, or very little?
- GREAT DEAL.....1
FAIR AMOUNT.....2
VERY LITTLE.....3
DON'T KNOW/REFUSED.....4
24. From what you know, do you approve or disapprove of the job the Mayor is doing? (WAIT FOR RESPONSE) And do you feel strongly that way?
- STRONGLY APPROVE.....1
SOMEWHAT APPROVE.....2
SOMEWHAT DISAPPROVE.....3
STRONGLY DISAPPROVE.....4
DON'T KNOW/REFUSED.....5

IF OPINION STATED IN QUESTION #24, ASK:

25. Why do you feel that way?

26. From what you know, do you approve or disapprove of the job the City Council is doing? (WAIT FOR RESPONSE) And do you feel strongly that way?
- | | |
|--------------------------|---|
| STRONGLY APPROVE..... | 1 |
| SOMEWHAT APPROVE..... | 2 |
| SOMEWHAT DISAPPROVE..... | 3 |
| STRONGLY DISAPPROVE..... | 4 |
| DON'T KNOW/REFUSED..... | 5 |

IF OPINION STATED IN QUESTION #26, ASK:

27. Why do you feel that way?
-

28. How much first-hand contact have you had with the Crystal City Staff -- quite a lot, some, very little, or none at all?
- | | |
|-------------------------|---|
| QUITE A LOT..... | 1 |
| SOME..... | 2 |
| VERY LITTLE..... | 3 |
| NONE AT ALL..... | 4 |
| DON'T KNOW/REFUSED..... | 5 |

29. From what you have seen or heard, how would you rate the job performance of the Crystal City Staff -- excellent, good, only fair, or poor?
- | | |
|-------------------------|---|
| EXCELLENT..... | 1 |
| GOOD..... | 2 |
| ONLY FAIR..... | 3 |
| POOR..... | 4 |
| DON'T KNOW/REFUSED..... | 5 |

IF RATING GIVEN IN QUESTION #29, ASK:

30. Why did you rate city staff as _____?
-

Changing topics....

31. What do you think is the major problem facing youth in Crystal today?
-

Let's talk about public safety in Crystal....

32. During the past year, have you been involved in or observed a situation in which a member of the Crystal Police Department was present?
- | | |
|-------------------------|---|
| YES..... | 1 |
| NO..... | 2 |
| DON'T KNOW/REFUSED..... | 3 |

IF "YES," ASK:

33. Would you say the way the police handled the situation was excellent, good, only fair, or poor?
- | | |
|-------------------------|---|
| EXCELLENT..... | 1 |
| GOOD..... | 2 |
| ONLY FAIR..... | 3 |
| POOR..... | 4 |
| DON'T KNOW/REFUSED..... | 5 |

34. Would you say the time it took the police to respond was prompt, or not? PROMPT.....1
NOT PROMPT.....2
DON'T KNOW/REFUSED.....3
35. Have you ever filed a complaint against a Crystal Police Department employee? YES.....1
NO.....2
DON'T KNOW/REFUSED.....3
- IF "YES," IN QUESTION #35, ASK:
36. Were you satisfied with the process and outcome of the complaint? YES.....1
NO.....2
DON'T KNOW/REFUSED.....3
37. Are there any programs or activities you would like to see the Crystal Police Department doing more of in the community?

38. Are there any existing programs or activities at which you feel the Crystal Police Department could spend less time?

I would like to read you a short list of prevention services provided by the Crystal Police and Fire Departments. For each one, please tell me if you are aware of that service. For those you know about, please tell me whether you or members of this household have in the past or are currently using the service.

- | | UNAWARE | AWARE
USED | NOT | DON'T
KNOW |
|--|---------|---|-----|---------------|
| 39. Medical Emergency Services? | 1 | 2 | 3 | 4 |
| 40. Neighborhood Watch? | 1 | 2 | 3 | 4 |
| 41. Operation ID? | 1 | 2 | 3 | 4 |
| 42. Home Safety Analysis? | 1 | 2 | 3 | 4 |
| 43. DARE -- the Drug Abuse Resistance Program for school children? | 1 | 2 | 3 | 4 |
| 44. How would you rate the amount of patrolling the police department does in your neighborhood -- would you say they do too much, about right, or not enough? | | TOO MUCH.....1
ABOUT RIGHT.....2
NOT ENOUGH.....3
DON'T KNOW/REFUSED.....4 | | |

I would like to read you a short list of problems which may impact suburban communities. For each one, please tell me if you

think it is a major problem, a minor problem, or not a problem at all in Crystal.

	MAJOR	MINOR	NOT	DK-R
45. Spousal abuse?	1	2	3	4
46. Gangs of juvenile delinquents?	1	2	3	4
47. Crack houses?	1	2	3	4
48. Child neglect and abuse?	1	2	3	4
49. Alcohol and chemical abuse?	1	2	3	4
50. Teen pregnancy?	1	2	3	4
51. Latchkey children -- kids left unsupervised early in the morning and after school while parents work?	1	2	3	4

Thinking about your own neighborhood for a moment....

52. Would you say that drugs and street gangs are a very serious problem, a somewhat serious problem, not too serious, or not at all serious in your neighborhood?	VERY SERIOUS.....1 SOMEWHAT SERIOUS.....2 NOT TOO SERIOUS.....3 NOT AT ALL SERIOUS.....4 DON'T KNOW/REFUSED.....5
53. Would you feel safe walking alone at night in your neighborhood?	YES.....1 NO.....2 DON'T KNOW/REFUSED.....3

Two issues facing communities across the Metropolitan Area are youth running away from home and youth thrown out of their homes.

54. What do you feel the community should do about youths who run away from home?

55. And, what do you feel the community should do about youths who are thrown out of their homes before the age of eighteen?

56. Do you think the criminal justice system -- the police and the courts -- deals effectively with those who break the

law? (IF "NO," ASK:) Why not?

57. From what you have heard or seen, do you feel that the police and social service agencies respond appropriately to child abuse and neglect in Crystal?
- YES.....1
NO.....2
DON'T KNOW/REFUSED.....3

IF "NO," ASK:

58. What should be done differently?

59. During the past year, have you been involved in or observed a situation in which a member of the Crystal Fire Department was present?
- YES.....1
NO.....2
DON'T KNOW/REFUSED.....3

IF "YES," ASK:

60. Was the situation one involving fire services, rescue or medical services, or some other activity?
- FIRE SERVICES.....1
RESCUE/MEDICAL.....2
OTHER.....3
DON'T KNOW/REFUSED.....4
61. Would you say the way the fire department handled the situation was excellent, good, only fair, or poor?
- EXCELLENT.....1
GOOD.....2
ONLY FAIR.....3
POOR.....4
DON'T KNOW/REFUSED.....5
62. Would you say the time it took the fire department to respond was prompt, or not?
- PROMPT.....1
NOT PROMPT.....2
DON'T KNOW/REFUSED.....3
63. Prior to this survey, were you aware that the Crystal Fire Department is staffed by paid on-call volunteer fire fighters?
- YES.....1
NO.....2
DON'T KNOW/REFUSED.....3
64. Do you have a working smoke detector installed in your home? (IF "YES," ASK:) Do you have more than one?
- YES/MORE THAN ONE.....1
YES/ONLY ONE.....2
NO.....3
DON'T KNOW/REFUSED.....4
65. Do you have a fire extinguisher mounted in your home?
- YES.....1
NO.....2
DON'T KNOW/REFUSED.....3

I would like to read you a short list of fire safety programs that could be offered in your neighborhood. For each one, please tell me if you would be very interested, somewhat interested, not too interested, or not at all interested in it....

	VyI	SmI	NTI	NAI	DKR
66. Fire safety inspection of your residence?	1	2	3	4	5
67. Fire safety demonstrations held in the evening, outdoors in your neighborhood?	1	2	3	4	5
68. Printed fire safety information distributed at your home by knowledgeable fire fighters?	1	2	3	4	5
69. Formal one evening fire safety classes held at the community center, schools, churches, or club rooms?	1	2	3	4	5

Moving on....

70. During the past twelve months, have you contacted anyone working for the City of Crystal, other than the police or fire departments, whether to obtain information, to get service, or make a complaint of any kind?
- YES.....1
NO.....2
DON'T KNOW/REFUSED.....3

IF "YES," ASK:

71. What was the nature of your most recent inquiry; that is, what information or service did you need?
-
-

72. What department or official did you contact first about this inquiry?
-
-

73. In general, were you satisfied or dissatisfied with the way your inquiry was handled?
- SATISFIED.....1
DISSATISFIED.....2
DON'T KNOW/REFUSED.....3

IF "DISSATISFIED," ASK:

74. Why were you dissatisfied?

-
75. How would you rate the general appearance of your neighborhood -- excellent, good, only fair, or poor?
- | | |
|-------------------------|---|
| EXCELLENT..... | 1 |
| GOOD..... | 2 |
| ONLY FAIR..... | 3 |
| POOR..... | 4 |
| DON'T KNOW/REFUSED..... | 5 |

IF "ONLY FAIR" OR "POOR," ASK:

76. Why do you feel that way?

-
77. How about the condition of street and road surfaces in your neighborhood -- would you rate them as excellent, good, only fair, or poor?
- | | |
|-------------------------|---|
| EXCELLENT..... | 1 |
| GOOD..... | 2 |
| ONLY FAIR..... | 3 |
| POOR..... | 4 |
| DON'T KNOW/REFUSED..... | 5 |
78. Would you favor or oppose the City removing the current ban of on-street parking between the hours of 3:00AM and 6:00AM during summer months?
- | | |
|-------------------------|---|
| FAVOR..... | 1 |
| OPPOSE..... | 2 |
| DON'T KNOW/REFUSED..... | 3 |

The inspection of housing in Crystal for code violations is a function of city government and staff. I would like to read you a short list of proposals; for each one, please tell me whether you strongly support it, somewhat support, somewhat oppose, or strongly oppose it.

	STR SUP	SMW SUP	SMW OPP	STR OPP	DKR
79. Regular inspections on the outside of all owner-occupied housing?	1	2	3	4	5
80. Regular inspections on the inside of all owner-occupied housing?	1	2	3	4	5
81. Regular inspection on the outside of all rental dwelling units?	1	2	3	4	5
82. Regular inspection on the inside of all rental dwelling units?	1	2	3	4	5

	STR SUP	SMW SUP	SMW OPP	STR OPP	DKR
83. Inspection of all residential dwellings at the time of sale?	1	2	3	4	5
84. Do you think that Crystal currently has an adequate range of housing choices to offer its residents?	YES.....1 NO.....2 DON'T KNOW/REFUSED.....3				

IF "NO," ASK:

85. What types of housing do you feel the City should encourage in order to expand the range?

86. Do you feel that the City has adequate housing opportunities for senior citizens?	YES.....1 NO.....2 DON'T KNOW/REFUSED.....3
---	---

The City could undertake many different initiatives to attract or discourage various types of future development. For each of the following categories, please tell me if you feel the City of Crystal should act vigorously to attract that type of growth, act aggressively to discourage that type of growth, or take no action one way or the other. If you have no opinion, just say so.

	AGG ATT	AGG DIS	NO ACT	DK/ REF
87. Single family homes for moderate income families.	1	2	3	4
88. Low income family housing.	1	2	3	4
89. Apartment buildings.	1	2	3	4
90. Townhouses.	1	2	3	4
91. Condominiums.	1	2	3	4
92. Senior citizen apartments and/or condominiums.	1	2	3	4
93. Retail shopping centers.	1	2	3	4
94. Commercial office buildings.	1	2	3	4
95. Light industrial plants.	1	2	3	4
96. Parks and recreational open spaces.	1	2	3	4
97. Would you favor or oppose the city offering tax breaks and loans to home owners and neighborhoods in deteriorating areas for both housing and neighborhood rehabilitation? (WAIT FOR RESPONSE) Do you feel strongly that way?	STRONGLY FAVOR.....1 FAVOR.....2 OPPOSE.....3 STRONGLY OPPOSE.....4 DON'T KNOW/REFUSED.....5			

98. Would you favor or oppose the city aggressively aiding in the purchase and redevelopment of deteriorating and blighted neighborhoods as multi-family housing opportunities, retail shopping, and/or commercial office buildings? (WAIT FOR RESPONSE) Do you feel strongly that way?
- STRONGLY FAVOR.....1
FAVOR.....2
OPPOSE.....3
STRONGLY OPPOSE.....4
DON'T KNOW/REFUSED.....5
99. Should the TOP priority for development in this city be on increasing the tax base, providing head-of-household jobs, providing housing opportunities for young families and retirees, providing recreational and leisure time offerings, or attracting more retail shopping opportunities?
- TAX BASE.....1
JOBS.....2
HOUSING.....3
RECREATION.....4
RETAIL SHOPPING.....5
COMBINATION (VOL).....6
NONE OF ABOVE.....7
DON'T KNOW/REFUSED.....8
100. What should be the second priority? (RE-READ ABOVE LIST, IF NECESSARY.)
- TAX BASE.....1
JOBS.....2
HOUSING.....3
RECREATION.....4
RETAIL SHOPPING.....5
COMBINATION (VOL).....6
NONE OF ABOVE.....7
DON'T KNOW/REFUSED.....8
101. Do you feel that retail shopping opportunities in Crystal are adequate or inadequate in meeting the needs of residents?
- ADEQUATE.....1
INADEQUATE.....2
DON'T KNOW/REFUSED.....3
- IF "INADEQUATE," ASK:
102. What is lacking in the community?

Turning to parks and recreational opportunities....

103. In general, do you usually spend your leisure time in outdoor activities, weather permitting, or indoor activities?
- OUTDOOR ACTIVITIES.....1
INDOOR ACTIVITIES.....2
BOTH (VOL.).....3
NO FREE TIME (VOL.).....4
DON'T KNOW/REFUSED.....5
104. In general, how well informed are you about the Crystal park system and facilities. Would you say you are very well informed, somewhat informed, not too well informed, or not at all informed?
- VERY WELL INFORMED.....1
SOMEWHAT INFORMED.....2
NOT TOO WELL INFORMED.....3
NOT AT ALL INFORMED.....4
DON'T KNOW/REFUSED.....5

105. How frequently do you visit a Crystal park or recreational facility -- once per week or more, twice a month, once a month, several times a year, or never?
- ONCE A WEEK OR MORE.....1
 TWICE A MONTH.....2
 ONCE A MONTH.....3
 SEVERAL PER YEAR.....4
 NEVER.....5
 DON'T KNOW/REFUSED.....6
106. How would you rate park and recreational facilities in Crystal -- excellent, good, only fair, or poor?
- EXCELLENT.....1
 GOOD.....2
 ONLY FAIR.....3
 POOR.....4
 DON'T KNOW/REFUSED.....5

IF RATING IS GIVEN, ASK:

107. Why do you feel that way?

-
108. Do you feel that the current mix of recreational opportunities sufficiently meets the needs of members of your household?
- YES.....1
 NO.....2
 DON'T KNOW/REFUSED.....3

IF "NO," ASK:

109. What additional recreational opportunities would you like to see the City of Crystal offer residents?

-
110. In the past year, have you or any members of this household participated in city-sponsored recreational programs?
- YES.....1
 NO.....2
 DON'T KNOW/REFUSED.....3

IF "YES" IN QUESTION #110, ASK:

111. Which ones?

-
112. Were you generally satisfied or dissatisfied with the program(s)?
- SATISFIED.....1
 DISSATISFIED.....2
 DON'T KNOW/REFUSED.....3

The Park and Recreation Commission is studying a proposal to develop a 9-hole golf course in Bassett Creek Park....

113. Would you favor or oppose the City developing a municipal 9-hole Par 3 golf course? (WAIT FOR RESPONSE) And do you feel strongly that way?
- STRONGLY FAVOR.....1
 FAVOR.....2
 OPPOSE.....3
 STRONGLY OPPOSE.....4
 DON'T KNOW/REFUSED.....5

114. Would you support this project if the golf course would require funds from property tax revenues for its construction? YES.....1
NO.....2
DON'T KNOW/REFUSED.....3
115. Would you support this project if the golf course would require funds from property tax revenues to subsidize its operation? YES.....1
NO.....2
DON'T KNOW/REFUSED.....3
116. Would you favor or oppose the City building a Nature Interpretive Center? (WAIT FOR RESPONSE) STRONGLY FAVOR.....1
FAVOR.....2
OPPOSE.....3
STRONGLY OPPOSE.....4
And do you feel strongly that way? DON'T KNOW/REFUSED.....5
117. Would you support this project if the nature center would require funds from property tax revenues for its construction? YES.....1
NO.....2
DON'T KNOW/REFUSED.....3
118. Are the currently offered senior programs sufficient to meet community needs? YES.....1
NO.....2
DON'T KNOW/REFUSED.....3
119. How about teen programs -- are current offering sufficient to meet community needs? YES.....1
NO.....2
DON'T KNOW/REFUSED.....3
120. How familiar are you with the opportunities and activities offered at the Crystal Community Center -- very familiar, somewhat familiar, not too familiar, or not at all familiar? VERY FAMILIAR.....1
SOMEWHAT FAMILIAR.....2
NOT TOO FAMILIAR.....3
NOT AT ALL FAMILIAR.....4
DON'T KNOW/REFUSED.....5
121. Do you currently leave the City of Crystal to pursue any recreational activities? YES.....1
NO.....2
DON'T KNOW/REFUSED.....3

IF "YES," ASK:

122. For what kinds of recreational activities?

Changing topics....

As you may know, the City has contracted with BFI to pick-up recyclable materials. Households are asked to separate recyclables from the rest of their trash and haulers carry them away.

123. Do you now participate in the curbside recycling pick-up program? YES.....1
NO.....2
DON'T KNOW/REFUSED.....3

IF "YES," ASK:

- | | |
|--|--------------------------|
| 124. How often do you put recyclables out for collection | WEEKLY.....1 |
| -- weekly, twice monthly, | TWICE MONTHLY.....2 |
| monthly, quarterly, or less? | ONCE MONTHLY.....3 |
| | QUARTERLY.....4 |
| | LESS.....5 |
| | DON'T KNOW/REFUSED.....6 |
| 125. Are you satisfied or dissatisfied with the recycling program? | SATISFIED.....1 |
| | DISSATISFIED.....2 |
| | DON'T KNOW/REFUSED.....3 |

IF "DISSATISFIED," ASK:

126. Why do you feel that way?

IF "NO," ASK:

- | | |
|---|----------------------------|
| 127. Which of the following best describes your reasons for not participating: | STATEMENT A.....1 |
| A. I wasn't aware of the program. | STATEMENT B.....2 |
| B. I knew about it, but need more information. | STATEMENT C.....3 |
| C. The program is too inconvenient. | STATEMENT D.....4 |
| D. I am just not interested. | STATEMENT E.....5 |
| E. It isn't worth it to take the time. | ALL OF THE ABOVE (VOL) ..6 |
| | OTHER REASON.....7 |
| | NONE OF ABOVE (VOL).....8 |
| | DON'T KNOW/REFUSED.....9 |
| 128. How do you currently dispose of grass clippings and yard waste | COMPOST ON PROPERTY.....1 |
| -- do you compost on your property, use a yard waste drop-off site, or have your garbage hauler collect it? | USE DROP-OFF SITE.....2 |
| | GARBAGE HAULER.....3 |
| | OTHER METHOD (VOL.).....4 |
| | DON'T KNOW/REFUSED.....5 |

As you also may know, several refuse haulers serve Crystal. People who are in favor of this arrangement feel it has permitted citizens to choose their own haulers and contract directly with them. People opposed to it say it has also created significant overlap between the hauler routes and increased noise and congestion on city streets.

129. Of the following three proposals, which do you most favor:
- | | |
|---|--------------------------|
| A. The present system. | PROPOSAL A.....1 |
| B. The City assigns current haulers to exclusively handle specific areas; | PROPOSAL B.....2 |
| C. The City designates one hauler to serve the entire city; | PROPOSAL C.....3 |
| | ALL EQUALLY.....4 |
| | DON'T KNOW/REFUSED.....5 |

Changing topics again....

130. Do you have adequate water pressure in your household?
- | |
|--------------------------|
| YES.....1 |
| NO.....2 |
| DON'T KNOW/REFUSED.....3 |
131. Do you have drain tiles around your residence?
- | |
|--------------------------|
| YES.....1 |
| NO.....2 |
| DON'T KNOW/REFUSED.....3 |

IF "YES," ASK:

132. Are your drain tiles or sump pump connected directly to the sanitary sewers?
- | |
|--------------------------|
| YES.....1 |
| NO.....2 |
| DON'T KNOW/REFUSED.....3 |

IF "YES," ASK:

133. Were you aware this is illegal under city ordinances?
- | |
|--------------------------|
| YES.....1 |
| NO.....2 |
| DON'T KNOW/REFUSED.....3 |

Let's talk about the general priorities that Crystal should establish for the future. Because the City budget is not large enough to do everything, choices must be made in allocating funds. In each of the following policy areas, do you feel that it is extremely important, very important, somewhat important, or unimportant that Crystal commit enough tax money to provide better programs and facilities.

	EXT	VRV	SMW	UNI	DKR
134. Parks and recreation?	1	2	3	4	5
135. Human and social services?	1	2	3	4	5
136. Public safety?	1	2	3	4	5
137. Public works infrastructure, such as city streets and utilities?	1	2	3	4	5
138. Expanding the property tax base?	1	2	3	4	5
139. Improving public transportation?	1	2	3	4	5
140. Redeveloping aging and deteriorating neighborhoods?	1	2	3	4	5
141. Limiting airport noise?	1	2	3	4	5

Moving on....

142. What is your primary source of information about community events going on in Crystal?

143. What is your primary source of information about City government and its activities?

144. Do you receive the quarterly "Crystal City Newsletter"? (IF "YES," ASK:) Do you regularly read the newsletter?

RECEIVE/READ.....	1
RECEIVE/DON'T READ.....	2
DON'T RECEIVE.....	3
DON'T KNOW/REFUSED.....	4

IF "RECEIVE AND READ," ASK:

145. Are there any changes in the format or coverage you would like to see? (IF "YES," ASK:) What are they?

146. Does your household currently subscribe to cable television?

YES.....	1
NO.....	2
DON'T KNOW/REFUSED.....	3

IF "YES," ASK:

147. Would you say you watch local government access Channel 37 frequently, occasionally, rarely, or not at all?

FREQUENTLY.....	1
OCCASIONALLY.....	2
RARELY.....	3
NOT AT ALL.....	4
DON'T KNOW/REFUSED.....	5

148. Would you say you watch City Council meeting telecasts telecasts frequently, occasionally, rarely, or not at all?

FREQUENTLY.....	1
OCCASIONALLY.....	2
RARELY.....	3
NOT AT ALL.....	4
DON'T KNOW/REFUSED.....	5

149. Do you ever watch Crystal's Community Bulletin Board, which is shown on Cityline?

YES.....	1
NO.....	2
DON'T KNOW/REFUSED.....	3

Now, just a few more questions for demographic purposes....

Could you tell me how many people in each of the following age groups live in your household. Let's start oldest to youngest, and be sure to include yourself....

150. Persons over 65? _____

151. Adults over 18? _____

152. School-aged children? _____

153. Preschoolers? _____

154. TOTAL (DO NOT ASK; ADD #150-53) _____

IF PRESCHOOLERS ARE PRESENT IN HOUSEHOLD, ASK:

155. Have you been able to find the resources and facilities in the city to meet your child care needs? YES.....1
NO.....2
DON'T KNOW/REFUSED.....3
156. Do you own or rent your present residence? OWN.....1
RENT.....2
REFUSED.....3
157. Which of the following categories contains your age, please? 18 - 24.....1
25 - 34.....2
35 - 44.....3
45 - 54.....4
55 - 64.....5
65 AND OVER.....6
REFUSED.....7
158. Which of the following best describes your present residence? (READ CHOICES #1-#6.) SINGLE FAMILY HOME.....1
DUPLEX/DOUBLE BUNGALOW..2
3-PLEX OR 4-PLEX.....3
APARTMENT BUILDING OF 5-9 UNITS.....4
APARTMENT BUILDING OF 10 OR MORE UNITS...5
MOBILE HOME.....6
OTHER.....7
DON'T KNOW/REFUSED.....8

IF "SINGLE FAMILY HOME," ASK:

159. How would you rate the condition of your house -- excellent, good, only fair, or poor? EXCELLENT.....1
GOOD.....2
ONLY FAIR.....3
POOR.....4
DON'T KNOW/REFUSED.....5
160. How concerned are you about the ability to sell your house at a good price in the future -- very concerned, somewhat concerned, not too concerned, or not at all concerned. VERY CONCERNED.....1
SOMEWHAT CONCERNED.....2
NOT TOO CONCERNED.....3
NOT AT ALL CONCERNED....4
DON'T KNOW/REFUSED.....5

At the risk of repeating myself, let me ask you specifically....

161. Are you over 55 years old? YES.....1
NO.....2
DON'T KNOW/REFUSED.....3

IF "YES," ASK:

162. Do you contemplate moving to different housing during the next ten years? YES.....1
NO.....2
DON'T KNOW/REFUSED.....3

IF "YES," ASK:

163. Will you move to another residence in Crystal or elsewhere? CRYSTAL.....1
ELSEWHERE.....2
DON'T KNOW/REFUSED.....3

IF ANSWER IS GIVEN, ASK:

164. Why?

165. What type of housing will you be seeking? (PROBE)

166. If that type of housing were available at a competitive cost in Crystal, would you stay in the city? YES.....1
NO.....2
DON'T KNOW/REFUSED.....3

167. Are you presently married, living with someone but not married, widowed, divorced or separated, or single? MARRIED.....1
LIVING WITH, UNMARRIED..2
WIDOWED.....3
DIVORCED/SEPARATED.....4
SINGLE.....5
REFUSED.....6

168. Are you working now fulltime, working parttime, unemployed and seeking work, a homemaker, retired, disabled, a student, or something else? WORKING FULLTIME.....1
WORKING PARTTIME.....2
UNEMPLOYED/SEEKING.....3
HOMEMAKER.....4
RETIRED.....5
DISABLED.....6
STUDENT.....7
SOMETHING ELSE.....8
REFUSED.....9

IF WORKING FULLTIME OR PARTTIME, ASK:

169. What is your occupation, that is, what kind of work do you do for a living?

IF "MARRIED" OR "LIVING TOGETHER" IN QUESTION #167, ASK:

170. Is your spouse or roommate now	WORKING FULLTIME.....1
working fulltime, working part-	WORKING PARTTIME.....2
time, unemployed and seeking work	UNEMPLOYED/SEEKING.....3
a homemaker, retired, disabled, a	HOMEMAKER.....4
student, or something else?	RETIRED.....5
	DISABLED.....6
	STUDENT.....7
	SOMETHING ELSE.....8
	REFUSED.....9

IF WORKING FULLTIME OR PARTTIME, ASK:

171. What is the occupation of your spouse or roommate?

172. Which of the following	18 - 24.....1
categories contains the age	25 - 34.....2
of your spouse or roommate?	35 - 44.....3
	45 - 54.....4
	55 - 64.....5
	65 AND OVER.....6
	REFUSED.....7

173. What is the last grade of	LESS THAN HIGH SCHOOL...1
education you completed?	HIGH SCHOOL GRADUATE...2
	VO-TECH SCHOOL.....3
	SOME COLLEGE.....4
	COLLEGE GRADUATE.....5
	POST-GRADUATE.....6
	REFUSED.....7

174. Which of the following categories	BELOW \$12,500.....1
includes your 1989 total pre-tax	\$12,501-\$25,000.....2
household income. Please stop me	\$25,001-\$37,500.....3
when I read the right one.	\$37,501-\$50,000.....4
	\$50,001-\$62,500.....5
	\$62,501-\$75,000.....6
	OVER \$75,000.....7
	DON'T KNOW.....8
	REFUSED.....9

175. Gender (DO NOT ASK)	MALE.....1
	FEMALE.....2

Thanks very much for your time. Good-bye.


DATE: August 29, 1990
TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
SUBJECT: Curb Cuts on Louisiana Avenue North at 56th Ave.

As noted in the attachments, a site plan has been received regarding a bank proposal for 7009 - 56th Avenue North (old Burger King site). Although the proposal is in New Hope, two access points are shown on Louisiana Avenue which is a Crystal street.

This same item was considered years back when Burger King was initially proposed. At that time, access permits were denied based on concerns related to traffic from the fast food establishment cutting through Crystal neighborhoods to the south. While the bank proposal does not create the heavy travel or nighttime usage situations encountered with fast food, some use of local streets is bound to occur. It should be noted that the gas station on the west side of Louisiana Avenue does have access to Louisiana and Bass Lake Road.

From a traffic movement perspective the proposed lay out eases the flow on-site as well as the access onto Bass Lake Road. Approval of the curb cuts will also allow Crystal to require curbing be constructed along Louisiana Avenue adjacent to the site as improvements are installed.

The question at this point is whether neighborhood input should be solicited as part of consideration of this item or whether enough data is available to approve the two curb cut permits. As noted in the attached letter, any approvals by Crystal would be conditioned upon New Hope's actions.


WM:jrs

Encls



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August 28, 1990

Mr. William Monk
City Engineer, City of Crystal
4141 N. Douglas Dr.
Crystal, MN 55422

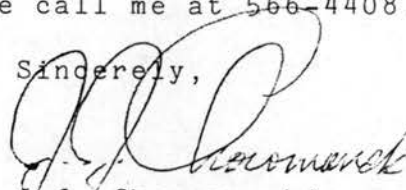
Dear Bill:

As per our phone conversation on August 27th, I would like to request that the City of Crystal permit access from the Burger King property onto Louisiana Ave. as is indicated in the proposed bank site plan I've enclosed.

I would expect the approval to be conditional upon the City of New Hope rezoning the property to permit the use of the property as a branch bank.

If you have any questions please call me at 566-4408.

Sincerely,



J. J. Choromanski

Crystal

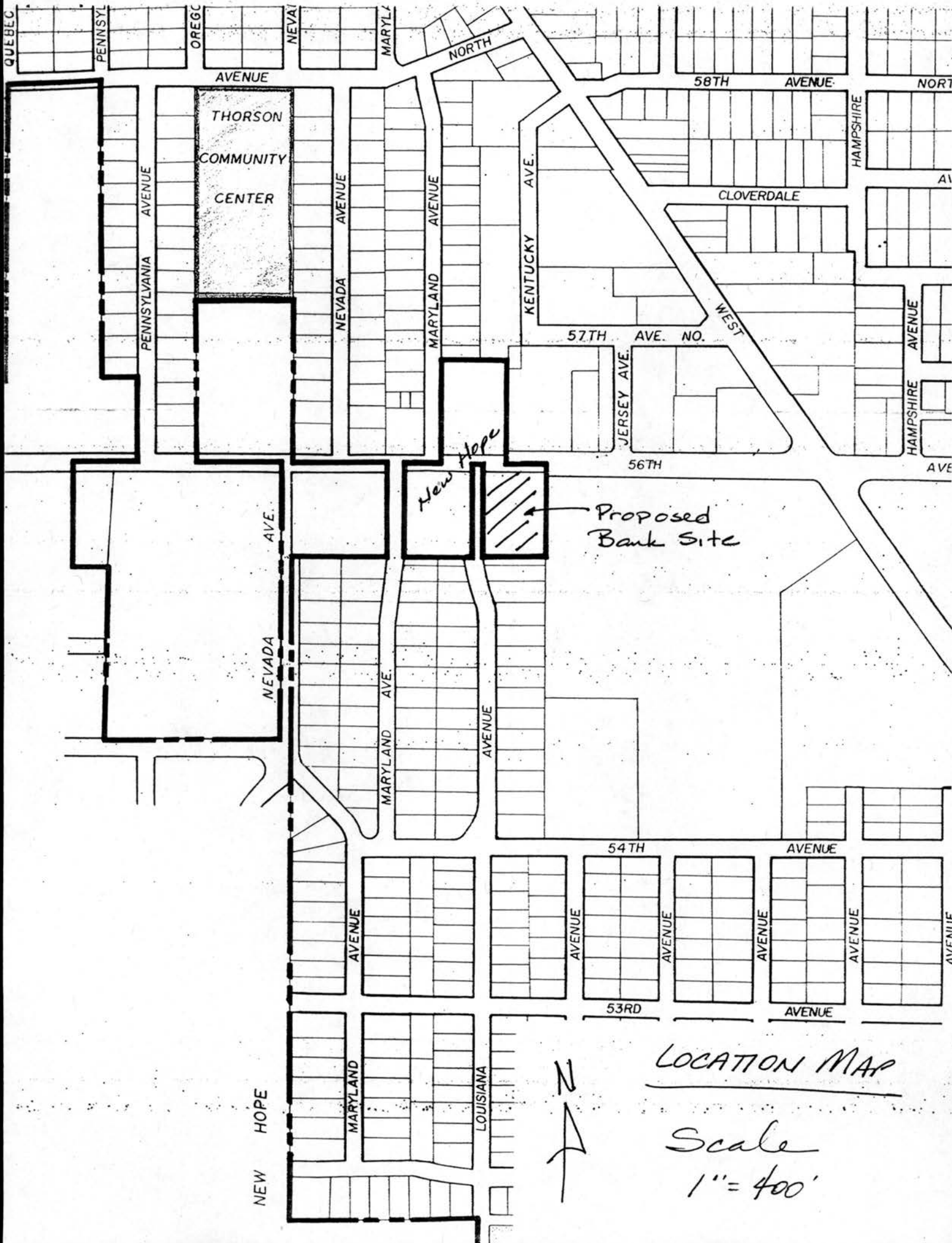
137 Willow Bend
Crystal Shopping Center
Crystal, Minnesota 55428
Phone: 612/535-1731
FAX: 612/533-0090

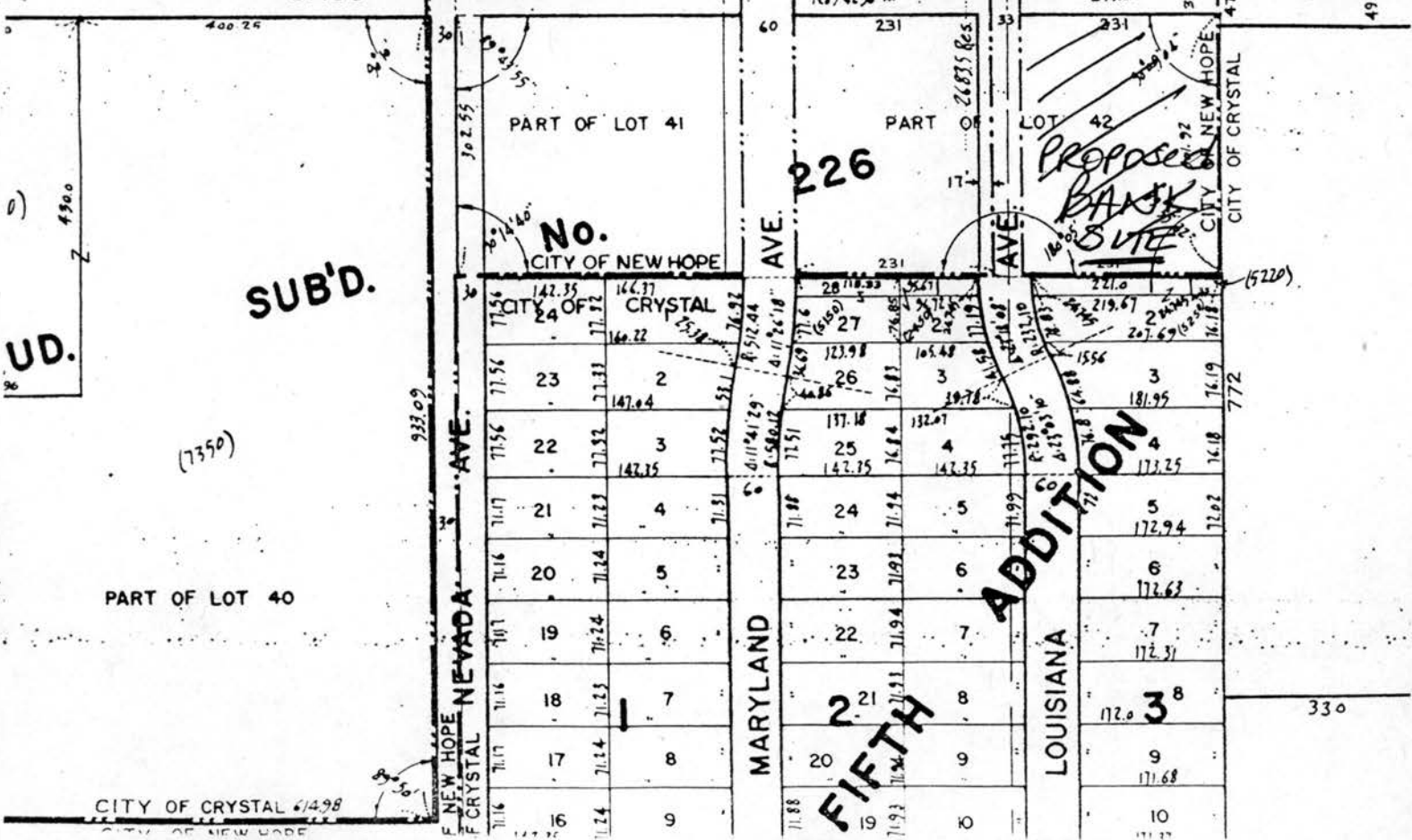
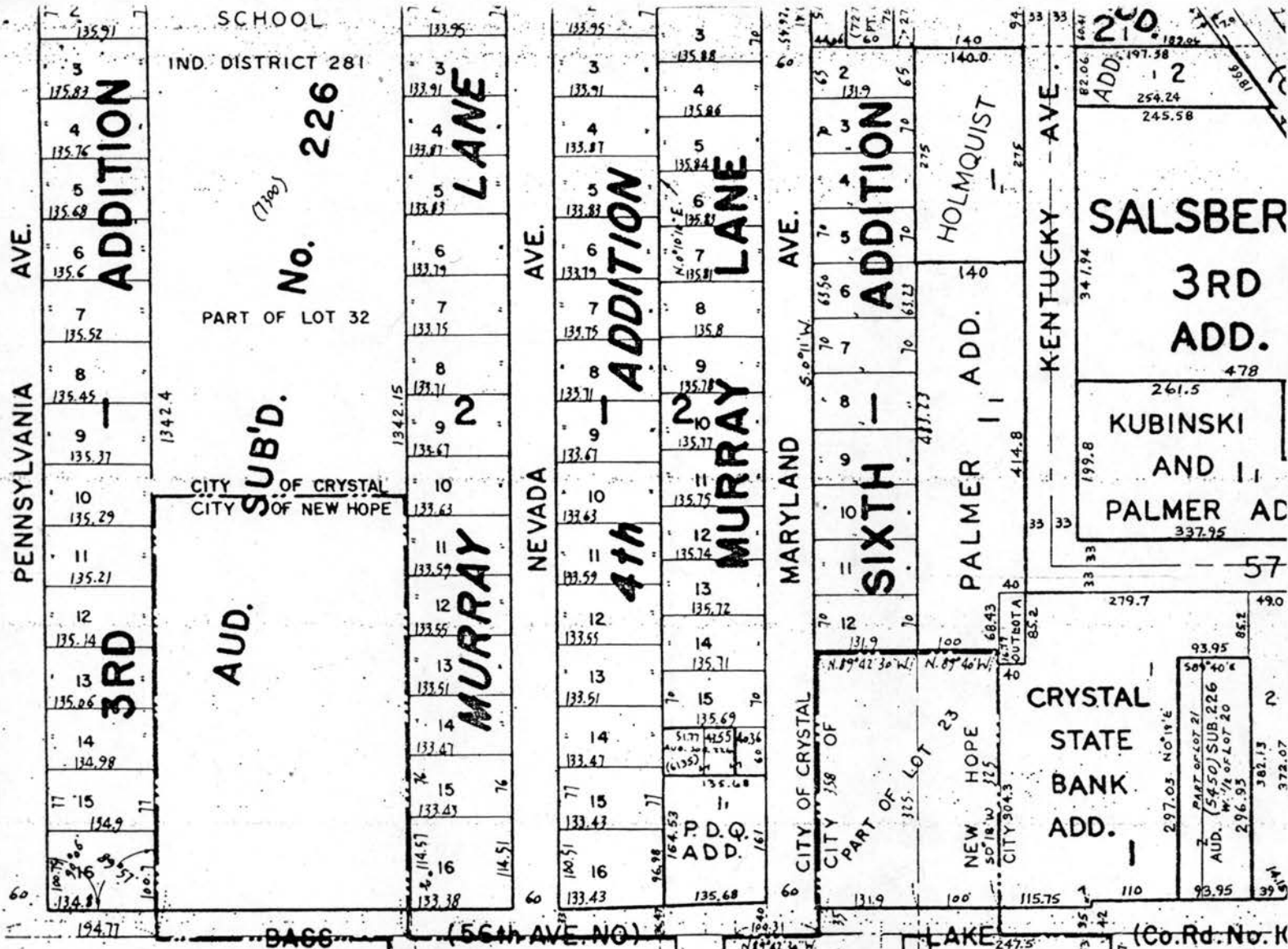
Brooklyn Park

7827 Brooklyn Boulevard
Brooklyn Park, Minnesota 55445
Phone: 612/566-9480
FAX: 612/566-1376

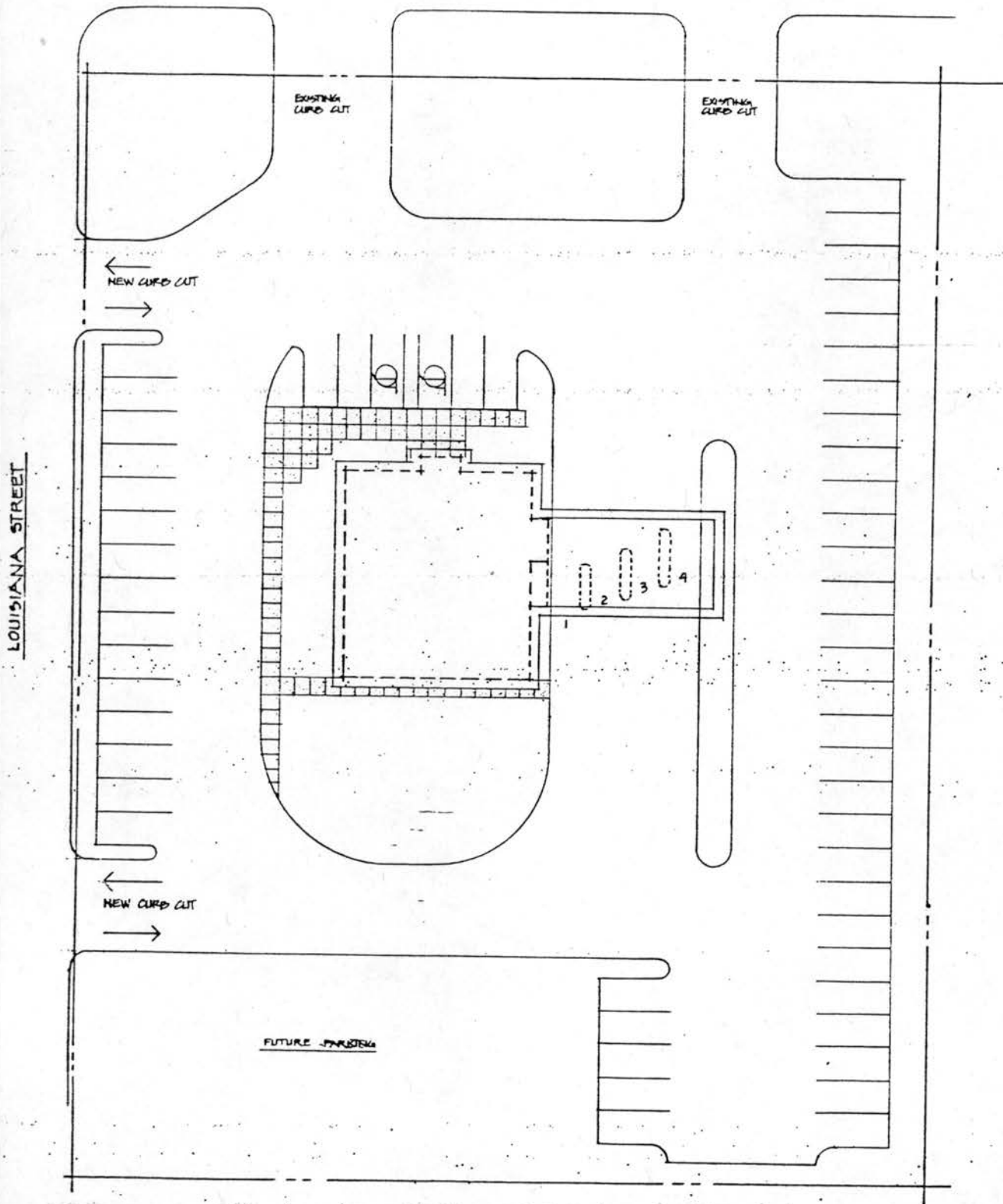
Maple Grove

13716 83rd Way North
Maple Grove, Minnesota 55369
Phone: 612/420-6666
FAX: 612/420-7621



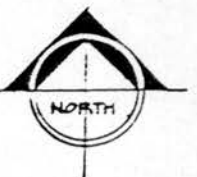


56TH AVENUE — BASS LAKE ROAD



PROPOSED BANK SITE PLAN
1" = 20'-0"

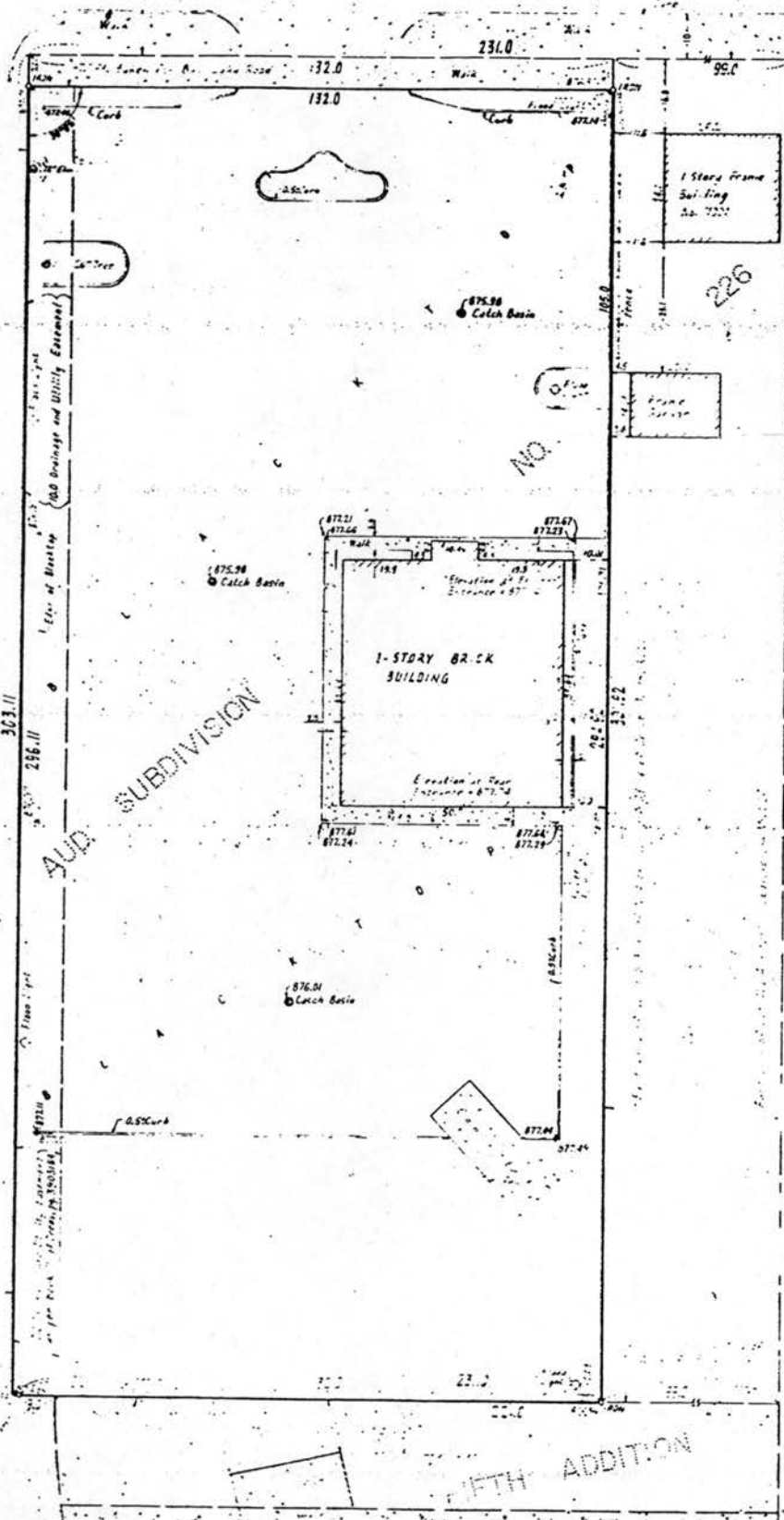
6-25-90



NORTH

AVENUE

LOUISIANA



Section 11, Township 11, Range 21, Subject to road easement near the North 2 feet thereof.

Area excluding cont-33, 335 square feet and 3, 335
square feet. The area is located at the corner of
the intersection of the road and the road. It is a true
and correct representation of a portion of the
location of all the above described land of the
location of all the above described land of the
location of all the above described land of the

1. The following is a list of the names of the persons who were present at the meeting of the Board of Directors of the American Red Cross, held on the 1st day of December, 1917.
 2. ELEANOR FIELD & HOWARD
 3. JAMES C. COX

23 Vernon O. Nichols
Harcata Registration Co. 1993

1. The cost of hydroelectric power is \$0.02 per kWh. The cost of
 2. The cost of hydroelectric power is \$0.02 per kWh. The cost of

Existing Conditions

HOLMES & GRAVEN

CHARTERED

470 Pillsbury Center, Minneapolis, Minnesota 55402

(612) 337-9300

DAVID J. KENNEDY

Attorney at Law

Direct Dial (612) 337-9232

August 27, 1990

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

Re: Lawful Gambling

Dear Jerry:

Enclosed find a redraft of the lawful gambling ordinance. I have modified Subsection 1102.13 to provide that a contribution to ISD No. 281 is deemed to have been made in the City's trade area. Thus, a lawful contribution to an agency in Plymouth, for example, would not qualify, but a contribution to 281 for use at Armstrong High School would.

At the Council meeting on Tuesday, Mayor Herbes gave me the enclosed comments on the draft ordinance. She did not say who prepared them, but they seem to have been made by someone relatively familiar with the gambling laws. I'll respond to each comment.

1102.01. This Subsection does permit all types of lawful gambling in establishments licensed for the sale of intoxicating liquor. I do not believe it possible to single out one type of gambling for prohibition or special treatment. The statute provides, Section 349.213, that a City may adopt a regulation of lawful gambling more "stringent" than state law, but such regulation must apply equally to all forms of lawful gambling in the City.

1102.03. a) It is correct that the City receives the license and permit application (but see my comment below about timing), but the ordinance directs the Chief to follow up by obtaining from the Board whatever background data the Chief feels is useful.

b) There may be a "catch 22" here but it is not of the City's making. The statute has extensive conditions under which a license and premises permit is to be issued by the Board. It does not seem reasonable to me for the City to consider a premises permit or a license that has not been considered by the Board. Perhaps a burden on the Board will be created if all cities follow Crystal's example, but I think that is the state's problem not the City's.

1102.05. I do not see a conflict here. The City's investigation deals with the soundness of permitting gambling at the proposed premises by the permittee. The Board issues the license and the permit, and I think the City should not be in the position of determining whether the Board should or should not do so, and is entitled to rely on the Board as to the qualifications of the applicant to hold the license or permit.

1102.11. The lease does not require local approval: the premises permit does. This subsection has been in our ordinance since its original adoption without a problem. I think a copy of the executed lease should be on file with the City, and it should provide that it is not valid unless the lessee is licensed by the Board and understands that it is subject to the City's rules as expressed in the ordinance.

As I stated the other evening the regulatory scheme of the statute is a bit murky. The local government premises permit approval section was effective on August 1: the section under which the Board issues premises permits is not effective until January 1, 1991: and the City must also approve or disapprove "bingo hall" licenses.

I think the only sensible way to proceed is to adopt the ordinance as drafted. There is technically nothing in the law that gives the City any role in the licensing procedure, but I assume license applications will continue to come to the City until at least January 1 and probably for a time thereafter. I recommend that we treat the "licenses" as "premises permits" and deal with them as such under the ordinance.

Yours very truly,

A handwritten signature in dark ink, appearing to read 'D. Kennedy', with a stylized, cursive flourish.

David J. Kennedy

DJK:caw

Enclosure

DAVID J. KENNEDY

Attorney at Law

Direct Dial (612) 337-9232

HOLMES & GRAVEN

CHARTERED

470 Pillsbury Center, Minneapolis, Minnesota 55402

(612) 337-9300

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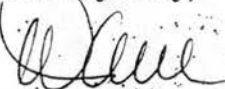
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Yours very truly,



David J. Kennedy

DJK:caw

Enclosure

ORDINANCE NO. 90-_____

AN ORDINANCE RELATING TO LAWFUL GAMBLING:
AMENDING CRYSTAL CITY CODE BY ADDING
A SECTION: REPEALING CRYSTAL CITY
CODE SUBSECTION 1100.19

THE CITY OF CRYSTAL ORDAINS:

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

Section 1102 - Lawful Gambling

1102.01. Lawful Gambling. Subdivision 1. General Rule. Pursuant to the provisions of Minnesota Statutes, Section 340A.410, Subdivision 2, lawful gambling may be conducted on premises licensed for the sale of intoxicating liquor by organizations licensed by the Charitable Gambling Control Board (Board) under Minnesota Statutes, Sections 349.11 to 349.213 when a premises permit therefor has been issued by the Board. Non-profit organizations licensed by the Board may conduct lawful gambling on the licensed premises or adjoining rooms of on-sale liquor establishments provided the gambling is in compliance with the law and the requirements of this section are complied with.

1102.03. City Review. Subdivision 1. City Investigation. Upon receipt of an application for a premises permit or renewal thereof and payment of the investigation fee required by Subsection 1102.17 the City Manager will refer the application to the Police Chief for investigation. The Police Chief must as part of the investigation, obtain from the Board data received by the Board in the license application and premises permit application of the organization and other information that the Board may have in its possession relating to the eligibility and qualifications of the licensed organization to conduct or continue to conduct lawful gambling at the premises specified in the permit application.

Subd. 2. City Council Action. The City Council will review the application for a lawful gambling premises permit or renewal thereof.

a) If the application is for an initial premises permit the Council will by resolution approve the permit application if the application is made by an organization licensed by the Board.

b) If the application is for the renewal of an existing premises permit, the Council may by resolution decline to approve the application if (i) in its judgment the conduct of lawful gambling at the premises by the applicant will adversely affect the public health, safety and welfare or (ii) the applicant has engaged in conduct constituting grounds for the revocation or suspension of an intoxicating liquor license as specified in Subsection 1005.21 of this code or both (i) and (ii) as the case may be.

Subd. 3. Prior Board Approval. The City will not consider an application for a lawful gambling premises permit or renewal thereof unless (i) the application for the permit has been approved by the Board or (ii) the Board has indicated in writing to the City Clerk that Board approval is granted pending only the approval of the City Council.

1102.05. Eligible Organizations. The City will consider for approval only premises permits by organizations licensed by the Board. When an application is submitted to the City the City will presume that the applicant is eligible for the permit under state law but will make no independent investigation of that fact.

1102.07. Limit of Licenses. On-sale establishments authorized to allow gambling are limited to one yearly lessee at premises licensed for on-sale liquor sales in the City. The City Council may by resolution authorize more than one organization to conduct lawful gambling activities at various locations for a limited period in connection with an annual civic celebration.

1102.09. Hours. Lawful gambling may be conducted only during the permitted hours of operation of the licensed on-sale establishment.

1102.11. Leases: Filing. A copy of the lease agreement between a non-profit organization and an on-sale licensee must be filed with the City Clerk within one week after execution of the lease. The lease must provide that the lessee may operate only after issuance of a license and premises permit from the Board and be subject to the terms of this Section.

1102.13. Contributions to City. 10 cents of each dollar of profits from lawful gambling within the City must be pledged and annually, prior to December 1, contributed to the City by the organization for use in lawful purposes as defined in Minnesota Statutes, Section 349.12, Subdivision 11, in the trade area of the City. For purposes of this subdivision the term "net profits" means profits less amounts expended for allowable expenses; the terms "profits" and "allowable expenses" have the meanings given them by Minnesota Statutes, Chapter 349 and rules and regulations promulgated thereunder; and the term "trade area" means the area within the boundaries of the City and within the boundaries of the cities of New Hope, Robbinsdale, Golden Valley, and Brooklyn Park; a contribution to Independent School District No. 281 is deemed to have been made in the trade area of the City. If an organization certifies to the City that at least 10% of its net profits have been expended in the trade area of the City for the lawful purposes specified by the City, the payment required by this subdivision need not be made. The contributions to the City required by this subdivision must be deposited by the City in a special City fund which must be administered by the City without cost to the fund.

1102.15. Filing. Organizations conducting lawful gambling in the City must file with the City Clerk copies of records and reports filed with the Board pursuant to Minnesota Statutes, Chapter 349 and the rules and regulations promulgated thereunder.

1102.17. Investigation Fees. An organization applying for or renewing a premises permit to conduct lawful gambling in the City must pay the investigation fee set by Appendix IV to the City Clerk. If the fee is not paid the Council will not approve the permit under Subsection 1102.03.

Sec. 2. Crystal City Code, Subsection 1100.19, is repealed.

Sec. 3. This ordinance is effective in accordance with Crystal City Code, Subsection 110.11 and applies to gambling premises permit applications received after August 1, 1990.

Dated: _____, 1990.

Mayor

Attest:

City Clerk

COMMENTS ON PROPOSED GAMBLING ORDINANCE

Section 1102.01---This provision would permit bars, bowling alleys, etc. to conduct bingo and sell paddlewheel tickets along with raffles, tipboards, and pulltabs. Bingo and paddlewheel operations may be difficult to control and there is the possibility of having token operations for the purpose of being able to avoid the rent limitations for pulltab operations only.

Section 1102.03---City Review. The City receives a copy of the license application and the premises permit as part of the application process.

--Prior Board Approval. This provision seems to be a "catch-22" circle. The State statute mandates that the Board may not approve a license without a resolution of approval from the city or county. This provision implies that the City wants the Board to make the first approval, and the State wants the local governments to act first. It seems reasonable for the City to make its decision and then let the Board act since the Board has the responsibility to deny any license which does not meet the State standards regardless of the action of the city or county. If all cities requested the letter from the Board mandated by this section, the time consumed by the Board office staff would be overwhelming.

Section 1102.05---This paragraph seems to be in direct conflict with Section 1102.03 which mandates that the Police Chief must investigate.

Section 1102.11---The City automatically receives a copy of all leases since they require local approval. The operation of gambling by a lessee without a license is already covered by the State law.



CITY of CRYSTAL

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

ADMINISTRATIVE OFFICE

FAX TRANSMITTAL FORM

DATE: September 4, 1990

TO: David Kennedy

AT (FAX #): 337-9310

FROM: Darlene George

AT (PHONE #): 537-8421

NUMBER OF PAGES (including this page): 2

OUR FAX MACHINE PHONE NUMBER: (612) 537-3279

IF THERE ARE ANY PROBLEMS RECEIVING THIS TRANSMISSION, PLEASE CALL:

FAX OPERATOR: Darlene George

AT PHONE NO.: 537-8421 EXTENSION 131

QUESTIONS CONCERNING PROPOSED GAMBLING ORDINANCE

Have the members of the Council seen the complex three-way paddlewheel operation at the Robbinsdale municipal liquor store, where it is possible to wager as much as \$25.00 on one spin of the wheel? Do the residents of Crystal want this type of operation anywhere in the City? Wouldn't it be preferable to limit paddlewheel operations to one-way bets with a limit of \$2.00 or \$5.00?

Do the residents of the City want bingo played in bars or in off-sale liquor places? If not, there should be an effort made to write an ordinance that will satisfy State law which would ban this activity.

What does the City gain by creating a possible confrontation with the State about who approves a license or permit first? It should be a relatively rare case when the City does not know more about the gambling operations in Crystal than the State does.

The application process now mandates that a resolution of approval by the local government now be included with the application. If the City demands a letter from the Board, there could be a time frame of negotiation that would leave the applicant a "hostage" while the City and the State decide "Who's up first?"

Few State officials will permit a City to erode any of their authority nor will they permit a process that might set a precedent without requesting an opinion from the Attorney General. Everyone is aware that waiting for an opinion from the Attorney General's office can be a lengthy frustrating experience.

Why can't the City just make its decision and then let the State "do its thing?"

TRANSMISSION REPORT

:CRYSTAL POLICE

(SEP 04 '90 12:37)

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DATE	START TIME	REMOTE TERMINAL IDENTIFICATION	MODE	TIME	RESULTS	TOTAL PAGES	DEPT. CODE
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FACSIMILE COVER PAGE

Holmes & Graven, Chartered
470 Pillsbury Center
Minneapolis, Minnesota 55402

Facsimile No. (612) 337-9310

Our File No.: CR205-7

Date: 9-4-90

Phone I.D.# _____

PLEASE DELIVER THE FOLLOWING PAGES TO:

Darlene George
Name

Crystal
Firm City

Main Office #: _____

Telecopy #: 537-3279

FROM: Dave Kennedy

Brief Description: Please ask the Council to substitute this ordinance for the one contained in my letter of August 27th.

Total number of Pages (including this cover page) 4

IF A PROBLEM ARISES CALL Cheryl at (612) 337-9300

ORDINANCE NO. 90-_____

AN ORDINANCE RELATING TO LAWFUL GAMBLING;
AMENDING CRYSTAL CITY CODE BY ADDING
A SECTION: REPEALING CRYSTAL CITY
CODE SUBSECTION 1100.19

THE CITY OF CRYSTAL ORDAINS:

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

Section 1102 - Lawful Gambling

1102.01. Lawful Gambling. Subdivision 1. General Rule. Pursuant to the provisions of Minnesota Statutes, Section 340A.410, Subdivision 2, lawful gambling may be conducted on premises licensed for the sale of intoxicating liquor by organizations licensed by the Charitable Gambling Control Board (Board) under Minnesota Statutes, Sections 349.11 to 349.213 when a premises permit or bingo hall license, if required by law, therefor has been issued by the Board. Non-profit organizations licensed by the Board may conduct lawful gambling on the licensed premises or adjoining rooms of on-sale liquor establishments provided the gambling is in compliance with the law and the requirements of this section are complied with.

1102.03. City Review. Subdivision 1. City Investigation. Upon receipt of an application for a premises permit or bingo hall license or renewal thereof and payment of the investigation fee required by Subsection 1102.17 the City Manager will refer the application to the Police Chief for investigation. The Police Chief must as part of the investigation, obtain from the Board data received by the Board in the license application and premises permit application of the organization and other information that the Board may have in its possession relating to the eligibility and qualifications of the licensed organization to conduct or continue to conduct lawful gambling at the premises specified in the permit application.

Subd. 2. City Council Action. The City Council will review the application for a bingo hall license or premises permit or renewal thereof. If the application is for the renewal of an existing premises or bingo hall license permit, the Council may by resolution decline to approve the application if (i) in its judgment the conduct of lawful gambling at the premises by the applicant will adversely affect the public health, safety and welfare or (ii) the applicant has engaged in conduct constituting grounds for the revocation or suspension of an intoxicating liquor license as specified in Subsection 1005.21 of this code or both (i) and (ii) as the case may be.

Subd. 3. Prior Board Approval. The City will not consider an application for a lawful gambling premises permit or bingo hall license or renewal thereof unless (i) the application for the permit or license has been approved by the Board or (ii) the Board has indicated in writing to the City Clerk that Board approval is granted pending only the approval of the City Council.

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1102.09. Hours. Lawful gambling may be conducted only during the permitted hours of operation of the licensed on-sale establishment.

1102.11. Leases: Filing. A copy of the lease agreement between a non-profit organization and an on-sale licensee must be filed with the City Clerk within one week after execution of the lease. The lease must provide that the lessee may operate only after issuance of a license and premises permit from the Board and be subject to the terms of this Section.

*add
Brooklyn
Center,*
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Sec. 2. Crystal City Code, Subsection 1100.19, is repealed.

Sec. 3. This ordinance is effective in accordance with Crystal City Code, Subsection 110.11 and applies to gambling premises permit and bingo hall license applications received after August 1, 1990.

Dated: _____, 1990.

Mayor

Attest:

City Clerk

Memorandum

DATE: August 28, 1990
TO: Jerry Dulgar, City Manager
FROM: Joan Schmidt, Administrative Secretary
SUBJECT: Vandalism and desecration of gravestones

At the Human Relations Commission meeting of August 27, 1990, Morton Ryweck and Ardiss Wexler, representatives from the Anti-Defamation League, appeared and spoke regarding the reoccurring problem of vandalism, desecration of gravestones, and general disrespect for the dead in this area.

It was recommended that the City Council send a letter to School District 281 regarding these problems at Adath Chesel Shel Emes Cemetery, 37th & Winnetka Avenues, suggesting to them that an article be published in the Vita Link to make people aware and to approach the schools in educating children of this problem.

August 29, 1990

Addressee:

Dear _____:

Events occurring within the City of Crystal in the last few weeks have brought shame to not only Crystal, but surrounding communities. These events are the desecration of burial plots in a Jewish cemetery in Crystal.

The Crystal Human Relations Commission is calling upon those living near this cemetery to be alert to further possible acts of vandalism and to report any suspicions to the Crystal Police.

The Human Relations Commission further asks that citizens of the northwestern suburbs be vigilant in preventing violations to the dignity of all people. Teachers, please discuss this with your students. Parents, by example you show your children to respect or not respect others.

The Crystal Human Relations Commission was established to assist the Crystal City Council to improve the human relations attitude and behavior climate in the City. All citizens, however, will need to join with the City Council and Human Relations Commission in working to prevent similar acts in the future.

If you wish more information concerning how you can help in this regard, you are encouraged to attend the next regular meeting of the Human Relations Commission on Monday, September 25, at 7:00 p.m. in the Crystal City Hall.

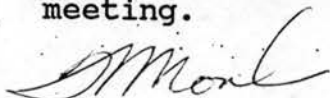
Sincerely,

Linda E. Museus
Chair
Human Relations Commission

DATE: August 27, 1990
TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
SUBJECT: Site Improvements at Walgreen's

The attached site improvement agreement was generated based on the site plan approved by the City Council. The improvements described include the virtual reconstruction of the corner property. It is recommended the site improvement agreement be approved and made a condition of building permit issuance.

Should the Council wish to review the site improvements in more detail, an exhibit will be available at Tuesday's meeting.



WM:jrs

Encl

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 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 Walgreen's, 6918 - 56th Avenue North consistent with the site plan dated 6/28/90.

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

- Remove bituminous areas, concrete curb and sidewalk.
- Construct concrete driveway apron across boulevard.
- Construct three curb openings at driveway and repair street adjacent.
- Close three driveway openings in curb and repair street adjacent.
- Construct V6 (minimum section) cast-in-place concrete barrier curb around parking lot.
- Construct parking area, access aisles and drives with a minimum of 6" Class 5 base and 2" bituminous surface.
- Stripe parking stalls with white paint.
- Erect two handicap parking stall signs.
- Construct storm sewer and appurtenances to collect and dispose of all surface water on the site.
- Erect stop signs at exits from parking area.
- Disconnect two abandoned water services at the main and restore disturbed area.
- Prepare and submit "as built" utility plans.
- Designate and sign fire lanes.
- 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 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
\$60,000 to insure the faithful performance of the above
construction work and requirements, said surety to be in the form
and manner as prescribed by law.

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

SEAL

CITY OF CRYSTAL

ATTEST:

MAYOR

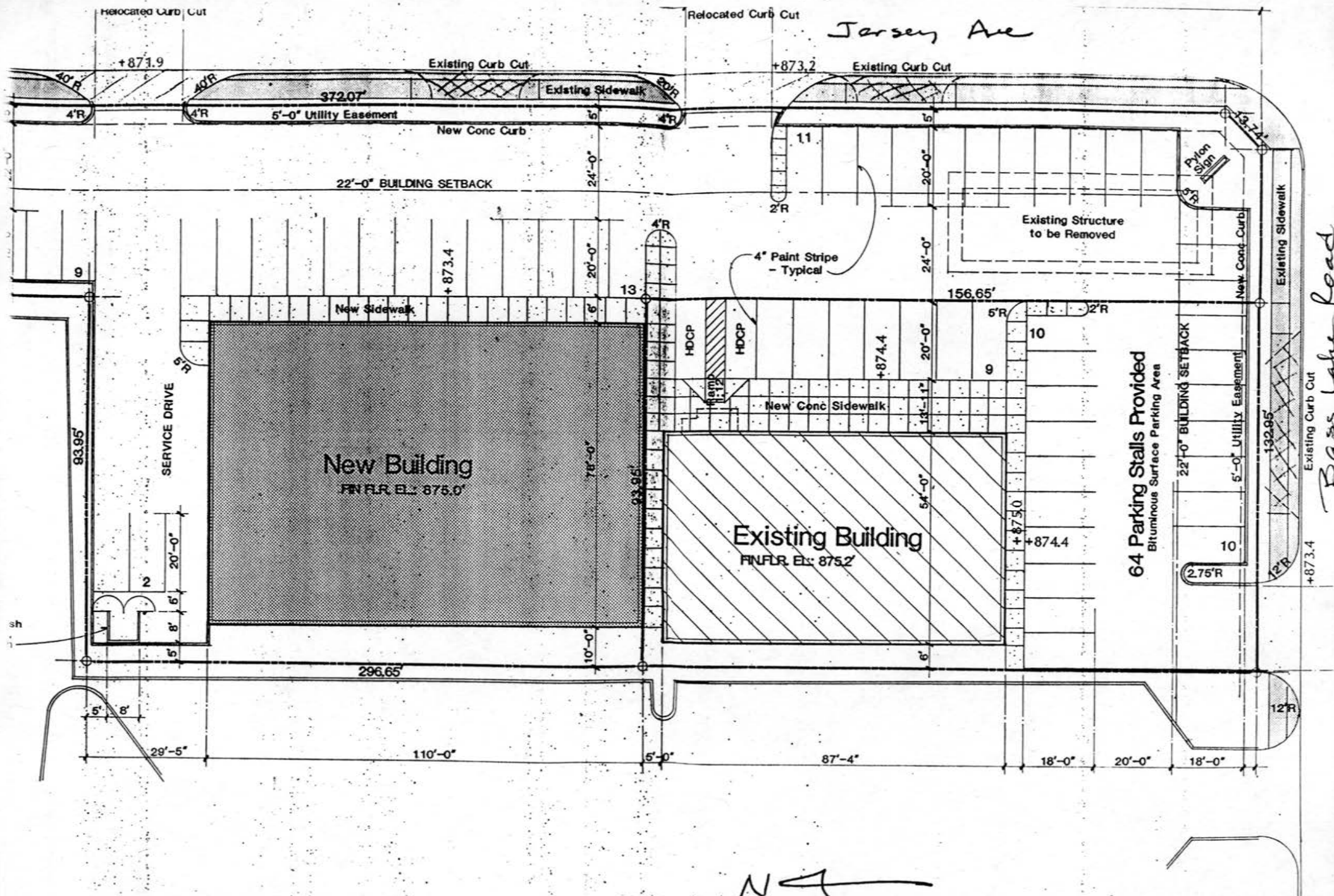
CITY CLERK

CITY MANAGER

IN THE PRESENCE OF:

SECOND PARTY

SECOND PARTY

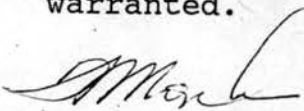


NA

Not to measurable
scale (reduced)

DATE: August 31, 1990
TO: Jerry Dulgar, City Manager
FROM: Bill Monk, City Engineer
SUBJECT: Feasibility Study for Drainage Situation on
46th Place North

I would like to review the attached draft feasibility study for storm sewer improvements on 46th Place North with the City Council. The drainage situation and recommended action are somewhat unusual and review at this point appears warranted.



WM:jrs

Encl

FEASIBILITY STUDY OF
DRAINAGE IMPROVEMENTS FOR
LOW LYING AREAS ALONG
46TH PLACE

AUGUST 30, 1990

~~DRAFT~~

On April 3, 1990 the City Council approved Resolution 90-22 directing the Engineering Department review options to alleviate drainage problems at 6321, 6401 and 6407 - 46th Place North. The single family residences at these locations have low back yards that will trap run-off from the area. Normally this run-off seeps away into the sandy soil. However, on March 11, 1990, a 2.5-inch rainfall event occurred while the ground was still frozen and flooded basements at 6321 and 6407 - 46th Place. It was this event that prompted area residents to submit a petition seeking relief.

Existing Conditions

Street and yard run-off in this section of Crystal drains in an eastward and northward direction. Although the terrain is generally flat, water must run to Douglas Drive and 47th Avenue before it is collected in storm sewers. During periods of heavy or intense rainfall, run-off on City streets does run quite deep but in most instances private property is not directly impacted. In this particular instance, drainage into the back yard areas is from surrounding private lots. This run-off cannot release onto the street because the back yards were excavated when the homes were constructed to accommodate construction of partial walkouts.

Potential Improvements

The only option available to the City in correcting this drainage situation involves extension of the municipal storm sewer from 47th Avenue. As noted on Exhibit A, an 18-inch diameter pipe could be extended south in the alley just west of Douglas Drive from 47th Avenue to 46th Place. The pipe would then extend west down 46th Place to the impacted residences. Two pipes would then need to be extended onto private property at 6321 and 6407 - 46th Place to provide outlets at the low spots and protecting the residence at 6401 - 46th Place.

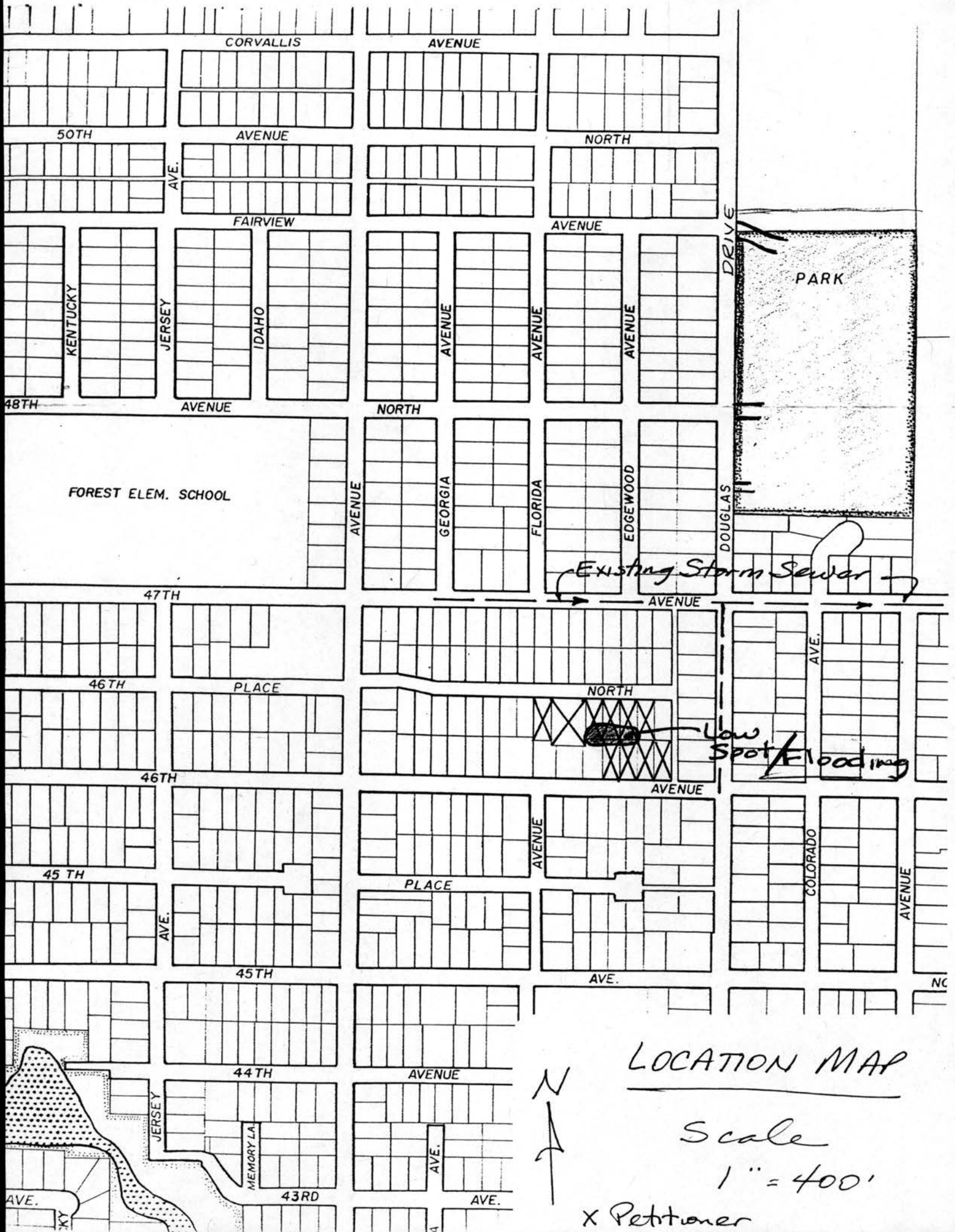
The cost for extension of the storm sewer is \$40,485. As noted in the attached itemization of costs, pipe material and restoration costs significantly impact the overall project.

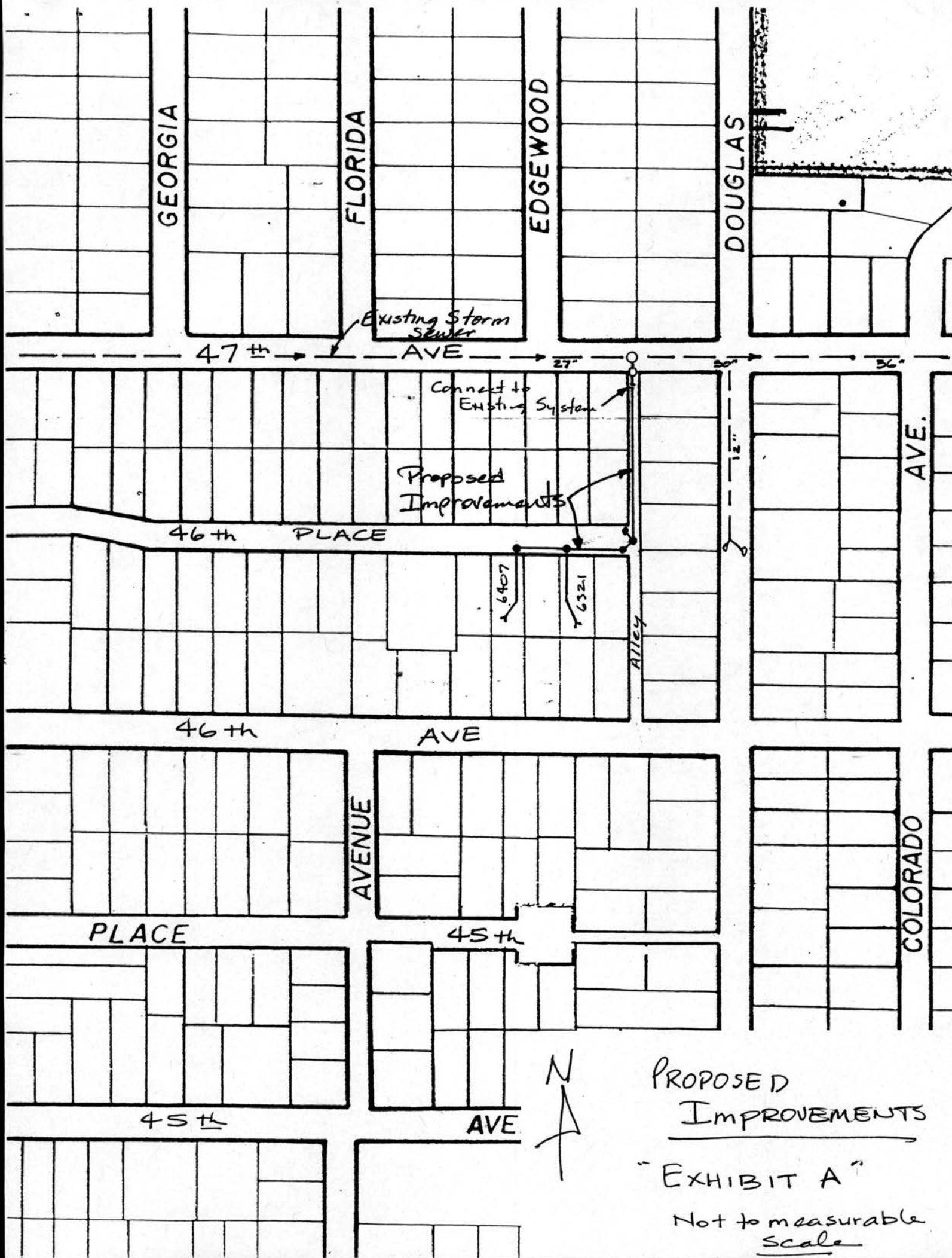
The high project costs also make it difficult to manage the assessment of benefited property. The tributary drainage area is quite small and results in large individual assessments that are difficult to justify in light of the seasonal and localized benefit to the flooded homes.

Conclusion

While extension of the municipal storm sewer noted above is feasible from an engineering prospective, I must question whether it is feasible in terms of economics. Establishing benefit to upland properties in a situation where only drainage from private property is involved would prove even more difficult than normal, which is hard enough in the first place.

I recommend at this point, Crystal work with the two affected residents on construction of back yard sumps where submersible pumps can be installed as needed with hoses outletting onto the street. While these installations are somewhat cumbersome, it appears the need for relief only arises with the frozen ground situation coupled with a sizeable rainfall. I feel the installation and operation of such a drainage system should be the responsibility of the impacted residents although Crystal personnel could assist in a number of ways to minimize costs.





PROPOSED
IMPROVEMENTS

"EXHIBIT A"

Not to measurable
Scale

CONSTRUCTION FOR 46TH PLACE NORTH
PETITION PROJECT FOR BACK YARD FLOODING

Work in Alley to Manhole and Catch Basins at 46th Place

	<u>Item</u> <u>Totals</u>
580 S.Y. Blacktop removal @ \$2.25	\$1,305
334 L.F. 18" RCP @ \$25.00	8,350
1 ea Manhole 0-8' Deep @ \$800.00	800
3 ea Catch Basins @ \$600.00	1,800
30 L.F. 12" CB Lead @ \$18.00	540
1 ea Connect to Existing Pipe @ \$400.00	400
580 S.Y. Blacktop Restoration @ \$6.00	3,480
150 S.Y. Yard Restoration @ \$3.50	<u>525</u>
	\$17,200

Work in 46th Place North and Across Private Property

600 S.Y. Blacktop Removal @ \$2.25	\$1,350
190 L.F. 15" RCP @ \$21.50	4,085
250 L.F. 12" RCP @ \$18.00	4,500
2 ea Manholes 0-8' Deep @ \$800.00	1,600
2 ea 12" FES @ \$250.00	500
600 S.Y. Blacktop Restoration @ \$6.00	3,600
100 S.Y. Yard Restoration @ \$3.50	<u>350</u>
	\$15,985
Total Construction	33,185
Engineering, Administration, Contingency	<u>7,300</u>
	\$40,485

HOLMES & GRAVEN

CHARTERED

470 Pillsbury Center, Minneapolis, Minnesota 55402

(612) 337-9300

DAVID J. KENNEDY

Attorney at Law

Direct Dial (612) 337-9232

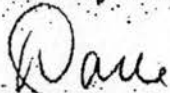
August 29, 1990

Ms. Julie Jones
City of Crystal
4141 Douglas Drive North
Crystal, Minnesota 55422

Dear Julie:

Enclosed is a revised compost ordinance changed as the Council directed.

Yours very truly,



David J. Kennedy

DJK:caw

Enclosure

DJK: 8/29/90

ORDINANCE NO. 90-_____

AN ORDINANCE

RELATING TO PUBLIC HEALTH: COMPOSTING:
AMENDING CRYSTAL CITY CODE, SUBSECTION 605.01:
AMENDING CRYSTAL CITY CODE, SECTION 605
BY ADDING A SUBSECTION.

THE CITY OF CRYSTAL ORDAINS:

Section 1. Crystal City Code, Subsection 605.01 is amended by adding a subdivision to read:

Subd. 17. "Compost" means the product of the biological degradation of plant material into an odor free brown material usable as a soil amendment or garden mulch: "compost" also means the physical structure wherein the composting process takes place: plant material that is neither contained or maintained as provided in this section is not a compost.

Sec. 2. Crystal City Code, Section 605, is amended by adding a subsection to read:

605.07. Composting. Subdivision 1. General Rule. A compost must be maintained or contained in a manner to prevent it from becoming a habitat for insects and rodents and creating objectionable odors.

Subd. 2. Permitted Contents. A compost may contain only plant material consisting of grass clippings, weeds, leaves, small twigs, evergreen cones and needles, wood chips, sawdust, and herbaceous garden debris.

Subd. 3. Prohibited Contents. The following materials may not be placed in a compost:

- a) garbage;
- b) refuse, except as provided in Subsection 605.03, Subdivision 2;
- c) rubbish;
- d) waste matter;
- e) fecal material;
- f) any matter of animal origin.

Subd. 4. Compost; Construction. A compost may be constructed of (i) wood, (ii) wire mesh, (iii) a combination of wood and wire, (iv) metal barrels with ventilation, or (v) commercially fabricated bins or barrels.

Subd. 5. Compost: Maintenance. The compost must periodically be mixed to incorporate air, properly mix wet and dry material, and promote rapid biological degradation. The compost must provide for adequate air circulation to prevent objectionable odors. The contents of the compost must be completely removed at least once a year.

Subd. 6. Compost: Location. A compost may not be placed closer than five feet from a property line. The compost may be located only in the rear yard of a residential lot and in the rear of commercial and industrial properties.

Subd. 7. Public Health Sanitarian: Advice. The City Manager is directed to prepare informational materials to assist persons operating a compost in the efficient and odor free operation of a compost and to offer technical assistance to those persons on the proper operation and maintenance of a compost.

Subd. 8. Nuisance. The operation of a compost in a manner that results in objectionable odors and the placing of prohibited materials in a compost is a public nuisance and may be abated as such under Section 2010 of this code.

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

Dated: _____, 1990.

Mayor

Attest:

Clerk

PUPS (Pets Under Police Security)

**Analysis of Animal Impound
Facility Needs for the Cities of:**

**Crystal
Brooklyn Center
Brooklyn Park
Golden Valley
Maple Grove
New Hope
Robbinsdale**

THE HISTORY

In the 70's many Metro Cities used an organization known as MAPSI (Municipal and Private Services Inc.) for animal control. MAPSI was the Minneapolis "dog catcher and dog pound."

Over time, cities experienced problems with MAPSI in the areas of dog handling, costs, public relations, billings, etc. Due to the extensive problems they had with MAPSI many cities switched from MAPSI to Funk's in the late 70's.

Funk's Animal Hospital, 7508 Jolly Lane, Brooklyn Park, was contracted to provide all animal impound services with the exception of the "dog catcher" role. Each city, typically through the Police Department individually or with other cities, hired employees to act as "dog catcher or animal warden." This arrangement with Funk's worked very well for many years.

On May 15, 1989, Dr. Funk sent letters to all cities using his animal hospital as an animal impound facility stating he would no longer be in the animal impound business effective September 1989. Dr. Funk wanted out of the impound business. His main reason being the bad public image a veterinarian gets running an animal impound facility. The other reason was his land value has increased and if he is made an offer to sell he may opt to do so.

Staff from Crystal, Brooklyn Center, Maple Grove, and Brooklyn Park pleaded with Dr. Funk to remain at his facility on a month-to-month lease because no other animal impound facility was available in the area. Dr. Funk agreed to a month-to-month arrangement only if the cities provided staff to maintain the animal impound facility. Brooklyn Park agreed to use their CSO's to staff the animal impound portion of Dr. Funk's facility.

The only other facility available for use in the Northwest Metro Area for animal impound was Corcoran Pet Care Center. Corcoran, being a small facility, cannot handle the additional cities who have used Funk's. On July 18, 1990, Crystal and New Hope and other Metro Area Cities were informed that Corcoran is cancelling their animal impound services effective September 1990.

THE STUDY

In 1989 the Cities of Crystal, Brooklyn Center, Brooklyn Park, Maple Grove, Robbinsdale, New Hope, and Golden Valley joined together to study the animal impound problem. The Committee surveyed 159 veterinarians, kennels, and boarding facilities in the Metro Area asking the following:

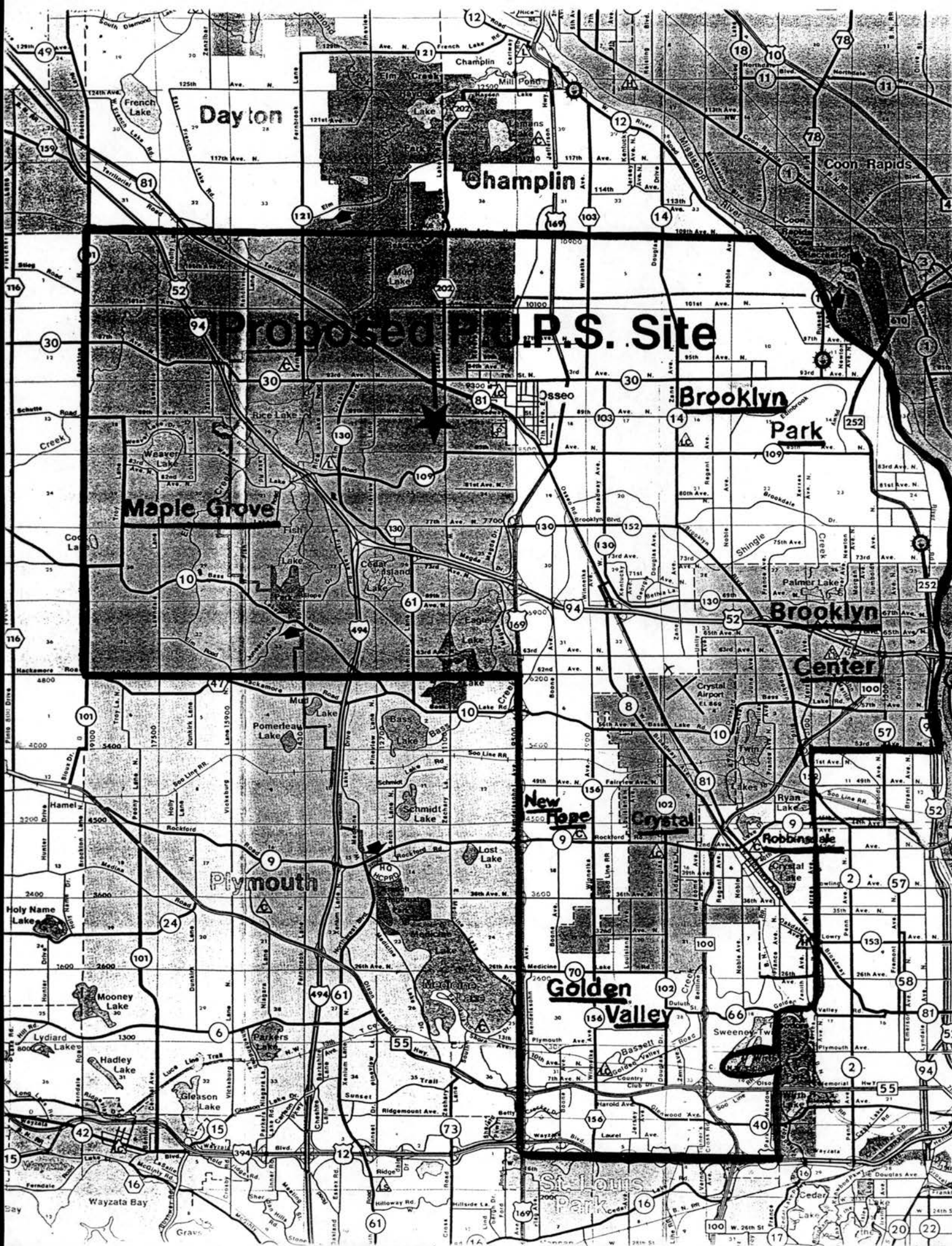
1. Do you have a facility the cities could use?
2. Are you interested in building a facility for us to use?
3. Are you interested in running a facility a city would build?

Out of 159 surveys sent, we received 60 responses. Two indicated we could use their facility. The problem with this was their facilities were located in St. Cloud and Maple Plain, Minnesota. The remainder of responses were not interested in any involvement with cities and an animal impound facility.

After review of the surveys and discussion with Hennepin County Animal Humane Society, and surveying cities in the Twin City Metro Area, the Committee decided to focus on finding property and building a facility.

THE SITE

After studying properties, cost and zoning in the seven cities on the Committee, Maple Grove purchased property adjacent to their public works building. Maple Grove needed the land for future public works/development use and would allow PUPS to purchase part of this land to build an animal impound facility.



THE FACILITY

The city managers from participating cities chose Roger Erickson from the Co-Partnership Architects to work on preliminary design of the PUPS facility.

Roger has previous work with the public sector with the cities of Rockford, Cologne, Blooming Prairie, and as consulting architect for St. Peter State Hospital for over ten years.

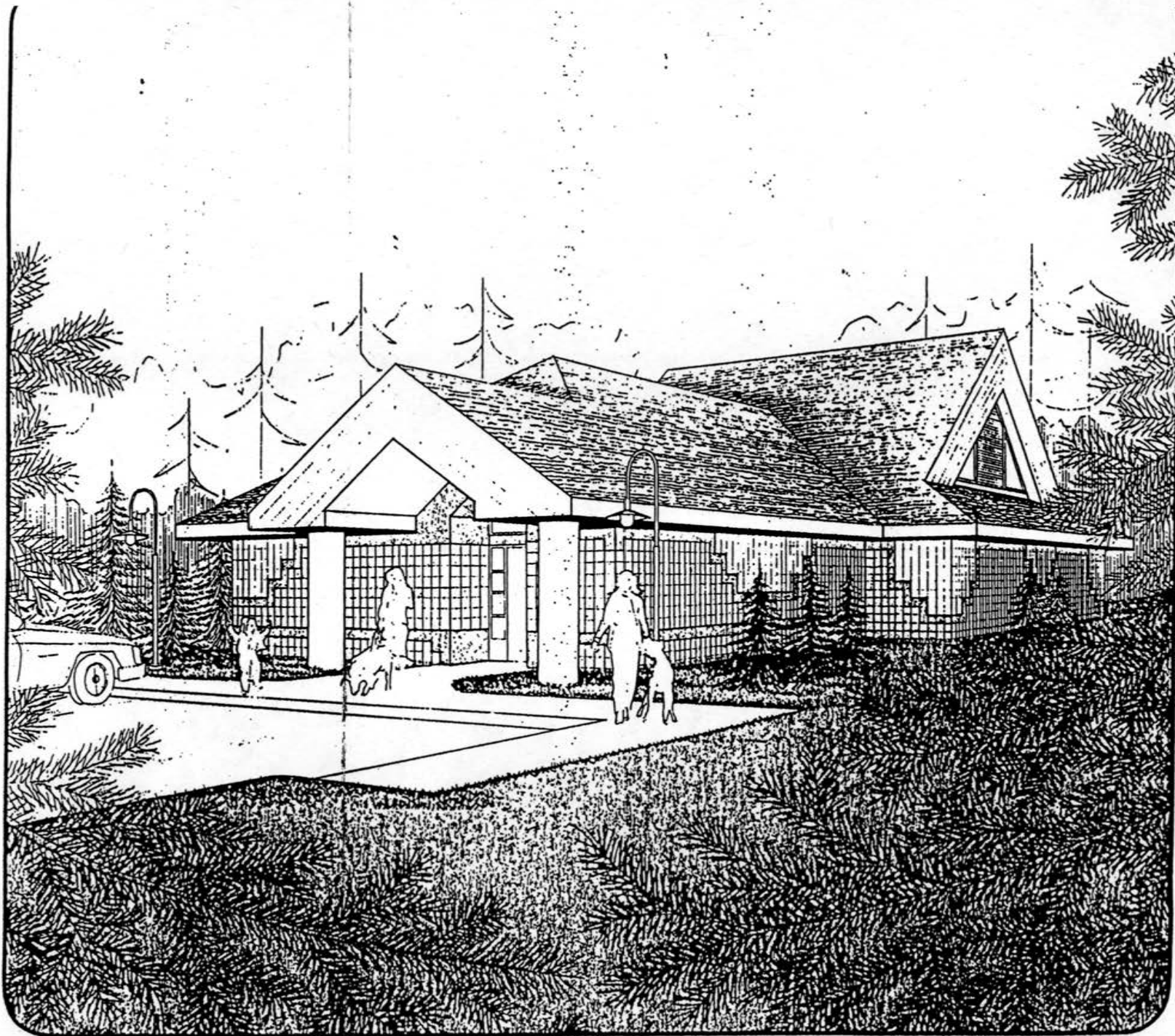
After months of working with the Committee, an animal impound facility was initially designed to meet the needs of the seven cities and to accommodate K-9. After cost evaluations of the planned facility, the separate K-9 kennel area was removed from the plan.

-Facility size is planned at approximately 4,625 square feet.

-There are plans for 20 large animal holding kennels which can be split to 40 at times of high use.

-There is room for a maximum of 30 small animal kennels.

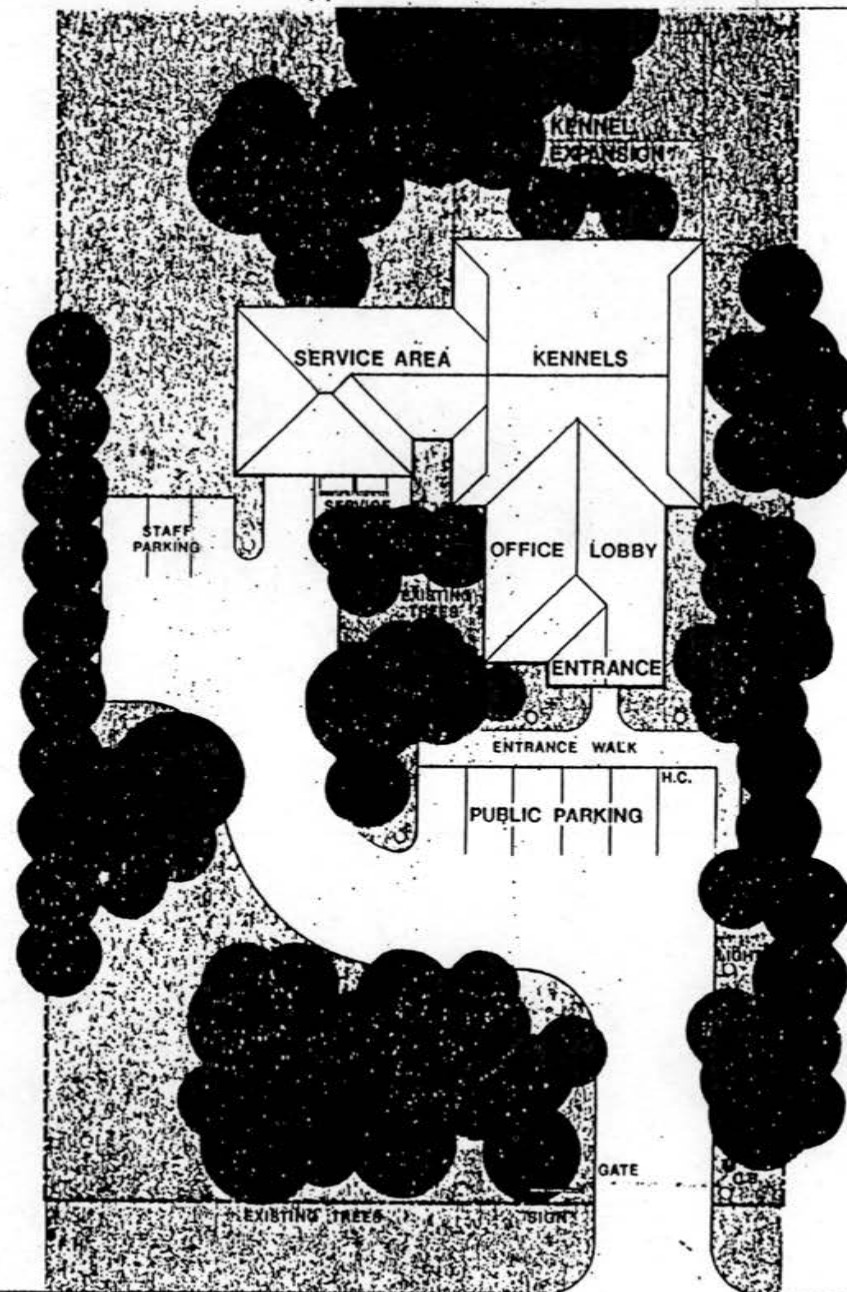
The size of the proposed facility was determined by totalling animal impounds for each of the seven cities from 1985 through 1989. Calculations of monthly averages of animal impounds for all cities combined were then determined. The monthly average figures combined with average length of stay per animal impounded helped to determine maximum and minimum kennel numbers needed to operate an animal impound facility for seven cities.



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28 AUG 90

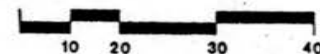
P.U.P.S. ANIMAL CONTAINMENT FACILITY

818 831-8932
the co-partnership ARCHITECTS
1124 EMBURY AVENUE SOUTH
MINNEAPOLIS, MINNESOTA 55425



SITE PLAN

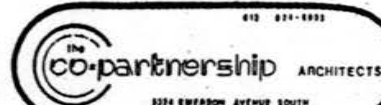
89th AVENUE NORTH

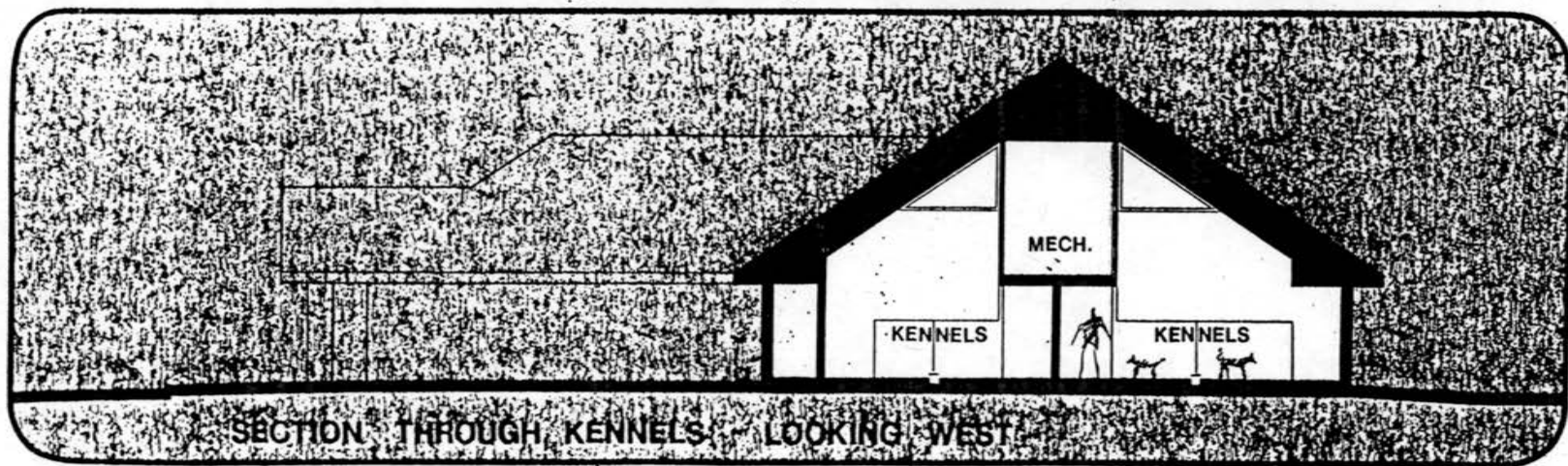
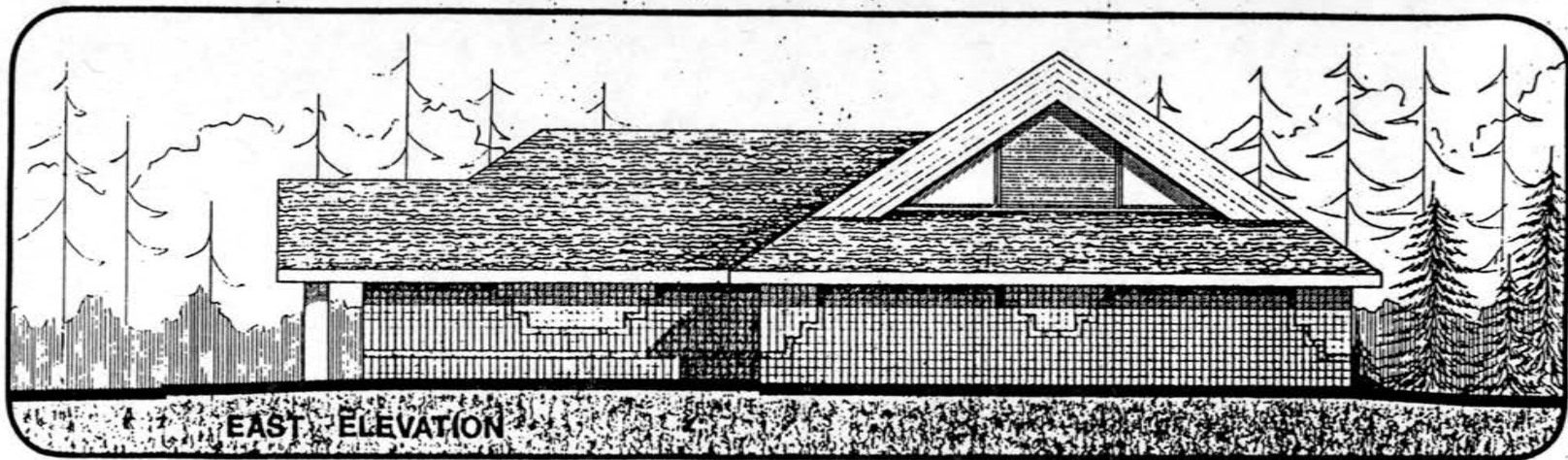
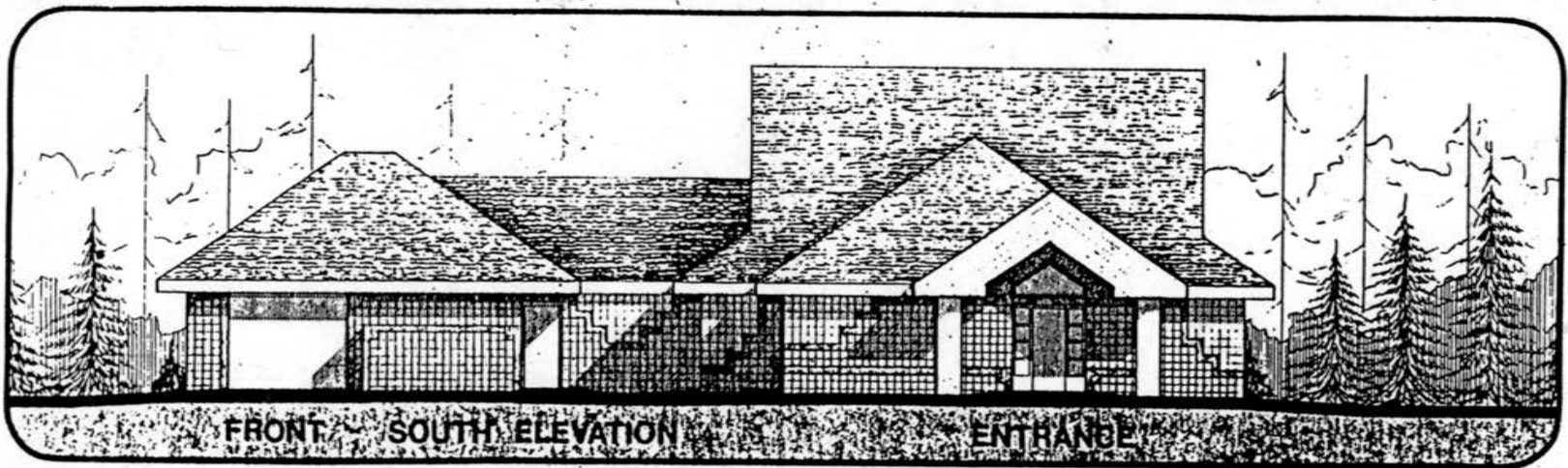


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P.U.P.S. ANIMAL CONTAINMENT FACILITY





THE COSTS

Since the facility is planned to be located in Maple Grove, it is recommended that they handle the front end financing and the accounting function for PUPS.

Capital costs

The Committee also recommended that capital costs which includes land, building, and equipment be charged on a percentage basis.

The percentage used for charging cities is determined by using figures for single family household (Hennepin County data), population (Met Council 1989 data) and three years of average impound. The Committee recommended using this formula to more fairly and evenly distribute costs by those who would actually use the facility.

Administrative costs

Administrative costs are recommended to be split equally among the seven members. These costs include utilities, refuse, telephone, and miscellaneous supplies. Administrative costs are those costs which are to operate the facility regardless if there are animals in the facility or not.

Animal costs

Animal costs are recommended to be split by actual impound use. Animal costs consist of food, water, personnel, etc. Costs under the animal category are those that are directly related to care of the animals.

Revenues

Any revenues collected from impound fees or licensing would be set and monitored by each city. Currently, each city sets and collects their own fees from impounding of animals. The committee recommends continuing with this current practice. Revenue is not shown in any of the cost estimate figures.

PUPS COST ESTIMATE

		COSTS	TOTAL CAPITAL	OPERATIONS & ANIMAL ONLY
BROOKLYN PARK	CAPITAL	\$201,252		
	ADM.	\$3,493	\$201,252	\$18,203
	ANIMAL	\$14,711		
MAPLE GROVE	CAPITAL	\$141,663		
	ADM.	\$3,493	\$141,663	\$14,944
	ANIMAL	\$11,451		
BROOKLYN CENTER	CAPITAL	\$105,922		
	ADM.	\$3,493	\$105,922	\$10,190
	ANIMAL	\$6,697		
CRYSTAL	CAPITAL	\$87,120		
	ADM.	\$3,493	\$87,120	\$8,068
	ANIMAL	\$4,575		
GOLDEN VALLEY	CAPITAL	\$82,649		
	ADM.	\$3,493	\$82,649	\$5,640
	ANIMAL	\$2,147		
NEW HOPE	CAPITAL	\$78,768		
	ADM.	\$3,493	\$78,768	\$5,832
	ANIMAL	\$2,339		
ROBBINSDALE	CAPITAL	\$54,225		
	ADM.	\$3,493	\$54,225	\$6,317
	ANIMAL	\$2,825		
	TOTALS:		=====	=====
			\$751,600	\$69,195

PUPS COST ESTIMATES

17-Aug-90

CAPITAL COSTS: (SPLIT BY PERCENTAGE)

LAND	\$50,000	150FT BY 240FT, APPROX .82 ACRES
BUILDING	\$515,000	BUILDING AND SITE DEVELOPMENT
	\$39,800	ARCHITECTURAL AND ENGINEERING FEES
	\$4,000	SOIL TESTING AND SURVEYS
	\$19,500	BUILDING PERMIT AND SAC CHARGES
	\$77,250	BUILDING CONTINGENCY 15%
	\$30,000	FINANCING COSTS
EQUIPMENT	\$16,050	EQUIPMENT & FURNITURE NEEDED

=====

TOTAL CAPITAL: \$751,600 ESTIMATE

ADMINISTRATIVE COSTS: (SPLIT EQUALLY)

UTILITIES	\$13,500	ELE, GAS, WTR/SWR, REFUSE, PHONE
MISC. EQUIP.	\$750	OFFICE SUPPLIES AND SMALL TOOLS
INSURANCE	\$5,000	GEN. LIA, PROPERTY, E&O
SECURITY	\$600	SECURITY MONITORING
CONTRACT	\$500	EQUIPMENT MAINTENANCE CONTRACT
VET	\$500	LICENSED VETERINARY CONSULTANT
EXTERIOR MAINT.	600	MAINTENANCE ON EXTERIOR OF BLDG.
FINANCING	\$3,000	MAPLE GROVE FEES - FINANCIAL PROCESSING

=====

TOTAL ADM: \$24,450 ESTIMATE

ANIMAL COSTS: (SPLIT BY IMPOUND USE)

PERSONNEL	\$35,620	1 FULL TIME, 1 PART TIME EMPLOYEE
TRAINING	\$500	
COUNSELING	\$500	EUTHANASIA RELATED
FOOD ETC.	\$3,750	FOOD, BEDDING, AND SUPPLIES
REMOVAL	\$4,175	\$12.50 PER ANIMAL EST. (25% EST.)
SUPPLIES	\$200	EUTHANASIA SUPPLIES

=====

TOTAL ANIMAL: \$44,745 ESTIMATE

PUPS CALCULATIONS

CITY	HOUSEHOLD POPULATION		87-89 AVG IMPOUND	TOTAL	%
BP	14,500	55,294	384	70178	26.78
MG	11,371	37,729	299	49399	18.85
BC	8,183	28,578	175	36936	14.09
CRY	7,445	22,815	119	30379	11.59
GV	6,951	21,813	56	28820	11.00
NH	4,726	22,680	61	27467	10.48
ROB	4,559	14,276	74	18909	7.21
=====					
TOTAL	57,735	203,185	1,167	262,087	100

POPULATION FIGURES OBTAINED FROM MET. COUNCIL. FIGURES ARE FOR 1989

HOUSEHOLD FIGURES ARE 1989 SINGLE FAMILY UNITS AS RECORDED BY
HENNEPIN COUNTY PROPERTY DIVISION

THE JOINT POWERS AGREEMENT

A Joint Powers Agreement was drafted by the Committee members working with Crystal City Attorney Dave Kennedy of Holmes and Graven. The joint powers for PUPS details out the purpose, membership, meetings, powers and duties etc. of PUPS.

It is the consensus of the Committee that initial members are responsible for 100% of capital costs regardless of length of time of use of PUPS facility.

Once the Joint Powers agreement is passed by all Cities, the Board of Directors will meet to develop the by-laws which will detail out the formal operations of the PUPS organization.

THE RECOMMENDATION

The Committee recommends the City Council of each of the seven cities take the following action:

1. Approval of the PUPS Joint Powers Agreement by council resolution, which also allows for capital and 1991 operating costs for PUPS to be allocated.
2. Council appointment of each city's director and alternate director to work within the PUPS by-laws, operating guidelines and Joint Powers Agreement.

8/90
N. Gohman

RESOLUTION NO. _____

RESOLUTION RELATING TO ANIMAL
CONTROL: AUTHORIZING MEMBERSHIP OF
THE CITY IN PETS UNDER
POLICE SECURITY (PUPS)

BE IT RESOLVED by the City Council of the City of _____,
Minnesota:

Section 1. Background: Findings.

1.01. The City is authorized to protect the public health, safety and welfare by conducting an animal control program (Program). The Program consists, among other things, of the impoundment of dangerous, stray, unlicensed and unvaccinated animals.

1.02. The City has been unable to contract with a suitable private animal control agency to assist the City in the Program. It is found and determined that it is necessary and desirable to provide for municipally owned and operated facilities to perform impoundment services under the Program.

1.03. Minnesota Statutes, Section 471.59 (Act) authorizes the City to perform municipal functions by contract jointly with other political subdivisions of the State. The City has participated in a study of a joint animal impound facility conducted by the cities of Brooklyn Center, Brooklyn Park, Crystal, Golden Valley, Maple Grove and Robbinsdale (the Cities). The Cities have recommended the formation of an organization under the Act to be known as Pets Under Police Security (PUPS).

1.04. A form of contract (Contract) creating PUPS and setting forth its basic powers and duties has been presented to the Council. The Council has reviewed the Contract and a copy is on file with the Clerk.

1.05. It is found and determined that it is in the best interests of the City that the City execute and deliver the Contract.

Section 2. Authorization: Findings.

2.01. The Contract is approved.

2.02. The Mayor and City Manager are authorized and directed to execute and deliver the Contract on behalf of the City.

2.03. The Clerk is authorized and directed to deliver a certified copy of this resolution together with the executed contract to the City Clerk of the City of Crystal.

Section 3. Representative Appointment.

3.01. _____ is appointed the City's
representative on the PUPS Board and _____
as alternate representative.

Mayor

Attest:

City Clerk

JOINT AND COOPERATIVE AGREEMENT

PETS UNDER POLICE SECURITY

The parties to this agreement are governmental units of the State of Minnesota. This agreement is made and entered into pursuant to Minnesota Statutes, section 471.59.

ARTICLE I. GENERAL PURPOSE

The general purpose of this agreement is to create an organization by which the parties may jointly and cooperatively provide for the efficient and economical impoundment of animals coming into their possession in the course of the conduct of municipal animal control programs in a jointly owned and operated animal control impound facility.

ARTICLE II. DEFINITIONS

Section 1. For purposes of this agreement the terms defined in this Article have the meanings given them.

Section 2. "Agreement" means this agreement.

Section 3. "Board" means the board of directors created by Article IV.

Section 4. "Director" means a director or alternate director appointed under Article IV of this agreement.

Section 5. "Governing body" means the city council or other governing body of a member.

Section 6. "Governmental unit" means a home rule city, a statutory city, and any political subdivision of the state authorized to take possession of and impound animals as part of an animal control program.

Section 7. "Member" means a governmental unit which is a

party to this agreement and is in compliance with and in good standing under this agreement.

Section 8. "Pets Under Police Security (PUPS)" means the organization established by this agreement.

ARTICLE III. MEMBERSHIP

Section 1. Any governmental unit is eligible to be a member of PUPS.

Section 2. The initial members of PUPS are the cities of Brooklyn Center, Brooklyn Park, Crystal, Golden Valley, New Hope, Maple Grove and Robbinsdale.

Section 3. A governmental unit other than an initial member desiring to be a member of PUPS may do so by executing and delivering a copy of this agreement in the manner provided by Article XII and complying with its terms. The board must approve or disapprove the admission of a governmental unit. The board may impose reasonable conditions on the admission of members and establish procedures for the removal of a member for cause. A governmental unit becoming a member must pay to PUPS a sum equal to the capital contribution obligation of the initial members pursuant to Article VIII.

ARTICLE IV. BOARD OF DIRECTORS

Section 1. The governing body of PUPS is its board of directors. A member must appoint one director to the board. A director has one vote. A member may appoint one alternate director. The alternate director may attend meetings of the board and may vote in the absence of that member's director.

Section 2. Directors are appointed by resolution of the governing body of a member. The appointing resolution must be filed with the secretary-treasurer. The resolution must be accompanied by the director's address for purposes of notice.

Section 3. The term of a director is one year. The terms of directors initially appointed expire on December 31, 1990. Directors serve until their respective successors are appointed and qualify.

Section 4. A director may be removed from the board at any time, with or without cause, by resolution of the governing body making the appointment. The resolution removing the director must be filed with the secretary-treasurer.

Section 5. A vacancy on the board is filled in the same manner that an appointment of a director is made.

Section 6. Directors may not vote by proxy.

Section 7. A director may not vote if the board determines that the member represented by the director is not in compliance with this agreement or if the director has been removed from the board.

ARTICLE V. MEETINGS

Section 1. The directors of the initial members must conduct an organizational meeting no later than 30 days after the effective date of this agreement. At the organizational meeting, or as soon thereafter as is reasonably possible, the board must elect its officers and adopt such by-laws and other procedures governing the conduct of its meetings and its business as it deems appropriate.

Section 2. The board must conduct an annual meeting at a date and place specified in its by-laws to elect officers and to undertake such other business as may properly come before it. The board may provide for a schedule of regular meetings. A regular meeting must be held once in each calendar quarter in the year 1990 and thereafter as provided by the by-laws.

Section 3. A special meeting of the board may be called by the president or by the secretary-treasurer upon written request of such number of directors as specified by the by-laws. Notice of a special meeting must be mailed to directors at least five days prior to the special meeting and in accordance with law. Business at special meetings is limited to matters contained in the notice of the special meeting.

ARTICLE VI. OFFICERS: COMMITTEES

Section 1. The officers of the board are a president, a vice president and a secretary-treasurer elected for a term of one year by the directors at the organizational meeting and at the annual meeting. The board may designate directors to act as officers in the absence of an officer.

Section 2. The president presides at meetings of the board. The secretary-treasurer is responsible for records of proceedings of the board, the funds and financial records of the board, and such other matters as may be delegated to the secretary-treasurer by the board.

Section 3. The president and the secretary-treasurer must sign vouchers or orders disbursing funds of PUPS. Disbursement must be made in the method prescribed by law for statutory cities.

Section 4. The board may in its by-laws provide for and define the duties of such other officers as it determines necessary from time to time.

Section 5. The board may in its by-laws provide for such committees as it determines necessary from time to time. A by-law providing for an executive committee and defining the powers and duties of an executive committee may be adopted only by a favorable vote of all members of the board.

ARTICLE VII. POWERS AND DUTIES

Section 1. The board may take such actions as it deems necessary and convenient to accomplish the general purposes of this agreement.

Section 2. The board may:

- a) enter into contracts with public or private agencies or persons to carry out its powers and duties;
- b) provide for the prosecution, defense, or other participation in proceedings at law or in equity in which it may have an interest;
- c) employ such persons as it deems necessary on a part-time, full-time or consultant basis;
- d) purchase, hold or dispose of real and personal property;
- e) contract for space, commodities or personal services with a member or group of members;
- f) conduct research in animal control matters;

- g) accept gifts, apply for and use grants or loans of money or other property from the state, the United States of America, and from other governmental units and may enter into agreements in connection therewith and hold, use and dispose of such money or property in accordance with the terms of the gift, grant, loan or agreement relating thereto; and
- h) apply for and pay premiums on policies of insurance and surety bonds for personnel in such amounts as deemed necessary, provided that the board must provide that the organization or each of its members has public liability insurance coverage in the maximum liability amounts specified in Minnesota Statutes, section 466.04.

ARTICLE VIII. FINANCIAL MATTERS

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

Section 2. The board must adopt an annual budget prior to July 1 of each year. The board must give each member a reasonable opportunity to comment or object to the proposed budget before adoption. Notice of the adopted budget must be mailed promptly thereafter to the chief administrative officer of each member. The budget is deemed approved by each member unless a member gives written notice to the secretary-treasurer that the member is withdrawing at the end of the year as provided in Article X.

Section 3. Operational and capital costs are to be shared according to methods agreed upon by unanimous vote of the board.

Those methods may include membership dues and fees, charges for services to members, and charges for capital costs to members.

Section 4. Billings to PUPS members are due and payable no later than 30 days after mailing. In the event of a dispute as to the amount of a billing, a member must nevertheless make payment as billed to preserve membership status. The member may make payment subject to its right to dispute the bill and exercise any remedies available to it. Failure to pay a billing within 60 days results in suspension of voting privileges of the member's director. Failure to pay a billing within 120 days is grounds for termination of membership but PUPS rights to the billing are not affected by termination of membership.

Section 5. The board must provide in the by-laws for the reporting to the members of the receipts and disbursements and the financial condition of the organization at regular intervals not less than quarterly.

ARTICLE IX. ADMINISTRATOR

Section 1. PUPS may appoint an administrator. The administrator may be employed on a full-time, part-time or consulting basis.

Section 2. The administrator, if appointed, has those powers and duties specified in the by-laws and delegated by the board. The administrator reports to and is responsible to the board.

ARTICLE X. WITHDRAWAL

Section 1. A member may withdraw from PUPS no later than 30 days after the adoption of the budget by giving written notice to

the secretary-treasurer. The notice must be accompanied by a certified copy of a resolution adopted by the governing body of that member authorizing its withdrawal from membership. The withdrawal is effective at the end of the calendar year in which notice is given.

Section 2. The withdrawal of a member does not affect that member's obligation to pay fees, charges or contractual charges for which it is obligated under this agreement.

ARTICLE XI. DISSOLUTION: AMENDMENT

Section 1. PUPS may be dissolved by a two-thirds vote of the members in good standing. Dissolution is mandatory when the secretary-treasurer has received certified copies of resolutions adopted by the governing bodies of the required two-thirds of the members requesting dissolution of PUPS.

Section 2. In the event of dissolution, the board must determine the measures necessary to effect the dissolution and must provide for the taking of such measures as promptly as circumstances permit, subject to the provisions of this agreement and law.

Section 3. In the event of dissolution and following the payment of all outstanding obligations assets of PUPS will be distributed among the then existing members in direct proportion to their cumulative annual membership contributions. If those obligations exceed the assets of PUPS the net deficit of PUPS will be charged to and paid by the then existing members in direct proportion to their cumulative annual membership contributions.

Section 4. In the event of dissolution the City of Maple Grove has the right of first refusal to purchase the land and buildings on which the initial PUPS impound facility is located.

Section 5. This agreement may be amended by an affirmative vote of all members.

ARTICLE XII. EFFECTIVE DATE; DURATION

This agreement continues in effect indefinitely unless terminated in accordance with its terms. This agreement is effective on the day that executed copies of this agreement accompanied by the member resolution authorizing its execution is filed by the initial members with the city clerk of the City of Crystal.

IN WITNESS WHEREOF, the undersigned governmental unit has caused this agreement to be executed by its duly authorized officers and delivered on its behalf as of this ____ day of _____, 1990.

CITY OF _____

By _____
Its _____

And _____
Its _____

Received and filed by the City
of Crystal this ____ day of
_____, 1990.

RESOLUTION NO. 90-

RESOLUTION APPROPRIATING PIR FUNDS FROM
PART B FOR THE SEVEN CITY ANIMAL IMPOUND FACILITY
PUPS (PETS UNDER POLICE SECURITY)

WHEREAS, the total cost associated with the PUPS (Pets Under Police Security) seven cities animal impound facility is summarized in a document from the Assistant Manager dated 8/90 (are estimated at \$87,120, and

WHEREAS, the capital costs for PUPS is to be paid over a five year period in an amount not to exceed \$87,120,

the City of NOW, THEREFORE, BE IT RESOLVED, that the ~~City of~~ ^{*Crystal City Council*} Crystal ~~Council~~ appropriate up to \$87,120 from Part B of the PIR Fund towards capital costs of PUPS seven city animal impound facility as outlined in stated document noted above.


Adopted by the Crystal City Council this fourth day of September, 1990..

Mayor

ATTEST:

City Clerk

MEMORANDUM

TO: David J. Kennedy
FROM: Julie A. Lawler 
RE: Crystal Police Relief Association - 1990 Proposal
Our File No. CR205-045
DATE: January 12, 1990

The Crystal Police Relief Association (Association) is proposing that the City of Crystal (City) include as salary the monthly longevity and educational incentive payments it makes to police officers for purposes of determining Association members' pension contribution rates. The City matches member contributions to the Association so any increase in the members' contribution rates will also raise the City's contribution requirements. Longevity payments are bonus-type payments the City makes to police officers the amount of which is determined by his or her number of years with the force. Educational incentive payments are also bonus-type payments made by the City to police officers after they have completed and received credit for a specified number of job-related college courses. Educational incentive payments are only available to officers who joined the force before March 31, 1986, according to the labor agreement between the City and the officers. Both payments are awarded annually in a lump sum, but paid out monthly in the officers' paychecks.

A 1969 special law excludes longevity payments from "regular monthly salary" for purposes of calculating the contribution rate to the Crystal Police Relief Association. Act of June 6, 1969, ch. 1087, 1969 Minn. Laws 2218 (1969 special law). The 1969 special law does not mention educational incentive payments. The Association submitted a legal opinion to the City in favor of its proposal which concluded that the 1969 special law had been superseded by subsequent legislation and that, according to Minnesota case law, educational incentive and longevity pay should be considered regular monthly salary. You asked me to review the opinion and the law in this area.

I. Overview

According to the current collective bargaining agreement between the City and the police officer's union, officers may choose between longevity and educational incentive pay. See Article XXI, Labor Agreement between the City of Crystal and Law Enforcement Labor Services, Inc., Local 44 (attached). Both supplementary payments are described in Article XXI and it is clear that both the union and the City agreed that the choice of one form of payment would preclude receipt of the other. They are, for all practical purposes, two options of the same benefit.

According to Assistant City Manager John Olson, the City is not as concerned with the potential educational incentive payment inclusion as it is with the potential longevity payment inclusion. Only a few officers receive educational incentive payments now and he anticipates that within the next few years, they will change over to longevity

payments because it is too difficult to keep up with the additional credits needed to receive bigger educational incentive payments.

In light of these facts, the important issue seems to be whether the 1969 special law was superseded by subsequent legislation. The subsequent statutes and case law do not support the Association's argument in favor of that position.

II. Analysis

The Association asserts that legislation which followed the 1969 special law supersedes the 1969 special law because it raises the contribution rate and requires municipal compliance. If a statute is superseded by later legislation, it has really been repealed without the use of a statutory repealer. The Association also believes that several state courts, including those in Minnesota, have held or would hold that longevity pay is salary thereby judicially amending the 1969 special law. Finally, the Association contends that since educational incentive pay was not specifically excluded from the 1969 special law's definition of "salary," the legislature intended to include it.

A. Statutory Authority

In 1969, the Minnesota Legislature passed a special law applicable only to Crystal which regulates the City's police relief association. Act of June 6, 1969, ch. 1087, 1969 Minn. Laws 2218. Section 1 provides that six percent of the, "regular monthly salary of a first grade patrolman, exclusive of all monies for special assignments, allowances, or longevity payments," is to be deducted from each Association member's check for pension purposes. *Id.* at \$1.

In 1980, the legislature overhauled the state's public pension laws. One of the changes provided that for municipalities retaining a local police relief association, "the contribution rate of members" is governed by Minn. Stat. §69.77, "unless a special law establishing a greater member contribution rate is applicable whereupon it shall continue to govern." Minn. Stat. §423A.01 (1988). The Association relies on this language to assert that sections 423A.01 and 69.77 completely supersede the 1969 special law.

Section 645.39 of the Minnesota Statutes states that all former laws are repealed under a law which, "purports to be a revision of all laws on a particular subject or sets up a general or exclusive system concerning the entire subject matter of a former law and is intended as a substitute," for the former law. Minn. Stat. §645.39 (1988). The statute goes on to say that all local or special laws on a subject are repealed when a general law establishes a uniform and mandatory system covering the subject. *Id.* The last sentence of the statute, however, says that in all other cases, "a later law shall not be construed to repeal an earlier law unless the two laws are irreconcilable." *Id.*

By establishing the Public Employees' Retirement Association and making enrollment mandatory for all police officers and fire fighters employed after June 15, 1980, the legislature would appear to have enacted a general system of laws covering public employee retirement. Yet the new

statutory scheme allows the former system of local relief associations to exist, at least until their members have retired. The new statute seems only to change the former system's contribution rate. In all other ways, it appears the legislation intended to allow the relief associations to run themselves out according to their own rules.

For example, section 69.77 applies to a relief association, "which is established and operates in whole or in part pursuant to special legislation." Minn. Stat. §69.77, subd. 1a(4) (1988). It states that a municipality may contribute public funds to the operation and maintenance of a relief association, "only if the municipality and the relief association comply with the provisions of this section." Minn. Stat. §69.77, subd. 1 (1988). The statute then increases the member contribution rate to eight percent. Minn. Stat. §69.77 subd. 2a (1988).

Section 69.77 does not appear to supersede the 1969 special law. It merely changes the members' contribution rate from six percent to eight percent. The statute specifically recognizes that some relief associations are governed by special legislation. It also states that municipalities with such associations must comply with its provisions. A compliance requirement in one statute does not mean that all other related statutes are suddenly superseded. Minnesota courts established a rule of construction many years ago which states that where a later statute addresses part of a subject covered comprehensively by prior legislation, the two are to be construed together and the later statute is only a qualification to the earlier statute where they are repugnant. State v. Weed 208 Minn. 342, 294 N.W. 370 (1940). Section 69.77 changes the contribution rate, it does not redefine "salary" for the Crystal Police Relief Association pension fund or any local relief association.

B. Longevity Pay

The Association attempts to prove that longevity pay should be included in the term "salary" under current case law in Minnesota and around the country. Their position appears to be that if longevity pay is considered salary in case law, the 1969 special law could have been judicially repealed. The opinion cites only one authoritative Minnesota case for that proposition. The Minnesota Court of Appeals, in Fairmont Policemen's Benefit Association v. City of Fairmont, 437 N.W.2d 757 (Minn. App. 1989), interpreted the term "prevailing pay" in a special law which describes the Fairmont Police Retirement Association fund requirements. The Fairmont special law says:

In determining the salary for use as a base benefit calculation for the Police Relief Association, the prevailing pay of a first class patrolman in the police department of the City of Fairmont shall be used.

Act of May 18, 1977, ch. 100, §7, 1977 Minn. Laws 184.

Having nothing more than the term "prevailing pay" to interpret, the court turned to Minnesota's Fair Labor Standards Act, Minn. Stat. §§177.21 - .44

(1988), and relied on its definition of "prevailing wage rate" to include longevity pay in the definition of "prevailing pay." The court used this approach because the terms resembled one another. Fairmont, 437 N.W.2d at 759.

The Fairmont decision does nothing new; it does not make a statewide change in the legal definition of salary. The court merely interprets the Fairmont special law where no additional information was given by the legislature. The Crystal 1969 special law, on the other hand, defines salary and specifically excludes longevity payments. That definition is not jeopardized by the Fairmont court's ruling.

C. Educational Incentive Pay

The issue of educational incentive pay, as mentioned earlier, is almost moot. Educational incentive pay, to the extent it is still paid by the City, might be suspect because it is not specifically excluded from the definition of salary in the 1969 special law. Neither is it excluded from the definition of salary in the Public Employee's Retirement Association Act, Minn. Stat. §§353.01 - .87 (1989). Judy Stoebel, a Public Employee's Retirement Association (PERA) representative (296-7497), informed me that payments like educational incentives are presently evaluated on a case by case basis by the PERA to determine whether they qualify as contribution level salary. PERA officials intend to request that the legislature clarify during the coming session whether bonus-type payments paid in monthly installments like educational incentive and longevity pay are salary on which contribution calculations should be made.

On a surer note, the Crystal collective bargaining agreement grouped educational incentive and longevity payments in the same contract section, Article XXI. The parties agreed that the officers could choose one in lieu of the other to constitute this benefit. Since the parties agreed that these payments were really the same benefit in different optional forms, educational incentive payments do not appear to be separable from longevity payments and, therefore, would be excluded from the definition of salary in the 1969 special law.

III. Conclusion

The Association's legal opinion concluded that the 1969 special law was superseded by subsequent legislation and that under current statutory and case law, both educational incentive and longevity payments should be included in the definition of salary for purposes of determining a local relief association member's pension contributions. Evidently, the law is not quite that clear. It is, in fact, unlikely that the 1969 special law has been repealed or superseded. Subsequent legislation only changed the contribution rate from six percent to eight percent and does not seem to have redefined the term "salary." Furthermore, the collective bargaining agreement between the City and the police officer's union considers educational incentive and longevity payments to be two options of the same benefit. Since longevity payments are excluded from the operative definition of salary, the parties appear also, by virtue of the collective bargaining agreement, to have excluded educational incentive payments.

JAL:kt

the retiree desires to continue family coverage, the additional cost for family coverage shall be paid monthly by the retiree to the City of Crystal.

ARTICLE XVIII STANDBY PAY

Employees required by the EMPLOYER to standby shall be paid for such standby time at the rate of one (1) hour's pay for each hour on standby.

ARTICLE XIX UNIFORMS

The EMPLOYER shall provide required uniform and equipment items. The Employer will provide any required plainclothes dress.

ARTICLE XX INJURY ON DUTY

Employees injured during the performance of their duties for the EMPLOYER and thereby rendered unable to work for the EMPLOYER, will be paid the difference between the employee's regular pay and Worker's Compensation insurance payments for a period not to exceed ninety (90) working days per injury, not charged to the employee's vacation, sick leave or other accumulated paid benefits, after a five (5) working day initial waiting period per injury. The five (5) working day waiting period shall be charged to the employee's sick leave account less Worker's Compensation insurance payments.

ARTICLE XXI LONGEVITY AND EDUCATIONAL INCENTIVE

21.1 After four (4) years of continuous employment, each employee shall choose to be paid three percent (3%) of the employee's base rate or supplementary pay based on educational credits as outlined in 21.6 of this Article.

21.2 After eight (8) years of continuous employment each employee shall choose to be paid supplementary pay of five percent

(5%) of the employee's base rate or supplementary pay based on educational credits as outlined in 21.6 of this Article

21.3 After twelve (12) years of continuous employment each employee shall choose to be paid supplementary pay of seven percent (7%) of the employee's base rate or supplementary pay based on educational credits as outlined in 21.6 of this Article

21.4 After sixteen(16) years of continuous employment, each employee shall choose to be paid supplementary pay of nine percent (9%) of the employee's base rate or supplementary pay based on educational credits as outlined in 21.6 of this Article.

21.5 Employees may choose supplementary pay either for length of service or for educational credits no more often than once every twelve (12) months.

21.6 Supplementary pay based on educational credits will be paid to employees after twelve (12) months of continuous employment at the rate of:

<u>Education Credits State In</u> <u>Terms of College Quarter Credits</u>	<u>Percentage Pay</u> <u>Increment</u>
45-89	3%
90-134	5%
135-179	7%
180 or more	9%

Not all courses are to be eligible for credit. Courses receiving qualifying credits must be job related. (Thus, a 4-year degree is not automatically 180 credits -- or a 2-year certificate is not automatically 90 credits.) Job-related courses plus those formally required to enter such

courses shall be counted. If Principles of Psychology (3 credits) is required before taking Psychology of Police Work (3 credits), completion of these courses would yield a total of 11 qualifying credits. C.E.U.'s (Continuing Education Units) in job-related seminars, short courses, institutes, etc. shall also be counted.

The EMPLOYER shall determine which courses are job related. Disputes are grievable based on the criteria outlined in the award of Minnesota Bureau of Mediation Services Case No. 78-PN-370-A.

21.7 Employees hired after March 31, 1986, shall not be eligible for Educational Incentive Pay as outlined in 21.6 of this Article.

ARTICLE XXII SEVERANCE PAY

Employees terminating their employment with the City after December 31, 1982, with ten (10) years or more of continuous service will be paid thirty-three and one third percent (33.33%) of the employee's accumulated sick leave except employees who are discharged for cause.

ARTICLE XXIII WAIVER

- 22.1 Any and all prior agreements, resolutions, practices, policies, rules and regulations regarding terms and conditions of employment, to the extent inconsistent with the provisions of this Agreement, are hereby superseded.
- 22.2 The parties mutually acknowledge that during the negotiations which resulted in this Agreement, each had the unlimited right and opportunity to make demands and

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JAMES D. OLSON
ARCHIBALD SPENCER
ROBERT M. SEARE
ROBERT L. CROSBY
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1902-1966
ROBERT J. FLANAGAN
1898-1974

November 28, 1989

Mr. Jerry Botko, Secretary
Crystal Police Relief Association
City of Crystal
4141 Douglas Drive North
Crystal, MN 55422-1696

Dear Mr. Botko:

You have requested that our office give the Crystal Police Relief Association (the "Relief Association") an opinion on the following two issues:

1. What is the correct law for determining the method of computing pension benefit payments and retirement contributions for the Crystal Police Relief Association; and
2. Does longevity or educational incentive pay fall within the meaning of the term "monthly salary of a first grade patrol officer"?

In reviewing this matter we have relied on the following: Minnesota Statutes, Chapters 69, 423, 423A, 645, the Articles of Incorporation and Bylaws of the Crystal Police Relief Association, Laws of Minnesota 1969, Chapter 1087, Laws of Minnesota 1980, Chapters 341 and 607, opinions of the Attorney General and various court decisions, as noted below.

BACKGROUND

Currently the Crystal Police Relief Association pays members a benefit based on "units" which are 1/80th of the monthly salary of a first grade patrol officer for the second

BEST & FLANAGAN

Mr. Jerry Botko, Secretary
November 28, 1989
Page 2

month of the previous fiscal year. Currently the salary amount used by the Relief Association in calculating contributions and benefits is based on pay of an active officer after completion of 36 months of service. The amount does not include any additional pay increases that could be received beyond the initial three years of service.

Pension payments and member contribution rates have been apparently been calculated in reliance on Laws of Minnesota 1969, Chapter 1087, Section 1, which provides:

Each month there shall be deducted from the salary of each member of the city of Crystal Police Relief Association an amount equal to six percent of the regular monthly salary of a first grade patrolman, exclusive of all moneys for special assignments, allowances, or longevity payments, which sums shall be paid over to the police relief association for pension purposes.

From time to time individual police officers and individual members of the Board of Trustees have questioned this practice in light of changes in salary and changes to laws governing the relief association.

ISSUES

1. **What Law is applicable in computing pension benefit payments and contribution rates for members of the Crystal Police Relief Association.**

There are several laws which relate to the Crystal Police Relief Association: Laws of Minnesota 1969, Chapter 1087, Minnesota Statutes, Chapter 69, Minnesota Statutes, Chapter 423 and Minnesota Statutes, Chapter 423A and Minnesota Statutes, Chapter 356. In addition, the Articles of Incorporation and Bylaws of the Crystal Police Relief Association provide an additional source of the fund's legal authority.

Laws of Minnesota 1969, Chapter 1087 provided for a financing scheme for the relief association. One provision provided that the contribution to the pension fund of the relief association be an amount equal to six percent of regular monthly salary of a first grade patrol officer exclusive of money for special assignments, allowances or longevity payments. During the same 1969 session the Legislature enacted the "Police and Firefighters Relief Association's Guideline Act of 1969". That

BEST & FLANAGAN

Mr. Jerry Botko, Secretary
November 28, 1989
Page 3

act was designed to bring some uniformity to the financing of various police and fireman's relief association throughout the state and proscribe the conditions and use of public funds in connection with those relief associations. See Laws of Minnesota 1969, Chapter 223. Chapter 233, Section 1, subd. 2 set a uniform rate of not less than six percent of the maximum rate of salary from which survivorship credits and amount of benefits were determined. The 1969 law was the initial effort of the Legislature to gain oversight over various relief associations.

In 1980, a major restructuring of the laws governing local relief associations occurred. The legislation had three principal goals: one to place the pension funds on sound financial basis, two to provide an orderly phase out of the relief association and three to provide members with additional benefits.⁷ Two laws were passed in that session which were designed to accomplish those goals. The first was Laws of Minnesota 1980, Chapter 341.⁷ Section 1 of Chapter 341 increased the required membership contribution rate from 6% to 8% of the maximum salary rate upon which benefits were determined. This was done to more adequately provide for funding.⁷ The second, and more significant law, was Laws of Minnesota 1980, Chapter 607, Article 15. That law, referred to as the phase-out legislation, closed the pension funds to new members and set stringent funding schedules for various relief association. Section 4, codified as Minn. Stat. § 423A.01, Subd. 2, provides that:

The contribution rate of members of the local relief association shall be governed by Minn. Stats. § 69.77, unless a special law establishing a greater member contribution rate is applicable whereupon it shall continue to govern.

Both the Guideline Act's increase in contributions to eight percent of maximum salary and the provision of 423A.01, subd. 29 remain in effect.

Minn. Stat. § 423A.01, subd. 2a, clearly provides that that the contribution rate of members of the relief association shall be governed by Minn. Stat. § 69.77, unless a special law establishing a greater contribution rate is applicable. The contribution rate established in the 1969 law was six percent. Contribution rate established in Minn. Stat. § 69.77 is eight percent. The subsequent enactment of the Legislation in Laws of

BEST & FLANAGAN

Mr. Jerry Botko, Secretary
November 28, 1989
Page 4

Minnesota 1980, Chapter 607, Article 15, Section 4 appears to direct that the contribution for retirement coverage of the Crystal Police Relief Association be determined in accordance with the provisions of Minn. Stat. 69.77 rather than Laws of Minnesota 1969, Chapter 1087, the old special law, which had governed the contribution of members.

69.77
It appears from Minn. Stat. § 423A.01, subd. 2a that the Legislature intended that Minn. Stat. § 69.77 govern and supercede all other laws and specifically special laws which set lower contributions. Minn. Stat. § 69.77, subd. 1 provides that notwithstanding any law to the contrary, a municipality may make contributions of public funds in support of a police relief association for the operation and maintenance of the relief association only if the municipality and the relief association comply with the provisions of the statute. It can be argued that the enactment of the phase-out legislation in 1980, made obsolete the contribution provision of the 1969 special act applying to Crystal. Further, Minn. Stat. § 423A.01, subd. 2a clearly directs that 69.77 is the operative language for determining the contribution to the relief association. Thus, a strong argument exists that the 1969 law as it relates to contributions and benefits is of no import. *no. could be unenforceable*

While a strong argument exists that the 1969 special law which limits the inclusion of longevity pay in salary contribution purpose was superceded, it may not be necessary to press that argument. The analysis below on educational incentive pay sets forth the reasons.

2. Whether the term monthly salary of a first grade patrol officer includes the educational incentive or longevity pay.

A. Longevity Pay

If longevity pay is included then 1969 law effectively superceded
An analysis that would allow the inclusion of longevity pay in the term salary requires that we set aside the 1969 law. If we assume the 1980 law effectively superceded the 1969 local law, the question of longevity pay is easily answered. The issue of including longevity pay as a part of salary was faced by the Albert Lea Fireman's Relief Association in 1975. The Commissioner of Insurance inquired as to whether the term salary included longevity payments. Attached is a memo dated July 9, 1975 to Berton W. Heaton, Commissioner of Insurance, from Merwin Peterson, Assistant Attorney General. Commissioner Heaton inquired on three issues:

BEST & FLANAGAN

Mr. Jerry Botko, Secretary
November 28, 1989
Page 5

1. Did longevity pay fall within definition of salary?
2. Should employee's contributions be based on total salary?
3. Should employee's retirement contribution be based on the same salary figures used to calculate benefits?

Mr. Peterson, responding for the Attorney General, based on a law that was not similar to the 1969 Crystal law, answered all questions in the affirmative.

Other cases involving the question of longevity pay have occurred in Minnesota. In Johnson v. Red Wing Police Relief Association, File No. 29883, First Judicial District April 30, 1984, the district court ruled that the term "prevailing pay" includes longevity pay increases. This decision would seem consistent with an Opinion of the Attorney General, 785-j, March 17, 1964, where the Attorney General concluded that longevity would be included in the definition of salary. A recent decision of the Court of Appeals reaffirms the holding in the Johnson case. In Fairmont Policeman's Benefit Association v. City of Fairmont, 437 N.W.2d 757, the court held that the term prevailing pay as used in Laws 1977, Chapter 100 includes both base and longevity pay.

The question becomes a matter of defining the term "salary." Courts have defined salary as a periodic allowance made as compensation to a person for his official or professional services or his regular work. St. Louis Firefighters Ass'n Local No. 73, AFL-CIO v. City of St. Louis, 637 S.W.2. 128, 130 (Mo App. 1982). This definition has been held to exclude from "salary," in the pension computation context: reimbursement for mileage, meals and lodging; Oregon Ed. Ass'n v. Eugene School District No. 4J, 633 P.2d. 28, 31 (Or. App. 1981); health insurance benefits, Hilligoss v. LaDow 368 N.E. 2d. 1365, 1369 (Ind. App. 1977); overtime pay, Hunter v. City of New York, 391 N.Y.2d. 289, 293 (N.Y. 1976); bonuses, Schwarze v. Solo Cup Co., 445 N.E.2d. 872, 877 (Ill. App. 1983); and unused sick leave, Michigan State Police Command Officers Ass'n, Inc. v. State Department of Public Safety, 263 N.W.2d. 47, 48 (Mich. 1977).

Other courts have taken a broader view of the term salary. They have found "salary" to include longevity pay,

BEST & FLANAGAN

Mr. Jerry Botko, Secretary
November 28, 1989
Page 6

Orban v. Allen, 241 N.E.2d. 378, 380 (Ind. App. 1968) and Johnson v. Red Wing Police Relief Ass'n, File No. 29883, First Judicial District (Minn. 1984) and Fairmont Policemen & Benefit Association v. City of Fairmont; bonuses, Rosen v. New York Teachers Retirement Board 115 N.Y.S. 2d 263, 265 (N.Y. 1952); fees, Spokely v. Haaven, 237 N.W. 11, 12 (Minn. 1931); cost of living increase, State ex rel. Kin v. Abbott, 48 A.2d. 745, 746 (Del. 1946); merit pay, Board of Trustees v. Illinois Dept. of Insurance, 356 N.E.2d 171 (Ill. App. 1976); uniform and other allowances, Guelfi v. Marion County Employees' Retirement Association, 145 Cal. App. 3d 304, 193 Cal. Rptr. 543 (Cal. App. 1 Dist. 1983); longevity, holiday, vacation and other pay, Gentile v. City of Detroit, 362 N.W.2d 548 (Mich. App. 1984).

Our research has found some Minnesota cases dealing with salary and pension payments for police officers which involves the issue of longevity pay. In Johnson v. Red Wing Police Relief Association, above, a district court judge ruled that "prevailing pay" received at the time of the disability according to Article XVI of the Red Wing Police Relief Association Bylaws includes longevity pay for disability pension. The court apparently agreed with the disabled officer's argument that longevity pay is part of his compensation. This decision has no precedential value in this case but suggests that a broad reading of the term "pay" or "salary" may be taken by Minnesota courts. The Fairmont case, however, adds substantial weight to the argument for including longevity or supplemental payments in the pension benefit computations. In Fairmont the appellate court took a broad view of the phrase "prevailing pay." In this case the operative phrase would be "monthly salary of a first grade patrol officer."

Absent any expressed limitation, it is clear that ^{greatly expanded it was defined in MS 177.42 - "prevailing wage rate" is hourly wage} Minnesota courts consider longevity pay to be salary. The term monthly salary is given broad definition to include various forms of compensation. A Minnesota Court looking just to the provision of Minn. Stats. §§ 423.806 and 69.77, subd. 2a, would likely conclude that longevity payments are part of salary.

The foregoing analysis requires that the 1969 law, which specifically excludes longevity, be found to be superceded. Another approach to the issues you present may be taken without finding the 1969 law completely superceded.

BEST & FLANAGAN

Mr. Jerry Botko, Secretary
November 28, 1989
Page 7

law - not subject to special in monthly check

B. Educational Incentive Pay - *or longevity*

Article ~~XXI~~ of the contract between the City of Crystal and the Law Enforcement Labor Services, Inc. Local #44 confers monthly payments on employees who have earned a specified number of approved college credits. Payments begin after an officer has earned 45 college credits and increase incrementally for additional credits earned up to 180 credits. The payments may be as low as 3% a month for 45 to 89 credits earned or as high as 9% per month for 180 credits earned. College incentive pay is added to regular or base salary of a patrol officer.

The 1969 Crystal special law provides:

Each month there shall be deducted from the salary of each member of the city of Crystal Police Relief Association, an amount equal to six percent of the regular monthly salary of a first grade patrolman, exclusive of all moneys for special assignments, allowances or longevity payments, which sums shall be paid over to the police relief association for pension purposes.

Because special assignments, allowances and longevity payments are specifically excluded from salary under the 1969 law, the issue becomes whether college incentive payments, which are not specifically excluded from the deduction requirements for regular monthly salary, are a part of such salary for the purposes of pension contribution and service pension calculation.

As a preliminary point it can be argued that the usual definition of salary actually would include special assignments, allowances and longevity payments, and that by specifically excluding such payments by statute the Legislature implicitly recognizes that they otherwise would be included in salary. The case law would seem to be in accord with this reasoning. In cases construing statutes in which salary or prevailing pay were not defined, and where there were no specific statutory exceptions, the courts have given an expansive meaning to those terms. See, e.g. Johnson v. Red Wing Police Relief Association, File No. 29883, First Judicial Dist. (Minn. 1984); Fairmont Policeman's Benefit Association v. City of Fairmont, 437 N.W.2d 757 (1988); Rosen v. New York Teacher's Retirement Board, 115 N.Y.S.2d 263 (N.Y. 1952); Board of Trustees v.

*payments
for
longevity
not rise?*

BEST & FLANAGAN

Mr. Jerry Botko, Secretary
November 28, 1989
Page 8

Illinois Dept. of Insurance, 356 N.E.2d 171 (Ill. App. 1976); Guelfi v. Marion County Employee's Retirement Association, 145 Cal. App.3d 304, 193 Cal. Rptr. 43 (Cal. App. 1 Dist. 1983); Gentile v. City of Detroit, 362 N.W.2d 548 (Mich. App. 1984).

The Guelfi case found that educational incentive pay, in contrast to such payments as a uniform allowance, is "remuneration paid in cash" and must be considered compensation. The court further stated:

Such remuneration is paid monthly to Sheriffs such as appellant upon their successful completion of annual education and training requirements. The amount of pay and the extent of education and training required to qualify for such pay varies according to a Deputy certification . . . The education and training thus furnished appellant is clearly designed to benefit the employer . . . Guelfi, 193 Cal. Rptr. at 347.

The cited cases are also in accord with the general principles of statutory construction in pension cases. Courts tend to construe pension statutes liberally in favor of those to be benefited. See, e.g. Mattson v. Flynn, 216 Minn. 354, 13 N.W.2d 11 (1944) ("Pension and retirement acts are remedial in nature and as such are entitled to a liberal construction to insure the beneficial purposes intended"); Donaldson v. Mankato Policeman's Benefit Association, 278 N.W.2d 528 (Minn. 1979); Board of Trustees of the Policeman's Pension Fund of the Village of Oak Brook v. Illinois Department of Insurance, 356 N.E.2d 171 (Ill. 1976) ("The purpose of laws for police and firemen's pensions is beneficial, and such statutes should be liberally construed in favor of those to be benefited"); Rose v. City of Hayward, 126 Cal. App.3d 926, 940, 179 Cal. Rptr. 287 (1981) ("Ambiguity or uncertainty in pension legislation . . . is to be resolved in favor of the pensioner"). College incentive pay is considered part of salary for police officers who are members of the Public Employee Retirement Association.

To summarize the point, then, the 1969 Crystal special law specifically excludes certain items from salary. There is no exclusion, however, for college

BEST & FLANAGAN

Mr. Jerry Botko, Secretary
November 28, 1989
Page 9

incentive payments. ^{PER ACH} In addition, there is no other provision in any other applicable statute or ordinance which defines salary. Resort is then necessary to case law which normally renders a broad definition of salary. Hence, it may strongly be argued that the college incentive payments are to be included in salary. Further, where ambiguity or confusion exists, laws should be construed in favor of the pensioners by including the college incentive pay in the definition of salary.

As previously noted, the 1969 Crystal law begins with salary and then specifically excludes only special assignments, allowances and longevity payments. It is a cardinal principle of statutory construction that "where express exceptions are made, the inference is strong that no other exceptions were intended." Street v. Chicago, M. and St. Paul Railway, 124 Minn. 517, 145 N.W. 746 (1914). In another Minnesota case the rule was further elaborated upon:

Courts cannot amend a statute under the pretext of construction. Nor can they make exceptions and limitations which the statute doesn't warrant. It is not the function of the courts to supply that which the legislature purposely omits or inadvertently overlooks. (Emphasis supplied).

State ex. rel. Verbon v. County of St. Louis, 216 Minn. 140, 12 N.W.2d 193 (1943); Sofa Gallery v. Mohsko Upholstered Furniture, 639 F. Supp. 677, 679 (D. Minn. 1986).

It is yet another well-established principal of statutory construction that "where a statute enumerates the persons or things to be affected by its provisions, there is an implied exclusion of others; there is then a natural inference that its application is not intended to be general." Maytag v. Commissioner of Taxation, 218 Minn. 460, 17 N.W.2d 37 (1944); State ex. rel. Verbon, supra.

Under the general rules of statutory construction, therefore, it is not within the purview of a court to make additional exclusions to the otherwise broad definition of salary in the Crystal Law. The law specifically enumerates items which are not to be included

BEST & FLANAGAN

Mr. Jerry Botko, Secretary
November 28, 1989
Page 10

in salary for purposes of the contributions calculation. No mention is made of an exclusion for the college incentive pay; whether this is by design or by accident is irrelevant to a court using the general principles of construction.

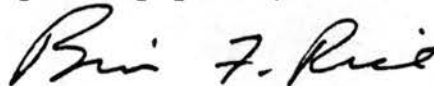
CONCLUSION

A very strong and persuasive argument exists for the inclusion of college incentive pay in the term salary for the purpose of determining the contribution of members for pension purposes.

I have attached a copy of a resolution that the Board of Trustees may wish to consider. This resolution would direct the Secretary to treat college incentive pay as part of salary.

In reviewing this matter the Board should carefully consider its roles as fiduciaries to the pension fund and its obligations to the members, the city and the state. If you have further questions, please feel free to contact me.

Very truly yours,



Brian F. Rice

BFR:rr
3869Y

Resolution;
relating to the retirement benefits of
and member contributions to the Crystal
Police Relief Association; restating
the Board's determination of the
maximum rate of monthly salary of a
first grade patrol officer

WHEREAS, the Board of Trustees of the Crystal Police Relief Association has requested an opinion on whether college incentive payments should be included within the definition of monthly salary of a first grade patrol officer for the purposes of computing pension benefits and contributions; and

WHEREAS, the Board of Trustees of the Relief Association has the management and control of Crystal Police pension fund pursuant to Minn. Stat. § 423.805 and is required to determine all questions relating to the payment of benefits and other matters coming before the board; and

WHEREAS, the question of whether college incentive pay should be included in the definition of salary properly came before the board at its meeting on July 26, 1990; and

WHEREAS, Laws of Minnesota 1969, Chapter 1087, Section 1, provides that "an amount equal to six percent of the regular monthly salary of a first grade patrolman, exclusive of all moneys for special assignments, allowances, or longevity payments, which sums shall be paid over to the police relief association for pension purposes" which thereby excluded from

the definition of salary money's paid for special assignment, allowance and longevity payments; and

WHEREAS, the city of Crystal and the Law Enforcement Labor Services, Inc. Local #44 instituted a college incentive payment program; and

WHEREAS, college incentive pay is paid as part of salary; and

WHEREAS, case law in other jurisdictions have included college incentive pay within the definition of salary; and

WHEREAS, in the case of Fairmont Policeman's Benefit Association v. City of Fairmont, 437 N.W.2d 757 (Minn.App. 1989) held that the term "prevailing pay" as used in Laws of Minnesota 1977, Chapter 100 includes both base pay and longevity pay of a first class police officer and takes on expansive view of the term salary; and

WHEREAS, in the case of Keith Johnson v. Red Wing Police Relief Association, (First Judicial District File No. 29883, dated April 30, 1984), the Court ordered that the term prevailing pay includes longevity pay as well as base pay and adjusted retirement benefits to reflect that change; and

WHEREAS, the 1980 enactments of the legislature (Chapters 341 and 607) codified as Minn. 69.77 and Minn. Stat. 423A.01, subd. 2a, directs that the contribution rate of members of relief association is determined by Minn. Stat. § 69.77 rather than Laws of Minnesota 1969, Chapter 1087; and

WHEREAS, Laws of Minnesota 1969, Chapter 1087 does not exclude college incentive pay from the definition of salary; and

WHEREAS, Minn. Stat. § 69.77, subd. 2 provides that each member of the relief association shall pay into the special fund of the association during a year of covered service a contribution for retirement coverage including survivorship benefits of not less than eight percent of the "maximum rate of salary upon which retirement coverage is credited and service benefits are determined"; and

WHEREAS, the Restated Pension Plan of the Relief Association provides that a "unit" means that "fractional part of the monthly salary of a first grade patrol officer for the second month of the previous fiscal year which shall be the calendar year, which fractional part shall be 1/80th of such monthly salary"; and

WHEREAS, the board of directors of the relief association determines that the monthly salary of a first grade patrol patrol office includes the maximum college incentive payments.

NOW THEREFORE, BE IT RESOLVED that the board of trustees of the Crystal Police Relief Association directs the secretary of the Relief Association to collect a contribution of eight percent of salary of a first grade patrol officer based on the previous fiscal year monthly salary, this amount to include maximum college incentive payment; and

BE IT FURTHER RESOLVED that the secretary is directed to adjust the pension payments based on top patrol monthly salary accordingly beginning the first payroll after January 1, 1992 for calendar year 1991 monthly salary amounts; and

BE IT FURTHER RESOLVED the member contributions of eight percent of such salary begin on first payroll after September 1, 1990. These amounts are determined by the definition of "monthly salary of a first grade patrolman".

BE IT FURTHER RESOLVED that the secretary is authorized to take whatever measures necessary to effectuate the actions taken herein.

3870Y

RESOLUTION NO. 90-**CITY OF CRYSTAL****RESOLUTION PLACING A MORATORIUM ON
DEVELOPMENT WITHIN REDEVELOPMENT PROJECT NO. 2.**

WHEREAS, the Crystal Economic Development Authority ("EDA") and the City Council have approved creation of Redevelopment Project No. 2 ("Project") and Tax Increment Financing District No. 2-1 ("TIF District"), generally located at the intersection of Highway 100 and 36th Avenue in the City; and

WHEREAS, the City Council has also authorized and is currently conducting a major update of the City's comprehensive plan; and

WHEREAS, the comprehensive plan update will analyze long term development and redevelopment issues in the City, including the Project area and the TIF District; and

WHEREAS, the City Council deems it necessary to place a moratorium on development within the Project area to protect the comprehensive planning process and prevent land uses that might conflict with the ultimate planning and zoning for that area;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Crystal as follows:

1. A moratorium is hereby adopted regarding all development and rezoning within the Project area, as that area is described in the Redevelopment Project Plan therefor dated April 3, 1990. No building permit for the construction, reconstruction or alteration of any structure within the Project area will be granted by this Council except:

- a. permits for the necessary repair of existing buildings, and
- b. permits to be issued pursuant to a planned development which has received Council approval prior to the effective date of this ordinance, and
- c. permits for which application had been duly made to the City prior to September 4, 1990.

2. No proposal for rezoning of property in the Project area shall be approved by the Planning Commission or the Council, except that the Commission and the Council may consider rezoning proposals in connection with the comprehensive plan update as it relates to the Project area.

3. No land within the Project area shall be replatted or subdivided except for the purpose of consolidation of parcels of land in single ownership, land description clarification, or the facilitating of the conveyance of parcels of land in single ownership.

4. The City Council recognizes that the strict application of the rules set out in Sections 1 through 3 may, in certain cases, cause undue hardship to properties and property owners in the Project area. The Council may hear requests for such variances and shall grant them only upon a finding that

- 1) the variance will not affect the integrity of the planning process for the Project area; and
- 2) the intent and purpose of this resolution will be served thereby.

Applications for and administration of variances under this section shall be in accordance with Section 515.55 of the City Code (Appendix I, "Zoning") except that no public hearing is required.

5. This resolution is effective on the date hereof and shall expire on May 31, 1991, provided that the City Council may renew this resolution for such additional periods as are deemed reasonably necessary by the City Council to carry out the purposes stated herein.

Approved this ____ day of September.

Betty Herbes, Mayor

Attest:

Darlene George
City Clerk

ORDINANCE NO. 90-**CITY OF CRYSTAL****INTERIM ORDINANCE FOR THE PURPOSE OF PROTECTING
THE PLANNING PROCESS AND HEALTH, SAFETY AND WELFARE OF THE
RESIDENTS, AND RESTRICTING DEVELOPMENT WITHIN
REDEVELOPMENT PROJECT NO. 2.**

The City Council of the ~~City~~ City of Crystal ordains:

Section 1. Background.

1.01 The Crystal Economic Development Authority ("EDA") and the City Council have approved creation of Redevelopment Project No. 2 ("Project") and Tax Increment Financing District No. 2-1 ("TIF District"), generally located at the intersection of Highway 100 and 36th Avenue in the City.

1.02 The City Council has also authorized and is currently conducting a major update of the City's comprehensive plan.

1.03 The comprehensive plan update will analyze long term development and redevelopment issues in the City, including the Project area and the TIF District.

1.04 There is a need for an interim ordinance to be adopted for the purpose of protecting the planning process and the health, safety, and welfare of the citizens of the City and to ensure that the City and its citizens retain the benefits of the City's comprehensive plan and zoning ordinance until the comprehensive plan update has been completed. In light of the City's particular interest in the Project area and the area's importance to the City as a whole, there is a need to restrict development within the Project area until the comprehensive plan update has been completed and any modification to the City's zoning and land use regulations are accomplished.

1.05 Minnesota Statutes, Section 462.355, subd. 4 (the "Act") authorizes the City to adopt interim zoning ordinances applicable to all or a part of the City for the purpose of protecting the planning process and the health, safety and welfare of its citizens, which ordinances may regulate, restrict or prohibit any use or development within the City for a period up to one year, which period may be extended for additional periods up to 18 months.

1.06 It is hereby found and determined that it is in the best interests of the sound, economic, and efficient development of the Project area and the City as a whole, that the authority granted by the above section of the law be used by the City with reference to the Project area.

Section 2. Interim Zoning.

2.01 A special zoning district of the City to be known as the Interim Zoning (IZ) District is hereby created. The boundaries of the IZ District are the boundaries of the Project Area as described in the Redevelopment Project Plan therefore dated April 3, 1990.

2.02 Commencing on the effective date of this ordinance and ending on the date of its termination in accordance with Section 3.01, the following rules shall apply:

1. No building permit for the construction, reconstruction or alteration of any structure within the Project area will be granted by this Council except:
 - a. permits for the necessary repair of existing buildings, and
 - b. permits to be issued pursuant to a planned development which has received Council approval prior to the effective date of this ordinance, and
 - c. permits for which application had been duly made to the City prior to September 4, 1990.
2. No proposal for rezoning of property in the Project area shall be approved by the Planning Commission or the Council, except that the Commission and the Council may consider rezoning proposals in connection with the comprehensive plan update as it relates to the Project area.
3. No land within the Project area shall be replatted or subdivided except for the purpose of consolidation of parcels of land in single ownership, land description clarification, or the facilitating of the conveyance of parcels of land in single ownership.

2.03 The City Council recognizes that the strict application of the rules set out in Section 2.02 may, in certain cases, cause undue hardship to properties and property owners in the Project area. The Council, acting as the Board of Adjustments and Appeals, may hear requests for such variances and shall grant them only upon a finding that

- 1) the variance will not affect the integrity of the comprehensive planning process; and
- 2) the intent and purpose of this ordinance will be served thereby.

Applications for and administration of variances under this section shall be in accordance with Section 515.55 of the City Code (Appendix I, "Zoning") except that no public hearing is required.

Section 3. Effective Date.

3.01 This ordinance is effective in accordance with Crystal City Code, Subsection 110.11. The provisions of this ordinance expire on May 31, 1991, provided that the City Council specifically reserves its right to renew this ordinance for a period of time as permitted by the Act.

Dated: _____

First reading: _____

Adopted: _____

Betty Herbes, Mayor

Attest:

Darlene George
City Clerk

MEMORANDUM

TO: MAYOR AND CITY COUNCILMEMBERS

FROM: Jerry Dulgar, City Manager
Miles Johnson, Finance Director/Treasurer
Jessie Hart, Assistant Finance Director

DATE: August 30, 1990

SUBJECT: PROPOSED 1991 BUDGET

In accordance with the Crystal City Charter, we are providing you with the attached summary sheets outlining the Proposed 1991 Budget. These summaries include the 1991 Projected Revenues and Proposed Expenditures for the General Fund (tax supported), and the Utility and Water Slide Funds (self-supporting). the detail will be provided to each of you with your information for the Council meeting on Tuesday, September 18, 1990.

We would also like to set the dates for the worksessions to review the individual budgets. In an attempt to eliminate late nights, we are recommending that we review the budgets during two nights, as was done last year. The worksessions must be completed in adequate time to allow for the preparation of the information for the public hearing which begins on Monday, December 10, 1990 and continue to Tuesday, December 18, 1990 (if necessary). Therefore, we have selected the following dates to choose from:

Thursday	October 4, 1990
Thursday	October 11, 1990
Tuesday	October 23, 1990
Tuesday	October 30, 1990

1991 PROPOSED GENERAL FUND OPERATING BUDGET
SUMMARY OF ESTIMATED REVENUES AND APPROPRIATIONS

	1990	1991
ESTIMATED REVENUES:		
General Property Taxes	\$2,816,137	\$3,013,585
Business Licenses and Permits	110,900	111,850
Non-Business Licenses and Permits	71,600	83,900
State Shared Taxes	1,931,331	1,867,827
Charges for Services	67,700	69,450
Public Safety	89,633	85,568
Recreation	242,070	284,175
Fines and Forfeitures	213,000	179,000
Miscellaneous	253,700	247,100
Other Financing Sources	400,000	400,000
	-----	-----
TOTAL ESTIMATED REVENUES	\$6,196,071	\$6,342,455
	=====	=====
APPROPRIATIONS:		
Personal Services	\$4,175,093	\$4,330,402
Supplies, Repairs and Maintenance	322,400	336,560
Other Services and Charges	1,390,607	1,532,117
Other Financing Uses	169,659	74,776
Capital Outlay	138,312	68,600
	-----	-----
TOTAL APPROPRIATIONS	\$6,196,071	\$6,342,455
	=====	=====

GENERAL FUND
1991 ESTIMATED REVENUE SUMMARY BY SOURCE

DESCRIPTION	1988 ACTUAL	1989 ACTUAL	1990 ESTIMATED	1991 ESTIMATED
General Property Taxes	\$2,046,670	\$2,110,615	\$2,816,137	\$3,013,585
Licenses & Permits - Business	103,320	129,054	110,900	111,850
Licenses & Permits - Non-Business	118,595	110,179	71,600	83,900
State Shared Taxes	1,641,879	1,931,331	1,848,422	1,867,827
Charges for Services	70,729	86,073	67,700	69,450
Public Safety	138,379	118,334	89,633	85,568
Recreation	180,333	205,667	242,070	284,175
Fines and Forfeitures	212,295	177,599	213,000	179,000
Other Financing Sources	253,785	417,729	671,700	647,100
<hr/>				
TOTAL REVENUES	\$4,765,985	\$5,286,581	\$6,131,162	\$6,342,455

CITY OF CRYSTAL - 1991 PROPOSED APPROPRIATION SUMMARY BY FUNCTION

DEPARTMENT	1988 ACTUAL	1989 ACTUAL	1990 ADOPTED	PROPOSED 1991	PERCENT INCREASE (DECREASE)
<hr/>					
GENERAL GOVERNMENT					
10 City Council	\$98,331	\$102,072	\$126,670	\$118,738	-6.26%
11 Administration	344,937	348,199	321,092	316,369	-1.47%
12 Assessing	117,026	113,510	131,140	131,804	0.51%
13 Finance	111,633	132,482	157,898	161,328	2.17%
29 Elections	12,501	10,206	20,975	28,525	36.00%
28 Legal	148,512	122,267	140,200	164,700	17.48%
30 Commissions	150	1,473	0	0	
14 City Hall	135,620	137,158	153,053	149,685	-2.20%
<hr/>					
GENERAL GOVERNMENT	\$968,710	\$967,367	\$1,051,028	\$1,071,149	1.91%
<hr/>					
PUBLIC SAFETY					
15 Police	\$1,570,748	\$1,749,463	\$1,768,607	\$1,723,106	-2.57%
16 Fire	212,743	136,294	212,250	201,640	-5.00%
17 Building Inspections	102,070	79,503	74,565	76,838	3.05%
18 Civil Defense	43,951	33,662	41,740	39,090	-6.35%
<hr/>					
PUBLIC SAFETY	\$1,929,512	\$1,998,922	\$2,097,162	\$2,040,674	-2.69%
<hr/>					
PUBLIC WORKS					
19 Engineering	\$217,836	\$228,871	\$222,349	\$217,169	-2.33%
20 Street	428,230	442,501	500,805	496,805	-0.80%
<hr/>					
PUBLIC WORKS	\$646,066	\$671,372	\$723,154	\$713,974	-1.27%
<hr/>					
PARK AND RECREATION					
21 Park	\$398,191	\$466,067	\$391,001	\$419,645	7.33%
25 Recreation	375,660	457,091	483,636	492,329	1.80%
31 Swimming Pool	58,381	69,586	75,742	78,772	4.00%
33 Community Center	0	0	105,532	164,325	55.71%
34 Tree Disease	38,533	43,576	43,609	40,168	-7.89%
<hr/>					
PARK AND RECREATION	\$870,765	\$1,036,320	\$1,099,520	\$1,195,239	8.71%
<hr/>					

CITY OF CRYSTAL - 1991 PROPOSED APPROPRIATION SUMMARY BY FUNCTION

DEPARTMENT	1988 ACTUAL	1989 ACTUAL	1990 ADOPTED	PROPOSED 1991	PERCENT INCREASE (DECREASE)
RECYCLING					
22 Recycling	\$0	\$69,458	\$78,859	\$14,776	-81.26%
RECYCLING	\$0	\$69,458	\$78,859	\$14,776	-81.26%
HEALTH AND SANITATION					
26 Health	\$139,608	\$132,657	\$150,802	\$141,921	-5.89%
HEALTH AND SANITATION	\$139,608	\$132,657	\$150,802	\$141,921	-5.89%
COMMUNITY DEVELOPMENT					
HRA/EDA	\$0	\$0	\$73,606	\$97,206	32.06%
COMMUNITY DEVELOPMENT	\$0	\$0	\$73,606	\$97,206	32.06%
UNALLOCATED					
27 Civil Service	\$10,888	\$23,055	\$11,750	\$28,050	138.72%
32 Non-Departmental	748,996	706,088	852,464	1,039,466	21.94%
UNALLOCATED	\$759,884	\$729,143	\$864,214	\$1,067,516	23.52%
TAX SUPPORTED EXPENDITURES	\$5,314,545	\$5,605,239	\$6,138,345	\$6,342,455	3.33%
81-23Water	\$928,823	\$973,388	\$1,031,219	\$1,055,798	2.38%
81-24Sewer	1,023,989	1,211,289	1,272,419	1,339,374	5.26%
TOTAL UTILITY REVENUES	\$1,952,812	\$2,184,677	\$2,303,638	\$2,395,172	3.97%
83-32Water Slide	\$0	\$0	\$47,490	\$62,262	31.11%
TOTAL EXPENDITURES	\$7,267,357	\$7,789,916	\$8,489,473	\$8,799,889	3.66%

CITY OF CRYSTAL - 1991 PROPOSED APPROPRIATION SUMMARY BY OBJECT

DEPARTMENT		PERSONAL SERVICES	SUPPLIES, REPAIRS & MAINTENANCE	OTHER SERVICES & CHARGES	OTHER FINANCING USES	CAPITAL OUTLAY	TOTAL
GENERAL GOVERNMENT							
10	City Council	\$49,634	\$1,675	\$67,429	\$0	\$0	\$118,738
11	Administration	245,669	6,850	63,850	0	0	316,369
12	Assessing	102,685	955	28,164	0	0	131,804
13	Finance	116,753	8,700	35,875	0	0	161,328
29	Elections	13,200	5,150	9,175	0	1,000	28,525
28	Legal	13,200	0	151,500	0	0	164,700
14	City Hall	31,385	8,250	108,050	0	2,000	149,685
GENERAL GOVERNMENT		\$572,526	\$31,580	\$464,043	\$0	\$3,000	\$1,071,149
PUBLIC SAFETY							
15	Police	\$1,491,528	\$54,250	\$162,618	\$0	\$14,710	\$1,723,106
16	Fire	149,169	16,085	23,996	0	12,390	201,640
17	Building Inspections	62,106	2,035	12,697	0	0	76,838
18	Civil Defense	31,110	4,000	3,980	0	0	39,090
PUBLIC SAFETY		\$1,733,913	\$76,370	\$203,291	\$0	\$27,100	\$2,040,674
PUBLIC WORKS							
19	Engineering	\$186,469	\$3,050	\$26,650	\$0	\$1,000	\$217,169
20	Street	332,305	90,550	67,950	0	6,000	496,805
PUBLIC WORKS		\$518,774	\$93,600	\$94,600	\$0	\$7,000	\$713,974
PARK AND RECREATION							
21	Park	\$283,870	\$52,075	\$60,750	\$0	\$22,950	\$419,645
25	Recreation	311,954	46,950	132,925	0	500	492,329
31	Swimming Pool	47,232	14,010	14,530	0	3,000	78,772
33	Community Center	66,675	9,600	83,500	0	4,550	164,325
34	Tree Disease	8,000	375	31,793	0	0	40,168
PARK AND RECREATION		\$717,731	\$123,010	\$323,498	\$0	\$31,000	\$1,195,239

CITY OF CRYSTAL - 1991 PROPOSED APPROPRIATION SUMMARY BY OBJECT
(Continued)

DEPARTMENT	PERSONAL SERVICES	SUPPLIES, REPAIRS & MAINTENANCE	OTHER SERVICES & CHARGES	OTHER FINANCING USES	CAPITAL OUTLAY	TOTAL
RECYCLING						
22 Recycling	\$0	\$0	\$0	\$14,776	\$0	\$14,776
HEALTH AND SANITATION						
26 Health	\$128,871	\$4,700	\$7,850	\$0	\$500	\$141,921
COMMUNITY DEVELOPMENT						
37 EDA	\$69,556	\$400	\$27,250	\$0	\$0	\$97,206
UNALLOCATED						
27 Civil Service	\$0	\$300	\$27,750	\$0	\$0	\$28,050
32 Non-Departmental	589,031	6,600	383,835	60,000	0	1,039,466
UNALLOCATED	\$589,031	\$6,900	\$411,585	\$60,000	\$0	\$1,067,516
TAX SUPPORTED EXPENDITURES	\$4,330,402	\$336,560	\$1,532,117	\$74,776	\$68,600	\$6,342,455
81-23 Water	\$147,919	\$47,715	\$780,300	\$55,000	\$24,864	\$1,055,798
81-24 Sewer	148,119	30,070	972,535	55,000	133,650	1,339,374
TOTAL WATER AND SEWER	\$296,038	\$77,785	\$1,752,835	\$110,000	\$158,514	\$2,395,172
83-32 Water Slide	\$12,762	\$8,500	\$5,000	\$36,000	\$0	\$62,262
	\$4,639,202	\$422,845	\$3,289,952	\$220,776	\$227,114	\$8,799,889



METROPOLITAN COUNCIL *Mears Park Centre, 230 East Fifth Street, St. Paul, MN. 55101 612 291-6359*

REGIONAL BREAKFAST MEETINGS FOR LOCAL OFFICIALS IN HENNEPIN COUNTY

Metropolitan Council Chair Steve Keefe invites you to his annual regional breakfast meetings for local officials in Hennepin County. These meetings will provide an opportunity to talk about the issues the Council is dealing with and for you to express your ideas about the Council and its work.

Chair Keefe will discuss the Council's priority projects for next year, and some of the metropolitan issues the Council thinks the legislature may address in 1991. Council members are also interested in hearing what you think the Council is doing right, what it is doing wrong and what it should be doing in the future.

Two meetings are scheduled for local officials in Hennepin County. You may attend one or both of these meetings. Following is the schedule.

WHEN: Wed., Sept. 19, 1990
7:30 - 9 a.m.

WHERE: T. Wrights
3310 S. Hwy. 101
Wayzata

COST: \$4, includes breakfast,
tax and gratuity

RSVP BY: Sept. 14

WHEN: Wed., Oct. 3, 1990
7:30 - 9 a.m.

WHERE: Days Inn
1501 Freeway Blvd.
Brooklyn Center

COST: \$6, includes breakfast
tax and gratuity

RSVP BY: Sept. 28

To RSVP, please call Bernadine Scott at 291-6500.

HUMAN RELATIONS COMMISSION

July 23, 1990

The Human Relations Commission meeting was called to order at 7:04 p.m. Members present were: Chair Linda Museus, James Allison, John Luzaich, Kathryn Huston, Bob Techam, William Johnson, Renee Werner, and James Allen Brown. Also present was Elmer Carlson, Council Liaison and Joan Schmidt, Staff Liaison.

Members absent: Bonnie Toenies (unexcused) and Arlene West (excused).

1. Moved by commission member Jim Brown and seconded by commission member Kathy Huston to approve the minutes of the June 25, 1990 Human Relations Commission meeting as corrected. Correction being in the 6th paragraph, Bob Techam reported that the Timberwolves will be on tour but would be willing to supply t-shirts, caps, etc. for sale, should read, "for our use".
Motion Carried.
2. Cultural Awareness Day Preparation:
Discussion was held as to the procedure for October 20 and it was decided that if we are to have a promoter signing autographs, an hour should be allowed for that person. Kathy will follow up and call the Vikings Promotions Department and Bob will follow up with the Timberwolves.

Procedure for that day.

Members present early for set up.

John Luzaich will be Master of Ceremonies and a booth for the Crystal Human Relations Commission will be set up to answer questions and hand out our brochure.

Noon	Doors open, people allowed to browse, purchase food
------	---

12 - 1 p.m.	Promoter signing autographs
-------------	-----------------------------

Performances:

1:00 - 1:45 p.m.	Black Bear Drum Group
1:55 - 2:40 p.m.	Los Soles
2:50 - 3:35 p.m.	Hmong Music Program
3:45 - 4:30 p.m.	Youth Group

Members help clean up.

It was decided that polo shirts provided by the City with the name of the commission and the word "prejudice" crossed out as seen at a Robbinsdale function would be worn by commission members.

Artisans have been contacted through a letter distributed with COMPAS but as of yet no one has signed up. Renee will contact

Cliff Sloane with COMPAS asking him to remind the artisan groups and also the Hennepin County Government Center.

We have not heard further from the Park Board regarding food. It was decided to have separate areas for the autograph signer, program, artisans, food, and our own booth.

Publicity will be as follows:

- Flyer to the schools at all grade levels
- School Posters
- Poster contest at one grade level
- City Newsletter
- Cable T.V.
- Radio
- Post News
- Community Section of the daily paper
- Notice to the State Human Rights Department
- Notice to the League of Minnesota Human Rights Commission
- Notice to the N.W. Hennepin Human Services Council
- Proclamation

Moved by commission member Luzaich and seconded by commission member Brown to have the Mayor of the City of Crystal issue a Proclamation naming October 20 as Crystal Human Rights Day for 1990.

Motion Carried.

- a. John Luzaich will find out the procedure for distributing flyers through District 281 Schools and what needs to be done for the Poster Contest.
 - b. Bob Techam will work on a flyer announcing the event to every student.
 - c. Joan Schmidt will handle notifying Cable T.V., the City Newsletter, and drafting the Proclamation.
 - d. Jim Allison will check on prices for printing of a blank poster with preprinted information on the bottom (date, time, location, event, activities) versus a blank poster with printed labels applied to be used for the Poster Contest.
 - e. Bill Johnson will contact the Post News to release information on this event now and also two to three weeks prior.
 - f. Jim Brown will contact local radio stations.
 - g. Renee will work on contacting the artisans; Kathy on contacting the Vikings; and Linda on contacting the State, County and League of Minnesota.
3. New/Old Business. Joan Schmidt will order badges for the Commission from Crown Marketing, Inc.

The Coalition of N.W. Suburban Human Rights Commissions will meet on July 28 at 9:30 a.m. at the Golden Valley Community Center.

The next meeting will be scheduled at the Community Center if room availability allows this.

Renee Werner will send a letter to Bonnie Toenies regarding attendance.

Having no further business, it was moved by commission member Jim Brown and seconded by commission member John Luzaich to adjourn.

Meeting adjourned at 8:25 p.m.

PARK AND RECREATION ADVISORY COMMISSION

Agenda

September 5, 1990

MAC Park

1. Tour of MAC Park - 6:30 p.m.
2. Call meeting to order - Community Center - 7:30 p.m.
3. Approval of minutes.
4. Review monthly report.
5. Review swimming pool/water slide program - Selection of marketing committee for pool/slide for 1991.
6. Review of document for prospective board members.
7. Review discussion made with the City Council regarding the 5-Year Plan.
8. Review progress of Crystal Human Rights Day.
9. Discuss Halloween programming at Crystal Community Center.
10. Discussion of methods for publicizing park and recreation events.
11. Other business.
12. Adjournment.

**CITY OF CRYSTAL
POLICE DEPARTMENT
MEMORANDUM**

DATE: August 30, 1990
TO: Jerry Dulgar, City Manager
FROM: Rick Gautsch
SUBJECT: Complaint Regarding 5417 34th Place N.

I asked our Crime Prevention Officer to speak with the complainant and other area residents. He went to the neighborhood to interview these people on 8-28-90. We discussed his findings and decided to have the evening patrol shift monitor the problem residence on an hourly basis from 2200 hours until 0300 hours on Friday August 31st and Saturday September 1st. We will aggressively enforce any ordinance or statute violations. We will contact the complainant to determine the impact of our activity.

**POLICE DEPARTMENT
MEMORANDUM**

DATE: August 30, 1990
TO: Phil Johnson
FROM: Rick Gautsch
SUBJECT: Complaint Regarding 5417 34th Place N.

I have attached a letter concerning alleged problems at 5417 34th Place N. Officer Drake has discussed the complaints with the complainant and several neighbors. He will contact you regarding his discussions. In response to this situation, please initiate the following activities and any other actions you think may resolve the problem. Thanks.

1. Increase patrol in the area
2. On 8-31-90 and 9-1-90 (Friday & Saturday) please monitor the activity at the residence from 2200 to 0300 on an hourly schedule and forward a report concerning this activity to me.
3. Strictly enforce appropriate ordinances and statutes.

Rick Gautsch, Police Manager

MEMORANDUM

TO: Jerry Dulgar, City Manager
FROM: Jessie Hart, Assistant Finance Director
DATE: August 30, 1990
SUBJECT: Mileage Charges - Council Budget

The following is the information that was requested pertaining to the charges against the Council's mileage budget. The total charges, through July 31, 1990 amounted to \$192.72. The budget for 1990 in this account is \$150.00. The breakdown of the \$192.72 is as follows:

Councilmember Gary Grimes	\$ 14.40
Councilmember Elmer Carlson	21.60
Mayor Betty Herbes	<u>156.72</u>
Total	<u>\$ 192.72</u>

Please contact me if you have any additional questions or would like any further detail regarding this information.

CITY OF CRYSTAL
POLICE DEPARTMENT
MEMORANDUM

DATE: 09/02/90
TO: RICK GAUTSCH
FROM: PHIL JOHNSON
SUBJECT: COMPLAINT RE: 5417 34TH PL NORTH

The above address was checked several times during both periods you requested. There was very little activity at the residence.

Phil Johnson

per:

We will continue to check this address. The Crime Prevention Officer will also monitor the situation.

Rick Gautsch