



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

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## COUNCIL AGENDA

May 7, 1991

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on May 7, 1991, 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 Grimes  
P Herbes  
P Irving  
P Joselyn  
P Langsdorf  
P Moravec

Staff

P Dulgar  
P Norris  
P Kennedy  
P Monk  
P Barber  
P George  
P Brandeen

The Mayor proclaimed May 11, 1991 as Crystal Hometown Day for Kelly and Kerby Norman of Crystal.

Area Girl Scouts presented a plaque to the Park & Recreation Department.

1. The City Council considered the minutes of the Regular City Council meeting of April 16, 1991 and the Special Work Session of April 30, 1991.

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

to) the minutes of the Regular City Council meeting of April 16, 1991 and the Special Work Session of April 30, 1991.

Motion Carried.

CONSENT AGENDA

1. Consideration of the Crystal Fire Department's request to have a permit for a banner at 5354 Douglas Drive for May 10th through the 20th, 1991 with waiver of fee, for its Open House.
2. Consideration of a one-day Off-Site Lawful Gambling license on July 27, 1991 at Becker Park, 6225 - 56th Avenue North (Crystal Frolics), as requested by the Minneapolis/Crystal Elks Lodge #44.
3. Set public hearing for June 4, 1991 to consider second hand goods dealer license for Janet M. Wernet dba J.T. Pennypinchers, 3542 Douglas Drive.
4. Set public hearing for June 4, 1991 to consider second hand goods dealer license for Steven C. Leppa dba Midwest Antiques and Mercantile, 4611 - 36th Avenue North.

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

Motion Carried.

~~1/8~~  
Councilmember Langsdorf withdrew her motion and moved to approve items 1 and 2 of the consent agenda and remove items 3 and 4 to the end of the <sup>regular</sup> agenda for discussion.  
Motion was seconded by Councilmember Jabelyn. 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 a variance to Section 645 of the Crystal City Code as it relates to noise levels, as requested by the Minnesota Department of Transportation for a proposed overlay of Trunk Highway 100 between 29th and 36th Avenues in Crystal as a night-time construction project. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. Those present and heard were: **(5 votes needed for approval)**

**The Mayor closed the Public Hearing.**

Moved by Councilmember I and seconded by Councilmember L to (grant) (deny) (continue until \_\_\_\_\_ the discussion of) the authorization to vary or modify the strict application of Section 645 of the Crystal City Code to allow the Minnesota Department of Transportation to complete an overlay of Trunk Highway 100 between 29th and 36th Avenue North in Crystal as a night-time construction project.

**Motion Carried.**



2. It being 7:00 p.m., or as soon thereafter as the matter may be heard, Mayor Herbes declared this was the date and time as advertised for a public hearing at which time the City Council will consider Seal Coat Improvement Project No. 91-2. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. Those present and heard were: ~~(6 votes needed for approval)~~

Robert Rotz, 3528 Lee Ave. N.  
Bonnie Caughey and father, 3624 Adair Ave. N.  
Adrian Rygg, former resident of 36<sup>th</sup> + Adair Ave. N.  
Vi Lutzgens, 3457 Major Ave. N.  
Mamie Joss, 3523 Kyle Ave. N.  
Susan deWendt, 3424 Quail Ave. N.  
Jim Kornmann, 3527 Kyle Ave. N.

The Mayor closed the Public Hearing.

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

RESOLUTION NO. 91-37

RESOLUTION AUTHORIZING  
IMPROVEMENT PROJECT NO. 91-2 SEAL COAT

By roll call and voting aye: C, G, H, F, J,  
L, M; voting no: —, —, —, —; absent, not  
voting: —, —, —

Motion carried, resolution declared adopted.

Recess 8:25 p.m.  
Reconvened 8:36 p.m.

REGULAR AGENDA

1. The City Council considered a petition relating to a mid-block stop sign on Welcome Avenue between 34th and 36th Avenues and the Municipal State Aid street designation process.

*Ken Devine, 3512 Welcome Av. N.  
 George Aebly, 3419 Welcome Av. N.  
 Jerry Johnson, 3815 Yates Av. N.  
 Mel Thornton, 3551 Welcome Av. N.  
 Judy Swenson, 3413 Welcome Av. N.  
 Rick Thompson, 3450 Welcome Av. N.  
 Delores Rautio, 3431 Welcome Av. N.  
 Margaret & Ed Hajduk, 5600-35<sup>th</sup> Av. N.  
 Bonnie Menshek, 5607-36<sup>th</sup> Av. N.  
 Mary Kavanagh, 3500 Welcome Av. N.  
 Anita Shoemaker, 3534 Welcome Av. N.  
 Todd Maessner, 3519 Welcome Av. N.*

1. Moved by Councilmember C and seconded by Councilmember \_\_\_\_\_ to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) (temporarily) (permanently) removing Welcome Avenue between 34th and 36th Avenues from the Municipal State Aid system. *Motion Carried. Failed for lack of a second.*
- I/J to deny the request for replacement of a stop sign on Welcome Ave. between 34<sup>th</sup> and 36<sup>th</sup> avenues.  
 Aye: G, H, I, J, L, M No: C Motion Carried*
2. The City Council considered a solicitor's license for American Teens, 3710 Central Avenue N.E., Columbia Heights, to go door-to-door during the months of May, 1991. *Kelly Skinner, applicant, appeared and was heard.*

Moved by Councilmember J and seconded by Councilmember G to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) a solicitor's license for American Teens, 3710 Central Avenue N.E., Columbia Heights, Minnesota to solicit in Crystal during the months of May, 1991.

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

Motion Carried.

*Recess 10:13 p.m.  
 Resumed 10:22 p.m.*

3. The City Council considered a variance to allow expansion of a non-conforming structure and a variance to allow curb cut closer than 50' to the corner at 5231 Douglas Drive North. (~~5 votes needed for approval~~)

Moved by Councilmember L and seconded by Councilmember G to (approve as recommended by and based on the findings of fact of the Planning Commission) (~~deny~~) (continue until \_\_\_\_\_ the discussion of) authorization pursuant to Section 515.55 of the Crystal City Code to vary or modify the strict application of Section 515.05, Subd. 2, to expand a non-conforming building, said non-conformity being the existing building encroaches 15.6 feet in the required 22 foot side street side yard setback, and to grant a variance of approximately 23 feet in the required 50 foot setback from the intersection for a curb cut (Section 515.09, Subd. 4 h) 4), to permit a 12' x 24' addition to the existing building at 5231 Douglas Drive North as requested in Applications #91-7 and #91-8.

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

Motion Carried.

4. The City Council considered authorization to issue a building permit for a 16' x 34' walk-in cooler addition at 4800 - 56th Avenue North. *Dave Miller of E-Z Stop appeared and was heard.*

*M/I to continue to the May 21<sup>st</sup> meeting to allow time to ~~check~~ investigate the legality of storage on vacant lot.*

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

*Motion Carried*

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (approve as recommended by the Planning Commission) (deny) (continue until \_\_\_\_\_ the discussion of) authorization to issue a building permit for a 16' x 34' walk-in cooler addition to the existing building located at 4800 - 56th Avenue North, subject to standard procedures and with the condition that the existing shed be removed and screening be upgraded.

Motion Carried.

5. The City Council considered construction plans for MSA Project on 36th Avenue between Welcome Avenue and Douglas Drive.

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

RESOLUTION NO. 91-38

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR  
RECONSTRUCTION OF 36TH AVENUE (SAP 116-313-07) AND  
ESTABLISHING A NO PARKING ZONE BETWEEN DOUGLAS DRIVE  
AND WELCOME AVENUE

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

Motion carried, resolution declared adopted.

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

RESOLUTION NO. 91-39

RESOLUTION TO INDEMNIFY AND HOLD HARMLESS  
THE STATE OF MINNESOTA FOR CONSTRUCTION OF  
36TH AVENUE AS A NON-STANDARD MSA ROADWAY

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

Motion carried, resolution declared adopted.

6. The City Council considered awarding tree trimming/removal contract for 1991.

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

RESOLUTION NO. 91-40

RESOLUTION AWARDING A BID

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

Motion carried, resolution declared adopted.

7. The City Council considered accepting gambling funds from the VFW in the amount of \$8,000 to furnish and erect a picnic shelter near the Little League concession stand.

Moved by Councilmember C and seconded by Councilmember L to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) the acceptance of gambling funds from the VFW in the amount of \$8,000 to furnish and erect a picnic shelter near the Little League concession stand.

Motion Carried.

8. The City Council considered a resolution authorizing sales contract with the Department of HUD to purchase property at 5200 - 35th Avenue North.

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. 91-41

RESOLUTION AUTHORIZING SALES CONTRACT  
TO PURCHASE 5200 - 35TH AVENUE NORTH

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

Motion carried, resolution declared adopted.

9. The City Council considered a resolution relating to repayment of certain monies to the Public Improvement Revolving Fund which were advanced for the sale of bonds for the Bass Lake Road/Becker Park Redevelopment Project.

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

RESOLUTION NO. 91-42

RESOLUTION RELATING TO REPAYMENT  
OF CERTAIN MONIES TO THE  
PUBLIC IMPROVEMENT REVOLVING FUND

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

Motion carried, resolution declared adopted.

10. The City Council considered accepting permanent easements for Medicine Lake Road Reconstruction Project.

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

RESOLUTION NO. 91- 43

RESOLUTION ACCEPTING EASEMENTS FOR  
CONSTRUCTION AND MAINTENANCE OF  
PUBLIC IMPROVEMENT  
(MEDICINE LAKE ROAD STREET WIDENING PROJECT)

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

Motion carried, resolution declared adopted.

11. The City Council considered New Hope's request for a Joint Project on Sumter Avenue closure at 30th Avenue.

Moved by Councilmember L and seconded by Councilmember I to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) cooperation with New Hope on construction of a permanent barricade in a location agreeable to nearby Crystal and New Hope property owners, and further, to approve the allocation of monies from the Infrastructure Fund not to exceed \$2,000 to cover 50% of the costs of this joint project.

Motion Carried.



12. The City Council discussed composition of Planning Commission.

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

ORDINANCE NO. 91-

AN ORDINANCE RELATING TO CITY  
GOVERNMENT: PLANNING COMMISSION:  
AMENDING CRYSTAL CITY CODE,  
SUBSECTION 305.67, SUBDIVISION 2

and further, that the second and final reading be held on May 21, 1991.

Motion Carried.

13. The City Council considered stop sign installation at 38th and Adair, 38th and Welcome, and Hampshire & Fairview Avenues.

Moved by Councilmember M and seconded by Councilmember G to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) the installation of stop signs at the following locations changing existing two-way stops to four-way stops:

- 1) on 38th Avenue at its intersection with Adair Avenue.
- 2) on 38th Avenue at its intersection with Welcome Avenue.
- 3) on Hampshire Avenue at its intersection with Fairview Avenue.

Motion Carried.



14. The City Council considered an engineering services contract for design work on Wilshire Blvd./County Road 81 intersection.

Moved by Councilmember M and seconded by Councilmember G to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) authorization for Westwood Professional Services to proceed with engineering work, and for Mayor and City Manager to sign such contract.

Motion Carried.

15. The City Council considered an extension of the moratorium in Redevelopment Project No. 2 (Ordinance #90-20).

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

RESOLUTION NO. 91-44

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

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

Motion carried, resolution declared adopted.

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

ORDINANCE NO. 91-

AMENDMENT TO INTERIM ORDINANCE NO. 90-20 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 May 21, 1991.

Motion Carried.

16. The City Council discussed the 1991 goals for the City Manager.

*Council was directed to submit goals to the Mayor to be placed on May 21 Agenda.*

17. The City Council considered Items 3 and 4 which were removed from the Consent Agenda regarding setting of public hearings for license renewal of secondhand goods dealer's licenses at 3542 Douglas Drive and 4611-36<sup>th</sup> Avenue North (J.T. Penny pinchers and Midwest Antiques and Mercantile) respectively. M/I to adopt the following Ordinance:

**Open Forum**

*Ordinance No. 91-  
an Ordinance amending Section 1175  
of the Crystal City Code Relating To  
Public Hearings and Investigations  
For Secondhand Goods Dealer License  
Renewal.*

*and . . .*

*May 21, 1991.*

*motion carried*

## Informal Discussion and Announcements

1. Employee of the Month for April (Todd Gustafson).

*Irving - advised Charter Commission had been reappointed.*  
*Barber - Planning Commission mtg. rescheduled for May 20.*

Moved by Councilmember L and seconded by Councilmember M to approve the list of license applications, with the addition of Total Tree Service, 652-3<sup>rd</sup> Ave., Motion Carried.  
*Excision, Mm. pending receipt of \$2500 bond.*

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

Motion Carried.

Meeting adjourned at 11:27 P.M.

## APPLICATIONS FOR LICENSE

May 7, 1991

### GAS FITTERS LICENSE - \$30.25

Northern Plumbing & Heating, 15685 Medina Road, Plymouth, MN 55447

Maple Grove Heating & Air Conditioning, Inc., 410 County Road 81, Maple Grove, MN 55369

Anderson Heating & Air Conditioning, Inc., 4347 Central Ave. NE., Columbia Heights, MN 55421

### PLUMBERS LICENSE - \$30.25

Northern Plumbing & Heating, 15685 Medina Road, Plymouth, MN 55447

### SIGN HANGERS LICENSE - \$66.00

Leroy Signs, Inc., 6325 Welcome Ave. N., Minneapolis, MN 55429

Pascual Sign Erectors, 11215 Xylon Ave. N., Champlin, MN 55316

DeMars Signs, 4040 Marshall St. NE., Minneapolis, MN 55421

### MECHANICAL AMUSEMENTS - \$104.50 each machine

Wally L. Shaver for Rostamos, 6014 Lakeland Ave. N.

Wally L. Shaver for Palace Inn, 5607 West Broadway

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

Walgreens, 6918 56th Ave. N., from June 1 - Dec. 31, 1991  
(pro-rated \$2.50/mo.)

### POOLS - Outdoor (Exempt)

Forest Park, 48th & Hampshire No., Outdoor wading  
Crystal Municipal Pool, 4848 Douglas Drive, main  
Crystal Municipal Pool, 4848 Douglas Drive, wading  
Twin Oak Park, Scott & Wilshire No, wading

### POOLS - Outdoor (\$200.00)

Crystal Village, 7609 32nd Ave. No.  
Crystal Village, 3130 Sumter Ave. No.  
Crystal Village, 3016 Sumter Ave. No.  
3000 Winnetka Apts., 3000 Winnetka Ave. No.  
Virginia Court Apts., 5900 West Broadway  
Woodbridge Apts., 2701 Brunswick Ave. No.

FOOD ESTABLISHMENT - Itinerant (\$30.00 1st day + \$12.00  
ea. addnl day)

Tom Thumb, 4711 36th Ave. No., May 16 - 19, 1991

REFUSE HAULER

Hilger Transfer, Maple Grove, MN

PERMIT FOR WINE AND BEER IN PARK/COMMUNITY CENTER

June & Vern Wickoren at Crystal Community Center, June  
2, 1991 from 1:00 p.m. to 6:00 p.m. for an anniversary  
party

Included with packet for 5-7-91 Council Mtg.:

Memo from City Assessor dated 4-30-91 re: Local Brd. of Review.

Proclamation of May 11, 1991 as Crystal Hometown Day for Kelly and Kerby Norman.

Minutes of the 4-16-91 Regular Council Mtg. and the Special Work Session of 4-30-91.

Memo from Bldg. Inspector dated 5-1-91 re: temporary banner for Crystal Fire Dept. May 10-20.

Application for one-day off-site lawful gambling license for Elks #44 at Becker Park for Crystal Frolics on July 27, 1991,.

Memo from City Clerk dated 5-3-91 re: license renewal of secondhand goods dealers, Midwest Antiques & Mercantile and J. T. Penney pinchers.

Memo from City Engr. dated 4-29-91 re: Noise variance for construction work on TH100.

Memo from City Engr. dated 4-15-91 re: 1991 seal coat program improvement hearing.

Memo from City Engr. dated 5-1-91 re: Welcome Ave. stop sign petition.

Memo from Police Dept. dated 4-30-91; application for solicitor's permit for American Teens.

Memo from Bldg. Inspector dated 5-1-91 re: 4800 - 56th Avenue North building permit (E-Z Stop,).

Memo from City Engr. dated 4-29-91 re: 36th Avenue reconstruction.

Memo from Park & Rec. Director dated 5-1-91 re: award of tree contract for 1991.

MN Lawful Gambling request to spend gambling funds from VFW Post 494 for erection of picnic shelter near Little League field.

Memo from Comm. Dev. Coord. dated 5-2-91 re: Option to purchase 5200 - 35th Avenue North.

Letter and resolution from City Attorney dated 4-23-91 re: repayment of PIR funds.

Letter from Corrick & Sondrall, Lawyers dated 4-17-91 re: Permanent/temporary easements for Medicine Lake Road Project.

Memo from City Engr. dated 4-30-91 re: Sumter Ave. Closure.

Memo from Comm. Dev. Director dated 4-16-91 re: recommendation re: composition of Planning Comm.

Memo from City Engr. dated 5-2-91 re: stop sign installation.

Memo from Comm. Dev. Director dated 5-6-91 re:  
Extension of Dev. Moratorium for Redev. Area #2.  
City Manager Goals for 1991.

Letter from Greater Mpls. Day Care Assoc. dated  
4-15-91.

Letter to Senator Reichgott dated 4-22-91 re: single  
member ward requirement proposed by Legislature.

Minutes of the Human Relations Comm. of 3-25-91.

Minutes of the Crystal Planning Commission of  
4-15-91.

Letter from LMC dated April 1991 re: 1991 Nominations  
for LMC Board of Directors.

Letter from President of LMC dated 4-24-91 to  
Governor Carlson re: state spending and budget.

Crystal Community Center activities for April 1991.

Crystal Park & Rec. Dept. Monthly Report for April,  
1991.

Crystal Park & Rec. Advisory Commission minutes of  
4-3-91.

LMC Legislative Wrapup Sessions Registration form.  
MnDOT Hot Spots Metro's Weekly Construction Update  
for week of May 2.

Letter from Holmes & Graven dated 5-6-91 re: Veit  
and Co., Inc. v. City of Crystal.



*Darlene*

Memorandum

DATE: May 3, 1991  
TO: Mayor and Council  
FROM: Jerry Dulgar, City Manager  
SUBJECT: Preliminary Agenda for the May 7, 1991 Council Meeting

First thing on the agenda starting out promptly at 7 o'clock is our annual Board of Review. Please read Ken Bjorn's memo relative to the Board of Review. I think we should keep in mind that our only job at that meeting is to consider values and look at them. We can commensurate with people all we want about the tax structure, etc., but that's something they really should take up with the Legislature. We have not had too many calls and we don't expect a lot of people at the Board unless we get a lot of calls late. We do think probably that John Paulson and the owner of the house that we have been trying to condemn up at 5231 Douglas Drive who is also on the agenda for a variance will be in to object to their valuations. But, besides that we don't know of anybody that will be.

Consent Agenda

Items 3 and 4: Please refer to Darlene's memo relative to the Second Hand Goods Dealers licenses. You'll recall that some of you raised questions about whether they should be lumped with pawn brokers when we licensed them both sometime back. If we don't change the ordinance we do have to publish for a public hearing and both of them will be subject to a \$500 fee to be reinvestigated. I don't believe we have had any complaints or problems with either one of them.

Public Hearings

- #1. Public hearing to consider noise variance requested by MnDOT for TH100 Overlay Project. Bill indicates that he's not had calls on this although a lot of people were notified of it so we don't know what to expect as far as public input, opposition, etc.
- #2. Public hearing for 1991 Sealcoat Program. Please take the time to read Bill's memo on this. He will answer a lot of your questions and explains a lot of the program to you. Again, we don't know what to expect; we've not had a lot of contact from residents.

Regular Agenda:

Item 1: Consideration of Welcome Avenue stop sign petition/MSA street designations. Again, Bill has a memo where I think he explains this quite well. I have been through the street on



numerous occasions since the stop signs were down. Traffic is very light from my experience in driving through there and I haven't seen people driving unusually fast. I think this stop sign of all of them is probably the least justified of any in the City being in mid-block and I think we're just looking for trouble when we put stop signs like this in. I would recommend that we not put it back in and that we not take this street off of State Aid. This street will not be the frontage road when the road improvements are made in the area. I think that will make a big improvement in the street.

Item 3: Consideration of a variance to allow expansion of a non-conforming structure and a variance to allow curb cut closer than 50' to the corner at 5231 Douglas Drive North. Council should know that the Planning Commission was down at least four members from full compliment when this item was heard. They did recommend it on a split vote I believe. However, I think it would be a real mistake to allow this non-conforming use to be expanded. Also I think it needs a variance because the present building is in the setback and the new addition won't be moved so it will continue to be in the setback. I think the driveway that close to the main street, Douglas Drive, is a hazard and I see no reason to allow this kind of use. I think that if we proceed the way we have been we could get the building torn down, get the lot cleaned up, and get some nice new addition there. I should mention also that the lot immediately north of this, the house there is a non-conforming use and has been discontinued as a non-conforming use. We have told the individuals that they cannot reinstitute that use. So, there's two properties here where the buildings really should be removed and something new or different done on the property. I'm sure Mr. Sherry will try to convince you otherwise and I'm sure it's probably to his economic interest to do so but he was told before he ever purchased this property that the structures would have to be removed. He has not taken our advice at any turn and we've had constant complaints from the neighbors about these properties. I think it would be in the best interest of the City from a nuisance standpoint, tax standpoint, and everything else to get these structures removed and get some new adequate up-to-code structures on the property.

Item 4: Consideration of approving authorization to issue a building permit at 4800 - 56th Avenue North. They do meet the requirements of the ordinance and however much we might not like the fact that they are there, I think we should approve the permit.

Item 5: Consideration of approval of construction plans for MSA Project on 36th Avenue between Welcome Avenue and Douglas Drive. I believe Bill does a good job of pointing out all the different facets of this project in his memo. I would recommend that the Council approve.

Item 6: Consideration of awarding tree trimming/removal contract for 1991. Attached please find a memo from Park & Rec. Director Ed Brandeen relative to this. I would concur with Ed's recommendation that we award the bid to low bidder Total Tree Service in the amount of \$5,239.

Item 7: Consideration of accepting gambling funds from the VFW in the amount of \$8,000 to furnish and erect a picnic shelter near the Little League concession stand. The Park & Rec. Department and the Little League I believe solicited the VFW to contribute these funds so that they could put a picnic shelter up where some tables could be put under it so that people would have some place to sit and eat their concessions that they buy. It will be designed to fit in with the rest of the buildings in the area. There's no problem, there's plenty of room for it, etc.

Item 8: Consideration of a resolution authorizing sales contract with the Department of HUD to purchase property at 5200 - 35th Avenue North. Enclosed please find memo from Julie Jones relative to this particular property. I would recommend that the City purchase this at this time and if nothing else just hang onto it until we see how that redevelopment project that comes together there goes. It might be that as the project goes along we'll want to acquire the other two homes in there and clear some more of that area for part of the redevelopment project. I think we can either recoup our money through the sale of the property again or through the tax increment project somehow.

Item 9: Consideration of a resolution relating to repayment of certain monies to the Public Improvement Revolving Fund which were advanced for the sale of bonds for the Bass Lake Road/Becker Park Redevelopment Project. Enclosed please find a letter from Dave Kennedy explaining this. This money is not sitting there in cash now but will be repaid to the PIR Fund as it becomes available. Something that I'll be working with Anne, Miles, and Jessie on is an idea of possibly creating an economic development revolving loan fund with this money. In any of the projections of the status of the PIR Fund that we have ever given you, this money has not been included so it's an addition to anything else that we've ever shown you that was in the PIR Fund. The reason for that is that we never knew for sure if we would be able to pay it back but with this refunding we can so it might be a real opportunity to set up an economic development fund as the Economic Development Advisory Commission and Council have talked about before.

Item 11: Consideration of New Hope request for Joint Project on Sumter Avenue closure at 30th Avenue. This is the second time that this has come to the Council for your consideration. I think we should either take action to go along with the project or tell New Hope no. Our residents do favor the project as well as New Hope residents. And as Bill is recommending, I think we should just go ahead and do it.

Item 14: Consideration of engineering services contract for design work on Wilshire Blvd./County Rd. 81 intersection. We've met with the County relative to this intersection. They've indicated that they would try to put it into their '92 season but if they were going to do that the engineering work would have to begin almost immediately so that all the deadlines can be met to have it done during 1992. This would also coincide with the redoing of the bridge over the railroad tracks which needs to be



upgraded. We think both of these projects are badly needed and we would recommend to the Council that we go ahead and authorize this work. We are designating Wilshire as a State Aid road so we'd be able to use State Aid money to do most of the work that we will be doing on the intersection.

Item 15: Discussion of 1991 goals for City Manager. I apologize for being somewhat late in getting these done but I do have them done. The Council needs to add the ones that they want to add at the bottom of the sheet.

We should be sure and commend Todd Gustafson as our April Employee of the Month before we adjourn the meeting and get off the cable t.v.

Have a nice weekend. See you next Tuesday.

js

## BOARD OF REVIEW

**Call to order**

**Roll call**

**Pledge of Allegiance to the Flag**

Consideration of the 1991 assessment rolls and questions answered by County Representative Tom May.

**Adjournment**

## COUNCIL AGENDA - SUMMARY

COUNCIL MEETING OF  
May 7, 1991

**Call to order**

**Roll call**

Proclamations for Kelly & Kerby Norman, Crystal Hometown Day on May 11, 1991.

Presentation of a plaque to the Park & Recreation Department from Girl Scouts.

Approval of the minutes of the regular meeting of April 16, 1991 and Special Work Session of April 30, 1991.

### **Consent Agenda**

1. Consideration of the Crystal Fire Department's request to have a permit for a banner at 5354 Douglas Drive for May 10th through the 20th, 1991 with waiver of fee.
2. Consideration of a one-day Off-Site Lawful Gambling license on July 27, 1991 at Becker Park, 6225 - 56th Avenue North (Crystal Frolics), as requested by the Minneapolis/Crystal Elks Lodge #44.
3. Set public hearing for June 4, 1991 to consider second hand goods dealer license for Janet M. Wernet dba J.T. Pennypinchers, 3542 Douglas Drive.
4. Set public hearing for June 4, 1991 to consider second hand goods dealer license for Steven C.

Leppa dba Midwest Antiques and Mercantile, 4611 -  
36th Avenue North.

#### **Public Hearings**

1. Public hearing to consider noise variance requested by MnDOT for TH100 Overlay Project.
2. Public hearing to consider 1991 Sealcoat Program.

#### **Regular Agenda Items**

1. Consideration of Welcome Avenue stop sign petition/MSA street designations.
2. Consideration of a solicitor's license for American Teens, 3710 Central Avenue N.E., Columbia Heights, to go door-to-door during the month of May, 1991.
3. Consideration of (a) variance to allow expansion of a non-conforming structure and (b) variance to allow curb cut closer than 50' to the corner at 5231 Douglas Drive North.
4. Consideration of approving authorization to issue a building permit subject to standard procedure for a 16' x 34' walk-in cooler addition at 4800 - 56th Avenue North.
5. Consideration of approval of construction plans for MSA Project on 36th Avenue between Welcome Avenue and Douglas Drive.
6. Consideration of awarding tree trimming/removal contract for 1991.
7. Consideration of accepting gambling funds from the VFW in the amount of \$8,000 to furnish and erect a picnic shelter near the Little League concession stand.
8. Consideration of a resolution authorizing sales contract with the Department of HUD to purchase property at 5200 - 35th Avenue North.
9. Consideration of a resolution relating to repayment of certain monies to the Public Improvement Revolving Fund which were advanced for the sale of bonds for the Bass Lake Road/Becker Park Redevelopment Project.
10. Consideration of accepting permanent easements for Medicine Lake Road Reconstruction Project.

5/3/91

Darlene -

At the risk of being  
shot, can I add an  
item to Monday's  
agenda for Tuesday's  
meeting? The item  
is to consider <sup>the</sup> first  
reading of an ordinance  
extending the moratorium  
in Redevelopment  
Project No. 2.

I'll have a staff  
report on it on Monday.  
Thanks!

Anne



11. Consideration of New Hope request for Joint Project on Sumter Avenue closure at 30th Avenue.
12. Discussion regarding composition of Planning Commission.
13. Consideration of stop sign installation at 38th and Adair, 38th and Welcome, and Hampshire & Fairview Avenues.
14. Consideration of engineering services contract for design work on Wilshire Blvd./County Rd. 81 intersection.
15. Discussion of 1991 goals for City Manager.

#### **Open Forum**

#### **Informal Discussion and Announcements**

1. Employee of the Month for April (Todd Gustafson).

#### **Licenses**

#### **Adjournment**

### **APPLICATIONS FOR LICENSE**

May 7, 1991

#### **GAS FITTERS LICENSE - \$30.25**

Northern Plumbing & Heating, 15685 Medina Road, Plymouth, MN 55447

Maple Grove Heating & Air Conditioning, Inc., 410 County Road 81, Maple Grove, MN 55369

Anderson Heating & Air Conditioning, Inc., 4347 Central Ave. NE., Columbia Heights, MN 55421

#### **PLUMBERS LICENSE - \$30.25**

Northern Plumbing & Heating, 15685 Medina Road, Plymouth, MN 55447

#### **SIGN HANGERS LICENSE - \$66.00**

Leroy Signs, Inc., 6325 Welcome Ave. N., Minneapolis, MN 55429

Pascual Sign Erectors, 11215 Xylon Ave. N., Champlin, MN 55316

DeMars Signs, 4040 Marshall St. NE., Minneapolis, MN 55421

MECHANICAL AMUSEMENTS - \$104.50 each machine

Wally L. Shaver for Rostamos, 6014 Lakeland Ave. N.  
Wally L. Shaver for Palace Inn, 5607 West Broadway

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

Walgreens, 6918 56th Ave. N., from June 1 - Dec. 31, 1991  
(pro-rated \$2.50/mo.)

POOLS - Outdoor (Exempt)

Forest Park, 48th & Hampshire No., Outdoor wading  
Crystal Municipal Pool, 4848 Douglas Drive, main  
Crystal Municipal Pool, 4848 Douglas Drive, wading  
Twin Oak Park, Scott & Wilshire No, wading

POOLS - Outdoor (\$200.00)

Crystal Village, 7609 32nd Ave. No.  
Crystal Village, 3130 Sumter Ave. No.  
Crystal Village, 3016 Sumter Ave. No.  
3000 Winnetka Apts., 3000 Winnetka Ave. No.  
Virginia Court Apts., 5900 West Broadway  
Woodbridge Apts., 2701 Brunswick Ave. No.

FOOD ESTABLISHMENT - Itinerant (\$30.00 1st day + \$12.00  
ea. addnl day)

Tom Thumb, 4711 36th Ave. No., May 16 - 19, 1991

REFUSE HAULER

Hilger Transfer, Maple Grove, MN

PERMIT FOR WINE AND BEER IN PARK/COMMUNITY CENTER

June & Vern Wickoren at Crystal Community Center, June  
2, 1991 from 1:00 p.m. to 6:00 p.m. for an anniversary  
party





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

ADMINISTRATIVE OFFICE

### PROCLAMATION

WHEREAS, the City of Crystal, Minnesota, is actively concerned and involved in nurturing and supporting the educational and physical development and achievements of its natives and residents, and

WHEREAS, the achievements academically and athletically of our native citizen **Kelly Norman** are a source of great community pride and interest as she represents our hometown in the nation and at the University of Minnesota as an accomplished athlete and scholar, and

WHEREAS, she will be especially honored during ceremonies at the University of Minnesota; and "**Hometown Days**" celebration of her achievements is representative of the recognition our City supports,

NOW, THEREFORE BE IT RESOLVED, that I, Betty Herbes, Mayor of the City of Crystal, Minnesota, do hereby proclaim May 11, 1991 as

**OFFICIAL KELLY NORMAN  
CRYSTAL HOMETOWN DAY IN THE CITY.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
date



UNIVERSITY OF MINNESOTA  
Women's Intercollegiate Athletics

Bierman Field Athletic Building  
516 15th Avenue S.E.  
Minneapolis, Minnesota 55455  
(612) 624-8000

April 23, 1991

Mayor Betty Herbes  
5336 Idaho North  
Crystal, MN 55428

Dear Mayor Herbes:

I am writing to you regarding our phone conversation about the University of Minnesota Women's Intercollegiate Athletic Department and WCCO Radio Hometown Day salute of student-athletes Kelly and Kerby Norman. We will be saluting Kelly and Kerby and the city of Crystal Saturday, May 11 at approximately 2:15 p.m. when the Gophers take on the Wolverines of Michigan at the Bierman Softball Complex on the U of M Campus. We would like to invite you and the the city council members to be special guests of the women's athletic department. At this celebration, we would like you to present Kelly and Kerby with a proclamation declaring it KELLY and KERBY NORMAN - CRYSTAL HOMETOWN DAY!

This celebration is one of thirteen WCCO RADIO HOMETOWN DAYS, a promotion designed to salute some of Minnesota's finest student-athletes. During its inaugural year of 1989-90, WCCO Radio Hometown Days honored fifteen student-athletes from thirteen Minnesota hometowns, and brought over 7,000 fans to the U of M Twin Cities campus.

Please let me know if you or any of the city council members will be able to join us for this salute so that I can make special arrangements for admission and parking. Feel free to call me at 624-0800 if you have any questions or ideas for creating community involvement.

I will be in contact with you soon. Thank you very much for your time and consideration.

Sincerely,

Diane Erstad  
Promotions Assistant

April 16, 1991

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Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on April 16, 1991 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, Grimes, Herbes, Irving, Joselyn, Langsdorf; absent: Moravec. Also in attendance were the following staff members: Jerry Dulgar, City Manager; Anne Norris, Community Development Director; Dave Kennedy, City Attorney; William Monk, Public Works Director; Bill Barber, Building Inspector; Darlene George, City Clerk.

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

The Mayor proclaimed April 21 through 27, 1991 as Volunteer Recognition Week in the City of Crystal.

The City Council considered the minutes of the Regular City Council meeting of April 2, 1991 and the Special Meeting of April 11, 1991.

Moved by Councilmember Langsdorf and seconded by Councilmember Irving to approve the minutes of the Regular City Council Meeting of April 2, 1991 and the Special Meeting of April 11, 1991 making the following exceptions to the minutes of the Regular City Council Meeting of April 2, 1991: change Councilmember Herbes to Mayor Herbes in Item #7, Motion A.  
Motion Carried.

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

1. Consideration of acceptance of a letter of resignation from the Planning Commission received from Paul Christopher, 3506 Zane Avenue North.
2. Consideration of acceptance of a letter of resignation from the Planning Commission received from Steven Leppa, 4816 Quail Avenue North.

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

Motion Carried.

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

1. The City Council considered the applications for appointment to the Employee Review Board from Donna M. Cooper, 4325 Zane Avenue North; Colleen Fern, 3908 Florida Avenue North; Marvin T. Galiger, 3701 Yates Avenue North; Konrad J. Stroh, 6409 - 38th Avenue North; Sonnie A. Braih, 4912 - 53rd Avenue North;

April 16, 1991

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Anthony Brown, 5335 Georgia Avenue North; and Frank Quisenberry, 4097 Kentucky Avenue North.

Moved by Councilmember Irving to appoint Anthony Brown, 5335 Georgia Avenue North, for a one-year term expiring 12-31-92; Donna M. Cooper, 4325 Zane Avenue North, for a two-year term expiring 12-31-93; and Frank Quisenberry, 4097 Kentucky Avenue North, for a three-year term expiring 12-31-94, as regular members on the Employee Review Board and Colleen Fern, 3908 Florida Avenue North; and Sonnie A. Braih, 4912 - 53rd Avenue North as alternate members for 3-year terms, terms expiring on December 31, 1994.

No Second was heard; a vote was taken.  
Motion Carried Unanimously.

2. The City Council considered the renewal of variances for Steve O's to operate an Outside Cafe at 4900 West Broadway. Mr. Mavity, Attorney for Mr. Weisman, appeared and was heard.

Moved by Councilmember Carlson and seconded by Councilmember Langsdorf to approve the renewal of non-conformity expansion and parking variances for the season of 1991 to operate an outside cafe at Steve O's, 4900 West Broadway, contingent upon owner/operator satisfying the 12 conditions set forth by the City Council in their original approval of this use in 1989.

Moved by Councilmember Carlson and seconded by Councilmember Irving to amend the motion to include a change in the closing time in the 12 conditions from 9 p.m. to 11 p.m. subject to revision upon renewal.

By roll call and voting aye: Grimes, Herbes, Irving, Joselyn, Carlson; voting no: Langsdorf; absent, not voting: Moravec.

Motion Carried.

Voting on the main motion as amended:

Motion Carried Unanimously.

3. The City Council considered award of bid for reroofing the maintenance garage, municipal pool and Forest Park shelter.

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

#### RESOLUTION NO. 91-32

RESOLUTION AWARING BID FOR ROOF SYSTEM  
REPLACEMENTS AT MAINTENANCE GARAGE, MUNICIPAL  
POOL AND FOREST PARK SHELTER TO DALBEC ROOFING

By roll call and voting aye: Herbes, Irving, Joselyn,

April 16, 1991

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Langsdorf, Carlson, Grimes; absent, not voting: Moravec.  
Motion carried, resolution declared adopted.

4. The City Council considered a resolution approving lawful gambling premises permit for VFW Post 494, 5222 - 56th Avenue North.

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

RESOLUTION NO. 91-33

RESOLUTION RELATING TO LAWFUL GAMBLING:  
APPROVING CERTAIN PREMISES PERMITS

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

5. The City Council considered an Ethics Policy for City Officials and employees.

Moved by Councilmember Carlson to refer the Ethics Policy to the Employee Review Board for its review.

Motion Failed for Lack of a Second.

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

RESOLUTION NO. 91-34

RESOLUTION RELATING TO ETHICS IN GOVERNMENT:  
ADOPTING THE CITY OF CRYSTAL ETHICS POLICY

By roll call and voting aye: Joselyn, Langsdorf, Grimes, Herbes, Irving; voting no: Carlson; absent, not voting: Moravec.

Motion carried, resolution declared adopted.

6. The City Council considered the Second Reading of an Ordinance regarding Multi-family Recycling.

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

ORDINANCE NO. 91-9

AN ORDINANCE AMENDING CHAPTER 606  
OF THE CRYSTAL CITY CODE; RELATING TO  
RECYCLING SERVICES FOR MULTI-FAMILY DWELLINGS



April 16, 1991

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

Motion Carried.

7. The City Council considered a resolution prohibiting parking on Louisiana and 62nd Avenues adjacent to North Lions Park.

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

RESOLUTION NO. 91-35

RESOLUTION PROHIBITING PARKING ON PORTIONS  
OF LOUISIANA AND 62ND AVENUES ADJACENT  
TO NORTH LIONS PARK

By roll call and voting aye: Langsdorf, Carlson, Grimes, Herbes, Irving, Joselyn; absent, not voting: Moravec.

Motion carried, resolution declared adopted.

8. The City Council considered Health and Police Department proposed fee amendments.

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

RESOLUTION NO. 91-36

RESOLUTION RELATING TO FEES AND CHARGES:  
AMENDING APPENDIX IV TO THE CITY CODE

By roll call and voting aye: Carlson, Grimes, Herbes, Irving, Joselyn, Langsdorf; absent, not voting: Moravec.

Motion carried, resolution declared adopted.

9. The City Council discussed possible 1991 budget cuts.

The consensus of the Council was to comply with budget cuts as proposed by City Manager until such time as the legislature makes its decision regarding Local Government Aid (LGA) cuts.

OPEN FORUM

1. Appearing before the City Council to discuss removal of stop signs at 35th and Welcome Avenues were the following:

Ken Devine, 3512 Welcome Avenue North, who presented two petitions from the neighborhood, one being for return of the stop sign between 34th and 36th Avenues on Welcome; and the second being a request to "dead end" Welcome Avenue at Vera Cruz; Bonnie, Menshek, 5607 - 36th Avenue North; Rick

April 16, 1991

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Thompson, 3450 Welcome Avenue North; Karen Moessner, 3519 Welcome Avenue North.

Moved by Councilmember Irving and seconded by Councilmember Carlson to approve the list of license applications as submitted by the City Clerk to the City Council, with the addition of Davey Tree Service Company license, 14100 - 21st Avenue North, Suite B, Plymouth, a list of which is on file in the office of the City Clerk, and further, that such list be incorporated into and made a part of this motion as though set forth in full herein.

Motion Carried.

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

Motion Carried.

Meeting adjourned at 8:40 p.m.

ATTEST:

\_\_\_\_\_  
Mayor

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

April 30, 1991

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Pursuant to due call and notice given in the manner prescribed by Section 3.01 of the City Charter, the Special Work Session of the Crystal City Council was held on April 30, 1991, at 7:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota. The following were present: Carlson, Irving, Grimes, Herbes, Langsdorf, Joselyn, Moravec. Also in attendance were the following staff members: Jerry Dulgar, City Manager; Anne Norris, Community Development Director; Dave Kennedy, City Attorney; 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.

1. Dave Kiser of N.W. Community Television appeared to give Council tips for Cable TV viewing.
2. The City Council considered the Housing Maintenance Code.

Moved by Councilmember Carlson and seconded by Councilmember Grimes to delete "cooling" from Section 425.03, Subdivision 3(c).

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

Motion Failed.

By consensus the City Council directed staff to make the following changes:

1. 425.11, Subd. 4 - change heat from 65 degrees to 70 degrees.
2. 425.16, Subd. 4 - delete penalty provision - attorney study ordinance language regarding penalty provision for all licenses.
3. 425.17, Subd. 2(a) and (b) "exchangers", not "exchanges".
4. 425.17, Subd. 3 - eliminate "after consultation with Environmental Quality Commission".
5. 425.27 - Remove Board of Appeals - use staff and Council - attorney to change wording of entire section.

Staff was directed to review method of determining number of people allowed in a dwelling.

Staff was directed to review point of sale on multiple dwellings.

Rosemary Knutson, Chairwoman of Government Affairs Committee for the Minneapolis Area Association of Realtors, appeared and was heard regarding Point Of Sale inspections.



April 30, 1991

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3. The City Council discussed staff action if a resident proceeds with and completes building alterations without obtaining a permit.
4. The City Council discussed the Tax Plans before the Legislature (Legislative Contact Alert).
5. The Building Inspector gave an update on Share-A-Home with Elderly Project. Staff was directed to put together a policy for same.

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

Motion Carried.

Meeting adjourned at 10:03 p.m.

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Mayor

ATTEST:

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City Clerk

DATE: May 1, 1991  
TO: Jerry Dulgar, City Manager  
FROM: Bill Barber, Building Inspector *BB*  
SUBJECT: Temporary Banner for Crystal Fire Department  
5354 Douglas Dr.

Crystal Fire Department is requesting a temporary sign permit to be located at the North Fire Station, 5354 Douglas Dr. The dates are from May 10-20, 1991. This is for their open house.

I recommended approval with waiver of the fee.

APPLICATION FOR  
SIGN PERMIT  
City of Crystal  
4141 Douglas Dr. N., Crystal, MN 55422 Telephone 537-8421

Sign Address 5354 Douglas Date 4-19-91  
Business Name Crystal <sup>Fire</sup> Dept Phone \_\_\_\_\_  
Business Address \_\_\_\_\_ Zip \_\_\_\_\_  
Type of Sign BANNER on Building Setback 5  
Dates used for temporary sign MAY 10 - 20 1991  
Overall Height \_\_\_\_\_ Sign Material cloth  
Sign Size 60' by 4 wide Total Sq. Ft. \_\_\_\_\_  
Illuminated Yes \_\_\_\_\_ No ☒  
Replacement Sign: \_\_\_\_\_ New Sign? ☒  
NOTE: (on reverse side show sketch of billboard location with respect to adjacent buildings, property lines, railroad tracks and street intersections.)  
NOTE: A drawing of the sign and a site plan showing location of sign on property must accompany this application.  
Fee \_\_\_\_\_  
Surcharge \_\_\_\_\_  
Total \_\_\_\_\_

=====

The undersigned hereby makes application for a permit for the work herein specified, agreeing to do all work in strict accordance with the City ordinances and rulings of the Building Department and hereby declares that all the facts and representations stated in this application are true and correct.

Licensee \_\_\_\_\_  
Phone \_\_\_\_\_

Signature *[Signature]*


CG 230(8/89)

**Minnesota Lawful Gambling**  
**Application for One-Day**  
**Off-Site Lawful Gambling**

*Send in this application at least 60 days before your gambling activity.*

Organization <b>MPLS/CRYSTAL ELKS 44</b>		License number <b>244</b>	
Address (street or post office box number) <b>5410 Lake land Ave N'</b>			
City <b>Crystal</b>	State <b>Mn</b>	Zip code <b>55429</b>	Phone number <b>533-8360</b>

**Off-Site Information**

1 Name of location where off-site gambling will be held <b>Becker Park for Crystal Frolics</b>			
2 Address of off-site location <b>6225 56th Ave</b>	City or township <b>Crystal</b>	State <b>Mn</b>	Zip Code <b>55428</b>
3 Date of one-day event <b>July 27-1991</b>			
4 Has your organization conducted off-site gambling this year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what was date of event?			
5 Name of chief executive officer (please print) <b>Ed Thonander</b>	Signature of chief executive officer 	Date <b>3-21-91</b>	Phone Number <b>1-612-541-1237</b>

**Local Government Acknowledgement**

I have received a copy of this application. This application will be reviewed by the Gambling Control Board and will become effective 60 days from the date of receipt by the city or county, unless the local government passes a resolution to specifically forbid the activity. A copy of that resolution must be received by the Gambling Control Board within 60 days of the date filled in below.

City or County (to be filled in for all applicants)		Township	
City or county name <b>Marlene George City of Crystal</b>		Township name	
Signature of person receiving application		Signature of person receiving application	
Title <b>City Clerk</b>	Date received <b>3-25-91</b>	Title	Date received

**Attach a copy of the lease for the off-site location**

Mail this application and a copy of the lease to:  
 Department of Gaming - Gambling Control Division  
 Mail Station 3315  
 St. Paul, MN 55146-3315

**For board use only:**
 Approved ☐ Denied ☐

\_\_\_\_\_  
 Director  
 Gambling Control Division



By agreeing to the terms of this lease, it is mutually agreed that:

- The legal owner of the property is the lessor.
- The owner of the property (lessor) may not manage gambling at the premises.
- The lessor of the premises, his or her immediate family, and any agents or employees of the lessor may not participate as players in the conduct of lawful gambling on the leased premises.
- The lessor and the lessee do not have a direct or indirect financial interest in the distribution or manufacture of gambling equipment.
- The lessor of the premises will allow the Board or agents of the Board, the Commissioner of Public Safety or agents of the commissioner, or the Commissioner of Revenue or agents of the commissioner, and law enforcement personnel to inspect the premises at any reasonable time, and permit the organization to conduct lawful gambling at the premises according to the terms of this lease. The lessor may not impose any conditions on the organization regarding distributors of gambling equipment, services, or the use of profits.
- The organization must obtain a license and a premise permit from the Gambling Control Board. The organization will be responsible for complying with the laws and rules of lawful gambling.
- The organization must have, at the gambling premises, a current inventory of gambling equipment, a sketch with dimensions of the premises available for review, and a clear physical separation or divider between the lessee's gambling equipment and the lessor's business equipment.
- The organization will be responsible for ensuring that the lessor's business activities are not conducted on the leased premises.
- If the lease is cancelled prior to the termination date of this lease, each party agrees to notify the Gambling Control Board explaining the reasons for the cancellation. The lease shall be terminated immediately for any gambling, liquor, prostitution or tax evasion violations occurring on the premises.
- The lessor of the premises shall provide the lessee access to the licensed premises during any time reasonable and necessary to conduct lawful gambling on the premises and as agreed upon in this lease.
- (Write in any other conditions or restrictions that will be included as part of the lease. Attach additional sheets if necessary)

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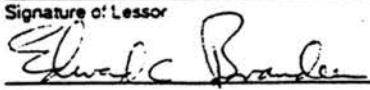
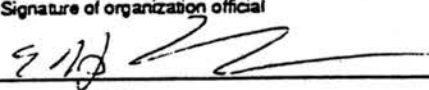
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This lease is the total and only agreement between the lessor and the organization conducting lawful gambling activities. There is no other agreement and no other consideration required between the parties as to the lawful gambling and other matters related to this lease. (Any changes in this lease must be submitted to the Gambling Control Board within 10 days of the change.)

Signature of Lessor	Date	Signature of organization official	Date
	4/15/91		4-12-91
Title		Title	
Elwood Brander Director		MP-5/ELKS Lodge #44 C.E.O.	

A copy of this lease and sketch with dimensions must be submitted with the premise permit application or renewal to:

Department of Gaming - Gambling Control Division  
Rosewood Plaza South, 3rd Floor  
1711 W. County Road B  
Roseville, Minnesota 55113



Memorandum

DATE: May 3, 1991

TO: Jerry Dulgar, City Manager

FROM: Darlene George, City Clerk

SUBJECT: License Renewal, Second Hand Goods Dealers  
Steven C. Leppa, dba Midwest Antiques & Mercantile  
Janet M. Wernet, dba J.T. Penney pinchers

The above referenced Second Hand Goods Dealers licenses are up for first time renewal July 1, 1991. Upon reviewing the ordinance in preparation for sending out the necessary renewal information to the second hand goods dealers, it was discovered that a public hearing must be held each time the license is renewed. In the interest of time, setting the public hearing date is being placed on the consent agenda for May 7.

The ordinance also requires an investigation each time the license is renewed. The fee for the investigation is \$500 per person having a beneficial interest in the business.

I recall a Councilmember's concern about the ordinance combining second hand goods dealers and pawnshops and questioning whether or not they could be separated. I would recommend that this be discussed during the informal discussion period of the Council meeting on May 7. If the first reading of an ordinance change was held on May 7 the ordinance could be enforced by June 29. There would be a cost factor in publishing the ordinance but there is also a considerable cost factor advertising the public hearings each time there is a renewal.

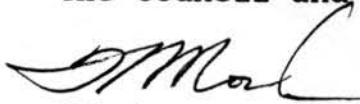
If you have any questions or need further information prior to the May 7 meeting, please contact me.

DG/js

DATE: April 29, 1991  
TO: Jerry Dulgar, City Manager  
FROM: William Monk, City Engineer  
SUBJECT: Noise Variance for Construction Work on TH100

As noted in the attached notice, MnDOT is proposing to overlay TH100 between Glenwood and 36th Avenues as a night-time construction project. In order to proceed with the project in this manner, MnDOT needs a variance to Sections 645.05, Subdivision 4 and 645.07, Subdivision 1 of City Code (copy attached) which deal with hours of operation and noise levels.

Consistent with provisions of City ordinance, property owners within 500 feet of the project were notified of the variance hearing. A MnDOT representative will be in attendance on Tuesday night to review project details with the Council and impacted property owners.



WM:mb

Encl

# **MN 100 NEWS**

## **HIGHWAY 100 IMPROVEMENTS SCHEDULED TO BEGIN MAY 6**

Work to improve a four-mile segment of Hwy. 100 between Crystal and St. Louis Park is scheduled to begin May 6, weather permitting.

The stretch of Hwy. 100 from 36th Avenue North to Hwy. 7, excluding the area near I-394, will be milled and overlayed with a new surface this spring. More than 75,000 cars travel along this area each day, so work will be done at night. Crews will begin no earlier than 8 PM and will be off the roadway by 6 AM.

Residents living along Hwy. 100 can expect to hear noise from this project. However, this mill and overlay job is considered a "moving" operation which means the work-zone is not stationary and will not impact a specific area for an extended period of time.

Traffic will be reduced to one lane in the area where crews are working. The entrance and exit ramps along Hwy. 100 will also be closed for short periods while the operation is passing by. Emergency vehicles will have access through the ramps during the time of the closures.

Crews will begin by milling and overlaying the highway in St. Louis Park between 27th Avenue and Hwy. 7. Work will start on the southbound lanes at 27th Avenue, progress towards Hwy. 7, then switch to the northbound lanes and move towards 27th Avenue. This area is expected to be complete in approximately 1-1/2 weeks.

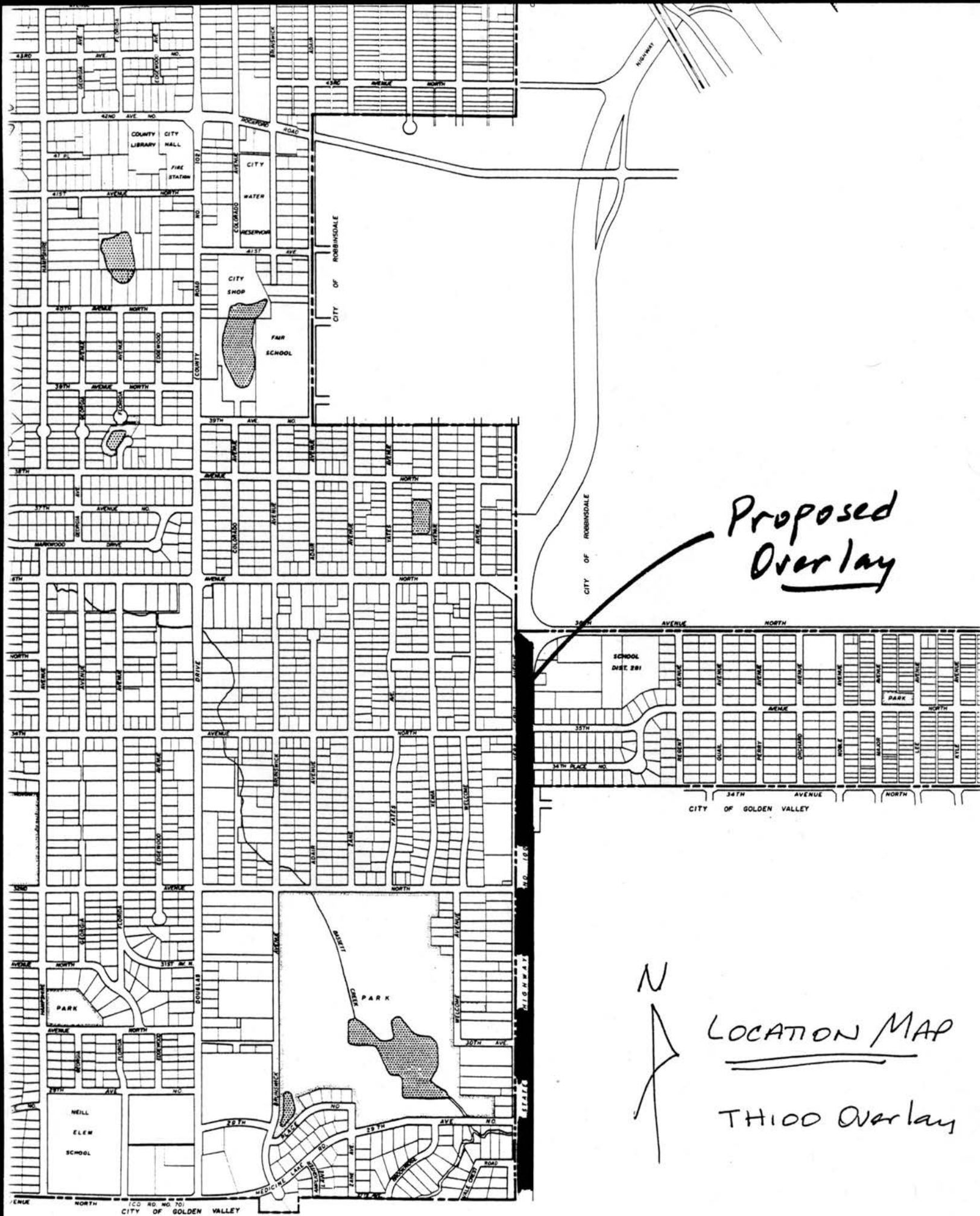
The second phase of the project will include the stretch from Glenwood Avenue in Golden Valley to 36th Avenue North in Crystal. This portion of the project is expected to take approximately four weeks. The entire project should be completed by mid-June.

If you have any questions, please call:

**Ken Schrader**  
Resident Engineer  
493-5166

**Wayne Hillstrom**  
Project Engineer  
493-5166

**Judy Rockvam**  
Project Liaison  
593-8432



Proposed  
Overlay

LOCATION MAP

TH100 Overlay

NOTICE OF VARIANCE APPLICATION

The MN Department of Transportation has applied for a variance to Section 645 of the Crystal City Code as relates to noise levels. As noted in the attached information sheet, the State is proposing to overlay TH100 between 29th and 36th Avenues in Crystal as a nighttime construction project. Construction work performed between 10:00 p.m. and 7:00 a.m. requires a variance to said noise standards.

The Crystal City Council will consider this variance request at their regular meeting of May 7 at 7:00 p.m. in the City Hall Chambers. Persons wishing to be heard on this item are invited to attend this meeting. Comments may also be made by phone to the City Engineer at 537-8421.

DATED: April 16, 1991

BY ORDER OF THE CITY COUNCIL  
CITY OF CRYSTAL  
DARLENE GEORGE, CITY CLERK



Section 645 - Noise Control  
(Ord. No. 82-12)

645.01. Definitions. Subdivision 1. General. For purposes of this Section, words and phrases defined in this section have the meanings given them. Any other word or phrase used in this ordinance and defined in regulations of the Minnesota Pollution Control Agency Noise Pollution Control GMCAR §4 (NPC 1 and NPC 4) have the meaning given in those regulations.

Subd. 2. "Air Circulation Device" means a mechanism designed and used for the controlled flow of air used in ventilation, cooling, or conditioning, including but not limited to, central and window air conditioning units.

Subd. 3. "L10" means the sound level, expressed in decibels (dBA) which is exceeded 10 percent of the time for a one-hour period, as measured by a sound level meter having characteristics as specified in the latest standards, S1.4, of the American National Standards Institute and using test procedures approved by the noise control officer.

Subd. 4. "L50" means the sound level similarly expressed and measured which is exceeded 50 percent of the time for a one-hour period.

645.03. Noises Prohibited Subdivision 1. General Prohibition. No person shall make or cause to be made any noise that unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace, safety, or welfare of others or precludes their enjoyment of property or adversely affects the value of this property. This general prohibition is not limited by the specific restrictions of the following subdivisions.

Subd. 2. Motor Vehicles. No person shall operate a motor vehicle in the city in violation of the motor vehicle noise limits of the Minnesota Pollution Control Agency or in violation of the provisions of this Section.

Subd. 3. Horns, Signaling Devices, etc. No person shall sound any signaling device on any vehicle except as a warning of danger.

Subd. 4. Exhaust, Except Motor Vehicles. No person shall discharge or permit the discharge of any steam engine, stationary internal combustion engine, motor boat, motor vehicle or snowmobile except through a muffler or other device that effectively prevents loud or explosive noises therefrom and complies with any applicable state laws and regulations.

Subd. 5. Exhaust, Motor Vehicles. Every motor vehicle shall at all times be equipped with a muffler in good working order which blends the exhaust noise into the overall vehicle noise and is in constant operation to prevent excessive or unusual noise, and no person shall use a muffler cutout, bypass, or similar device upon a motor vehicle or a street or highway. The exhaust system shall not emit or produce a sharp popping or crackling sound.

Subd. 6. Defective Vehicles or Excessive Loads. No person shall operate any vehicle in such a state of disrepair or overloaded so as to create loud and unnecessary grating, grinding, rattling, or other noise.

Subd. 7. Loading, Unloading, Unpacking. No person shall create loud and excessive noise in loading, unloading, or unpacking any vehicle.

Subd. 8. Radios, Phonographs, etc. No person shall use or operate any radio receiving set, musical instrument, phonograph, or other device for the production or reproduction of sound in such manner as to disturb the peace, quiet, and comfort of neighbors or others nearby. Operation of any such set, instrument, phonograph, machine or other device between the hours of 10 o'clock p.m. and 7 o'clock a.m. in such a manner as to be plainly audible at a property line or at 50 feet from a vehicle, structure or building in which it is located shall be prima facie evidence of a violation of this section.

Subd. 9. Loud Speakers, Amplifiers for Advertising, etc. No person shall use or operate or permit the use or operation of any loud speaker, sound amplifier, or other device for the production or reproduction of sound when the sound is cast upon a street or other public place for the purpose of commercial advertising or attracting the attention of the public to any commercial establishment or vehicle.

Subd. 10. Animals. No person shall keep any animal that disturbs the comfort or repose of persons in the vicinity by its frequent or long continued noise.

Subd. 11. Schools, Churches, Hospitals, etc. No person shall create any excessive noise on a street, alley, or public grounds adjacent to any school, institution of learning, church, or hospital when the noise unreasonably interferes with the working of the institution or disturbs or unduly annoys its occupants or residents.

645.05. Hourly Restriction on Certain Operations. Subdivision 1. Recreational Vehicles. No person shall, between the hours of 10 o'clock p.m. and 7 o'clock a.m., drive or operate any minibike, snowmobile or other recreational vehicle not licensed for travel on public highways.

Subd. 2. Outdoor Power Equipment. No person shall operate a power lawn mower, power hedge clippers, chain saw, or other outdoor property maintenance equipment except between the hours of 7 o'clock a.m. and 10 o'clock p.m. on any weekday or between the hours of 9 o'clock a.m. and 9 o'clock p.m. on Saturday, Sunday or holiday. This subdivision shall not apply to snow removal activities or to municipal or commercial outdoor property maintenance activities except that commercial activities shall not unreasonably disturb the peace, quiet, and comfort of nearby residents. In the case of emergencies resulting from unforeseen causes such as snow or wind storms this section shall not apply to reasonable and necessary remedial actions.

Subd. 3. Refuse Hauling. Garbage and refuse may not be collected or removed between the hours of 10 p.m. and 6 a.m. on a weekday or between the hours of 9 p.m. and 6 a.m. on Saturday, Sunday or a legal holiday. (Amended, Ord. No. 89-12, Sec. 1)

Subd. 4. Construction Activities. No person shall engage in or permit construction activities involving the use of any kind of electric, diesel, or gas-powered machine or other power equipment except between the hours of 7 o'clock a.m. and 10 o'clock p.m. on any weekday and 9 o'clock a.m. and 9 o'clock p.m. on Saturday, Sunday or holiday.

645.07. Receiving Land Use Standards. Subdivision 1. Maximum Noise Levels by Receiving Land Use. No person shall operate or cause to be operated any source of noise in such a manner as to create a noise level exceeding the limit set in Table I for the receiving land use category specified when measured at or within the property line of the receiving land use.

<u>Zoning District</u>	Table I. Sound Levels By Receiving Land Use			
	Day (7:00 a.m. - 10:00 p.m.)		Night (10:00 p.m. - 7:00 a.m.)	
	<u>L50</u>	<u>L10</u>	<u>L50</u>	<u>L10</u>
Residential	60	65	50	55
Commercial	65	70	65	70
Industrial	75	80	75	80

In the event that the property on which an Industrial or Commercial Noise Source is located abuts residential property, the noise source in question shall not exceed an L10 noise level of 60 dBA in the daytime (7:00 a.m. to 10:00 p.m.) and an L50 noise level of 50 dBA in the nighttime (10:00 p.m. to 7:00 a.m.) as measured on the property line abutting the source. (Amended Ord. No. 83-2, Sec. 2)

Subd. 2. Exemptions. The levels prescribed in Subdivision 1 do not apply to streets owned, operated and maintained by the City of Crystal.

645.09. Motor Vehicle Sound Level Requirements. Subdivision 1. Any motor vehicle operated or driven on any highway within the city shall comply with the noise limits of the State of Minnesota.

Subd. 2. Minnesota Highway Traffic Regulations 169.69 (Mufflers) and 169.693 (Motor Vehicle Noise Limits) and Minnesota Pollution Control Agency NPC 4 (Motor Vehicle Noise Limits - 1977) are adopted and incorporated by reference. Three copies of each of these laws and regulations shall be on file in the Office of the City Clerk and each copy shall be marked "Official Copy."

Subd. 3. Any motor vehicle with a manufacturer's gross vehicle weight rating of 9,000 lbs. or less operated or driven within the city, on any highway, public property, or private property within a city, shall also comply with the following standards when a stationary testing procedure is used:

Automobiles, Vans, Light Trucks (GVWR - 10,000 lbs. or less)	95 dBA
Motorcycles	99 dBA

645.11. Air Circulation Devices. No person shall install or place any air circulation device except a window air conditioning unit in any location until the noise control officer determines that the device in that location will comply with the noise level standards prescribed in Section 4 and issues a permit for the installation. The noise produced by any window unit and by any existing air circulation device shall be attenuated by means deemed appropriate by the noise control officer, including, but not limited to, relocation of such device, if the noise results in or contributes to a violation of Subsection 645.07.

645.13. Exception for Emergency Work. Noise created exclusively in the performance of emergency work to preserve the public health, safety, or welfare or in the performance of emergency work necessary to restore a public service or eliminate a public hazard shall be exempt from the provisions of this ordinance for a period not to exceed 24 hours after the work is commenced. Persons responsible for such work shall inform the noise control officer of the need to initiate such work, if the work is commenced during non-business hours of the city, then at the beginning of business hours of the first business day thereafter. Any person responsible for such emergency work shall take all reasonable actions to minimize the amount of noise.

645.15. Powers and Duties of Noise Control Officer. Subdivision 1. Administering Officer. The noise control program established by this Section shall be administered by the noise control officer, who shall be appointed by the city manager.

Subd. 2. Testing Procedures. The noise control officer shall adopt guidelines establishing the test procedures and instrumentation to be used in enforcing the provisions of Section 4. A copy of such guidelines shall be kept on file in his office and shall be available to the public for reference during office hours.

Subd. 3. Studies, etc. The noise control officer shall conduct such research, monitoring, and other studies related to sound as are necessary or useful in enforcing this Section and reducing noise in the city. He shall make such investigations and inspections in accordance with law as required in applying ordinance requirements.

Subd. 4. Noise Impact Statements. The noise control officer may require any person applying to the city for a change in zoning classification or a permit or license for any structure, operation, process, installation or alteration, or project that may be considered a potential noise source to submit a noise impact statement on a form prescribed by him. He shall evaluate each such statement and make appropriate recommendations to the council or other agency or officer authorized to take the action or approve the license or permit.



Subd. 5. Other Powers and Duties. The noise control officer shall exercise such other powers and perform such other duties as are reasonable and necessary to enforce this action.

645.17. Variances. Subdivision 1. Authority. The City Council may grant variances from the requirements of Section 4.

Subd. 2. Application. Any person seeking a variance shall file an application therefore with the noise control officer on a form prescribed by the officer. The application shall state the dates during which the variance is proposed, the location of the noise source and times of operation, the nature of the noise source, reasons why the variance is sought, steps taken to minimize the noise level, and such other information as is required by the noise control officer. If the application is for a variance for more than three days, the noise control officer shall give mailed notice of the requested variance to all property owners within at least 500 feet of the noise source. Any person claiming to be adversely affected by the variance applied for may, within 10 days of mailing of the notice, file a statement with the noise control officer in support of the claim.

Subd. 3. Action on Application. The Council may grant a variance only if it finds that full compliance with the sound level requirements of the ordinance would constitute an unreasonable hardship on the applicant, on other persons, or on the general public. In determining whether to grant or deny the application, the Council shall balance the hardship to the applicant against the adverse impact on the health, safety, and welfare of the persons affected, the adverse impact on property affected, and any other adverse effects of granting the variance. The variance may be granted subject to conditions, including a time limit.

645.19. Enforcement. Subdivision 1. Notice of Certain Violations. When the noise control officer determines that a noise exceeds the maximum sound level permitted under Subsection 645.07, he shall give written notice of the violation to the owner or occupant of the premises where the noise originates and order such person to correct or remove each specified violation within such reasonable time as is prescribed in the notice. The failure to remove or correct any such violation within the time so prescribed is a violation of this Section. Before issuing citations for violations of Sections 2, 3, 5, or 6, the noise control officer shall provide the violator with notice and an opportunity to comply, unless the officer determines that the violation is not of a continuing or ongoing nature such that compliance can be readily confirmed at the end of a reasonable period.

Subd. 2. Penalty. Violation of this Section is a petty misdemeanor and, upon conviction, the violator shall be punished by a fine not to exceed \$100, plus the costs of prosecution. Each act of violation and each day a violation occurs or continues constitutes a separate offense. The imposition of one penalty for any violation of this Section shall not excuse the violation, or permit it to continue.

Subd. 3. Civil Remedies. This Section may be enforced by injunction, action for abatement, or other appropriate civil remedy.



DATE: April 15, 1991  
TO: Jerry Dulgar, City Manager  
FROM: William Monk, City Engineer  
SUBJECT: 1991 Seal Coat Program Improvement Hearing

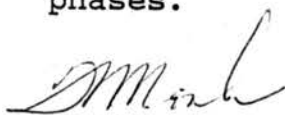
On May 7 the City Council is scheduled to hold an improvement hearing for the 1991 Seal Coat Program. A copy of the hearing notice and the feasibility report regarding the proposed improvements along with the approving resolution are attached to complete the packet. Points to note concerning the project are as follows:

- Seal coat programs represent an economical maintenance operation performed to prolong the useful life of bituminous pavement. While City personnel seal cracks and patch the existing blacktop surface prior to placement of the seal coat, no repaving or overlays are involved.
- It is important to note that the streets south of 42nd Avenue require additional preparatory work due to the unstable clay base. This directly affects the project costs and significantly increases the per unit price.
- Although a number of the streets in this year's program were seal coated in 1986, an inspection of the area showed that an areawide seal coat was needed to reduce moisture penetration of the existing surface. It is anticipated that a six (6) to eight (8) year program cycle will be standard on future projects.
- The alleys at the eastern end of the project area are badly deteriorated. At this point seal coat application is essentially a waste of money. For this reason, seal coat is proposed only on the streets which can be reworked and sealed. There is no question the City will need to consider an alley reconstruction program in this area within the near future as routine maintenance efforts can no longer properly maintain the alleys.
- The proposal to assess single family residential property using an average frontage has produced two basic responses depending on whether a property owner's residential lot has frontage more or less than the average. It has been made clear to affected residents that the unit proposal is not an attempt to have one group of owners subsidize another but, instead, is an effort to more fairly determine and assess benefit.
- Residential corner lots where only one street is being seal coated will receive a 1/2 unit assessment.

Jerry Dulgar, City Manager  
April 15, 1991  
Page 2

- Other uses including multiple residential, commercial and industrial property continue to be assessed benefit based on actual frontage.

At this point the Council must accept the attached feasibility report and approve the 1991 Seal Coat Program in order for the project to proceed to plan preparation and solicitation of bid phases.



WM:mb

Encls

CITY OF CRYSTAL

NOTICE OF PUBLIC HEARING

SEAL COAT IMPROVEMENT NO. 91-2

MAY 7, 1991

NOTICE IS HEREBY GIVEN that the Crystal City Council will meet in the Council Chambers at the Crystal City Hall, 4141 Douglas Drive, on Tuesday, May 7, 1991, at 8:00 p.m., or as soon thereafter as the matter may be heard, to hear and consider all oral and written arguments both for or against the 1991 Seal Coat program, Improvement Project No. 91-2. Streets to be improved as part of the project are as follows:

Adair Avenue	- 36th Ave. to 39th Ave.
Brunswick Avenue	- 36th Ave. to 39th Ave.
Colorado Avenue	- 36th Ave. to 39th Ave.
Fairview Avenue	- Douglas Dr. to Nevada Ave.
Georgia Avenue	- Markwood Dr. to 38th Ave.
Hampshire Avenue	- 36th Ave. to Markwood Dr.
Jersey Avenue	- 37th Ave. to 38th Ave.
Jersey Circle	- Jersey Ave. to cul-de-sac
June Avenue	- 35th Ave. to 36th Ave.
Kyle Avenue	- 34th Ave. to 36th Ave.
Lee Avenue	- 34th Ave. to 36th Ave.
Lilac Drive	- South City limits to 36th Ave.
Major Avenue	- 34th Ave. to 36th Ave.
Markwood Drive	- Louisiana Ave. to 37th Ave. (200' West of Douglas Dr.)
Noble Avenue	- 34th Ave. to 36th Ave.
Orchard Avenue	- 34th Ave. to 36th Ave.
Perry Avenue	- 34th Ave. to 36th Ave.
Quail Avenue	- 34th Ave. to 36th Ave.
Regent Avenue	- 34th Ave. to 36th Ave.
Vera Cruz Avenue	- 36th Ave. to 450' North of 38th Ave.
Welcome Avenue	- 36th Ave. to 450' North of 38th Ave.
Xenia Avenue	- 36th Ave. to 450' North of 38th Ave.
Yates Avenue	- 36th Ave. to 450' North of 38th Ave.
Zane Avenue	- 36th Ave. to 450' North of 38th Ave.
34th Place	- Highway 100 to 35th Ave.
35th Avenue	- Highway 100 to 180' East of Kyle Ave.
37th Avenue	- Douglas Dr. to Jersey Ave.
38th Avenue	- Douglas Dr. to Vera Cruz Ave.
39th Avenue	- Adair Ave. to Colorado Ave.

The total estimated cost of the project is \$165,210. Per front foot assessments for streets are projected at \$2.75. Residential property is proposed to be assessed on a unit basis. This will equate the benefit to all single residential units, including corner, interior and cul-de-sac lots, with an estimated assessment of \$209.00. All other land uses are to be assessed for full frontage abutting the improvement.

All properties abutting or deriving driveway access to the streets to be improved by this project as listed above are subject to special assessment for the cost of such improvement, and the owners thereof may submit their opinions at said Public Hearing.

BY ORDER OF THE CITY COUNCIL  
DARLENE GEORGE, CITY CLERK

(Published in the Crystal-Robbinsdale Post News: April 24 and  
May 1, 1991)

FEASIBILITY REPORT FOR  
1991 SEAL COATING PROGRAM

Project 91-2

In an effort to prolong the usable life of Crystal streets, a seal coating program has been continually performed for many years. The seal coating is set up on a district basis so that each street is improved on a six to eight year rotating schedule. This year one of the central sections of Crystal in the area of 36th Avenue is scheduled for seal coating. The work area is noted on the attached map.

The streets in this quadrant of the City are in fair to poor condition. To protect their structural integrity and prolong their useful life, the use of granite chips on all City streets, instead of buckshot on some, is being recommended again in 1991. This surface type represents a good investment when reconstruction costs are reviewed as was done by the Council in establishing an infrastructure fund during the 1987 budget process.

For the first time in many years, staff is recommending portions of the public right-of-way not be seal coated due to its condition. The alleys in the east end of the project area are so badly deteriorated that seal coat represents a wasted investment. Reconstruction is the only reasonable alternative and must be considered in the next few years.

The City has long assessed seal coating costs on a front foot basis. The criteria used in determining the length of that frontage is as follows:

Lots zoned residential or multiple are assessed on the basis of their actual front footage abutting the improvement. For corner lots, the full frontage along the short side is always assessed while the long side is assessed for one-third of the first 135 feet and full measure on the balance. For lots abutting a street on both the front and rear lines, assessment along the rear footage shall be handled as the long side of a corner lot. Other uses are assessed for full frontage abutting the improvement. Assessments for seal coating are levied for a two-year term.

The footage noted does include park land and other City property of general use to the public.

While no change in the calculation of front footage is recommended in 1991, it is proposed that the assessment of single family residential property be redefined on a unit basis. An average assessment for each single family residential unit would be calculated by dividing the total front footage (for residential property only) by the number of residential equivalent units deriving benefit. By using a unit or average assessment approach, assessments would be closely linked to usage which is a more accurate indicator of benefit than frontage.



Feasibility Report for  
1991 Seal Coating Program  
Page 2

Using the above-noted assessment approach and surface treatment for all 7.6 miles of street in the 1991 Seal Coating Program, the project breakdown is as follows:

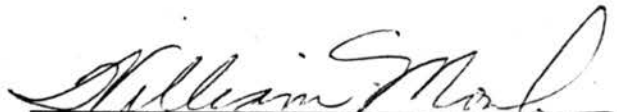
Total Project Cost	\$165,210.00
Assessable Street Frontage	60,173.39
Cost per Front Foot - Streets	\$2.75

Single Family Breakdown

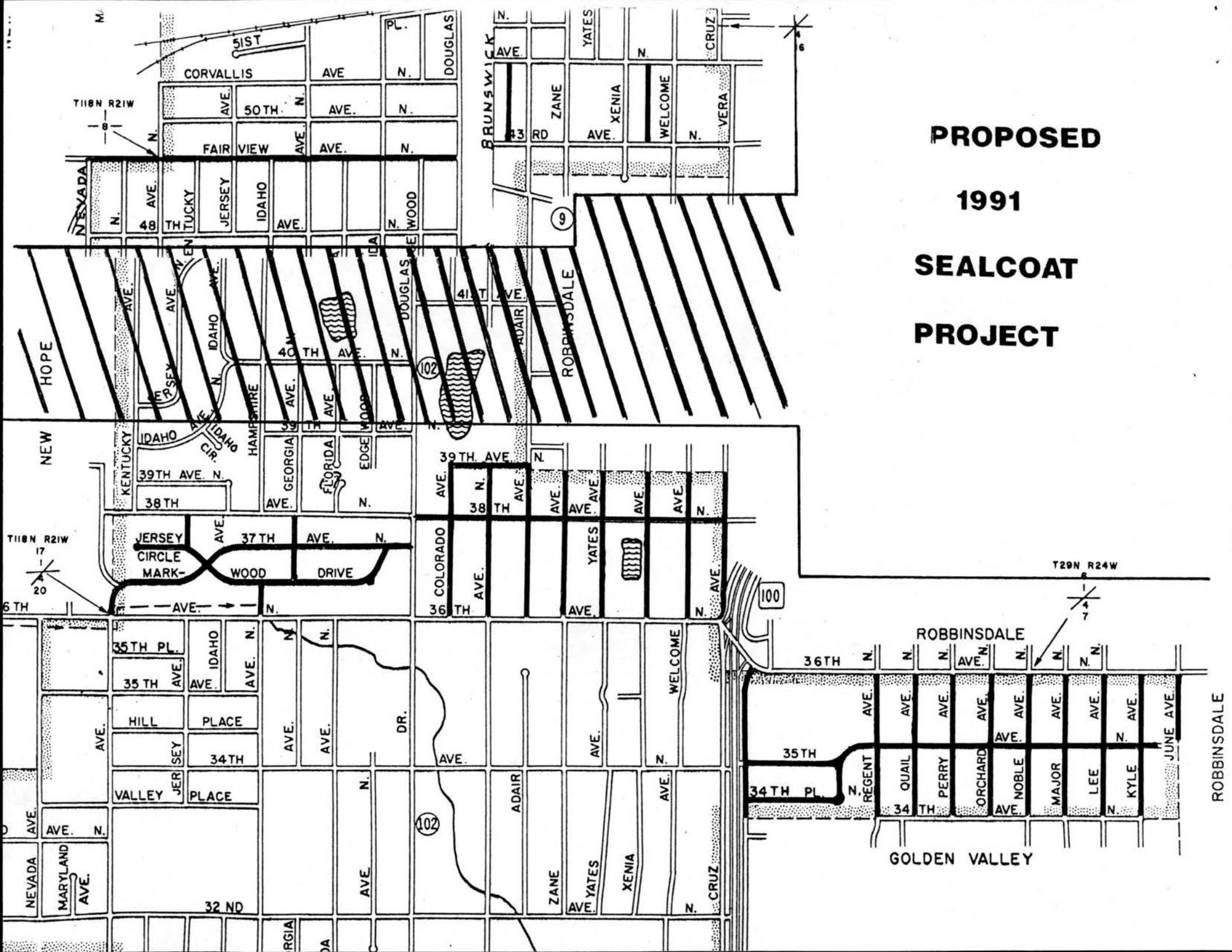
Total Frontage	55,387.09
Units	727.5
Average Street Frontage	76.13
Average Street Assessment	\$209.00

For comparison purposes, the rate assessed in 1990 was \$2.30 per front foot.

Report prepared by  
Crystal Engineering Department

  
April 15, 1991 Reg. No. 14170

**PROPOSED**  
**1991**  
**SEALCOAT**  
**PROJECT**



RESOLUTION NO. 91-

RESOLUTION AUTHORIZING  
IMPROVEMENT PROJECT NO. 91-2 SEAL COAT

WHEREAS, it has been proposed to proceed with Seal Coat Improvement No. 91-2, and

WHEREAS, these improvements have been declared feasible, and

WHEREAS, it is necessary and in the best interest of the City of Crystal and the owners of property especially benefited thereby that the construction be performed and all property owners assessed,

NOW, THEREFORE, BE IT RESOLVED that the City Council, City of Crystal, Minnesota, that all of the improvements be and the same are ordered constructed as set out in the Notice of Public Hearing, published in the Crystal-Robbinsdale Post News April 24, 1991, and May 1, 1991, which hearing was held on May 7, 1991, which Notice of Public Hearing is incorporated into and made a part of this resolution as if set forth in full herein, including the respective cost estimates thereof.

IT IS FURTHER RESOLVED that the entire cost of the above designated improvement, including the cost of engineering, interest during construction and necessary incidental expenses shall be assessed against all real property benefited by such improvement as listed above.

BE IT FURTHER RESOLVED that the City Engineer be instructed to provide the City with final detailed plans and specifications for Seal Coat Improvement No. 91-2, as set forth in this Resolution, and

BE IT FURTHER RESOLVED that the City Manager be directed to cause notice of advertisement for bids to be published according to law for the construction of Seal Coat Improvement No. 91-2.

Adopted this 7th day of May, 1991.

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Mayor

ATTEST:

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City Clerk

DATE: May 1, 1991  
TO: Jerry Dulgar, City Manager  
FROM: William Monk, City Engineer  
SUBJECT: Welcome Avenue Stop Sign Petition

As you are aware, on April 16 the Council received a petition from residents requesting reinstallation of mid-block stop signs on Welcome Avenue between 34th and 36th Avenues. These stop signs were removed as part of the City's recent Municipal State Aid (MSA) street designation process which will enable Crystal to use its share of MN gas and vehicle tax revenues to improve more local streets. As I have stated previously, State Aid monies are made available at the local level to allow cities to develop, maintain and improve a system of local collector streets. These collectors carry vehicular volumes beyond what is considered normal for residential areas.

The main reason for designating this section of Welcome Avenue on the MSA system is because of the volume of traffic it carries given the one way (southbound) status of the TH100 frontage road. Installation of concrete curb & gutter and sidewalks along with more aggressive enforcement of the speed limit are needed to improve the level of safety for the pedestrian/vehicular conflicts that occur along the street. Stop signs are not a substitute for the physical improvements that are needed on Welcome Avenue and can be financed using MSA funds. Further, I question the benefits derived from a mid-block stop sign at any location where there is no intersecting traffic/vehicular conflicts to induce the traffic to stop. Stop signs have never proven effective in controlling vehicle speeds.

It should be noted that traffic on Welcome Avenue will change with the upcoming TH100 upgrade. Plans for the highway include a two-way frontage road which will allow for greater separation of the residential/commercial traffic. However, I project Welcome will continue to carry a higher than normal traffic load unless a cul-de-sac is constructed at 36th Avenue as part of the highway project. While the cul-de-sac option will be reviewed, its impact on local traffic and safety (in terms of length) need additional consideration. I continue to believe the City, including the local residents, are better served with Welcome Avenue as a MSA street. This being the case, I cannot recommend reinstallation of the stop signs.

If the Council wishes to have the signs reinstalled, a motion to temporarily or permanently remove Welcome Avenue between 34th and 36th Avenues from the MSA system is in order. A copy of this memo has been sent to the lead petitioner so local residents are aware of staff's position as this item is considered on Tuesday night.



WM:mb

STOP SIGN ON 35th AND WELCOME.

PETITION FOR THE RETURN OF THE STOP SIGN BETWEEN 34<sup>th</sup> AND 36<sup>th</sup>.  
THE RESIDENTS ON THIS BLOCK FEEL THAT THIS STOP SIGN IS NECESSARY FOR  
SAFETY AND THE LIVES OF US AND OUR CHILDREN. WE SEE IT AS ONE OF THE  
MOST IMPORTANT SAFETY FACTOR ON THIS BLOCK. WE BELIEVE IT SHOULD NOT BE  
OVERLOOKED BY THE CITY OF CRYSTAL OR THE STATE OF MINNESOTA.

91

NAMES	ADDRESS HOUSE #	DEPENDENTS /DAY CARE	TOTAL COUNT AT HOUSE
Brenda Devine	3512	3 kids 6 1/2, 3, 1 1/2	5
Kenneth K. Devine	3512		
Fanny Sheenaker	3534	2 13, 15	5
Med Thornton	3551		2
Betty Thornton	3551		
Lori Hayes	3535	1 child 1 1/2 yr	3
Todd Moesner	3519	1 child 2 yr	3
Elaine Olson	3513		2
Margaret Hajder	5600	2 old people	1
Ed Hajder	5600-35 <sup>th</sup>	Av. 700	1
Kathryn Madcom	3506	6 1/2 4 4 2 1/2 2 children, 2 day care children	4 + 2
John Kavanagh	3500	1 child 1 1/2 yrs	3
Sarah Thompson	3450	2 children, Taurie 18mo	4
Pat Zhan	3450	Tricia 3 1/2	2
K.A. Eakman	3437		2
Kathryn Eakman	3437		
Tom DRODZ	3444		1
Daloris Kauter	3431	#	2
Lori Allen	3425	2 children 2 yrs, 6 yrs	4
George & Anita	3419	1 living grandchild 10 yrs, 1 living grandchild 3 yrs	3
Wesley M. Allen	3420	3 - 17 11 7 wks	6
Mr. J. E. Eakman	3456		



## STOP SIGN ON 35th AND WELCOME.

PETITION FOR THE RETURN OF THE STOP SIGN BETWEEN 34<sup>th</sup> AND 36<sup>th</sup>.  
 THE RESIDENTS ON THIS BLOCK FEEL THAT THIS STOP SIGN IS NECESSARY FOR  
 SAFETY AND THE LIVES OF US AND OUR CHILDREN. WE SEE IT AS ONE OF THE  
 MOST IMPORTANT SAFETY FACTOR ON THIS BLOCK. WE BELIEVE IT SHOULD NOT BE  
 OVERLOOKED BY THE CITY OF CRYSTAL OR THE STATE OF MINNESOTA.

NAMES	ADDRESS HOUSE #	DEPENDENTS /DAY CARE	TOTAL COUNT AT HOUSE
<del>Leaving Mille</del>	<del>Apt 6</del>	<del>2 children 15 - 14</del>	<del>5</del>
<del>M. M. Eicher</del>	<del>3540</del>	<del>1 CHILD 6 MONTHS</del>	<del>3</del>
Jerry Menshek	5607-36	9 Kids in daycare Home (our 9 yrs)	34 Here
Bonnie Menshek	5607-36	daycare ages 10mths, 2, 2 1/2, 3 1/2, 4, 6, 6 1/2, 10,	9
Jody Alexander	3560 #201	5 yr. old 1 2 yr. old	4
Angela M. Alderson	3560 #102	9 yr old 7 yr old	3
Susan Ripka	Apt 106	7 yr old	2
Rich Robinson	Apt 1	10 yr old	3
Andrea Wood	3443	none	3
Pat Edward	3443		
	3413	Not home	
	3407	Not home	
Vicki Roberts	3414	One 3 year	3
	3420	Not home	
Mary Kavanaugh	3500		
Dan M. Martin	3506		
Cheryl Hg	3535		
Chris Shoreman	3534		
Annette Eicher	3540		
	3543	Not home	
Karen M. Brown	3519		

PETITION SUMMARY #1  
PLEASE RETURN THE STOP SIGN AT 35th AND WELCOME

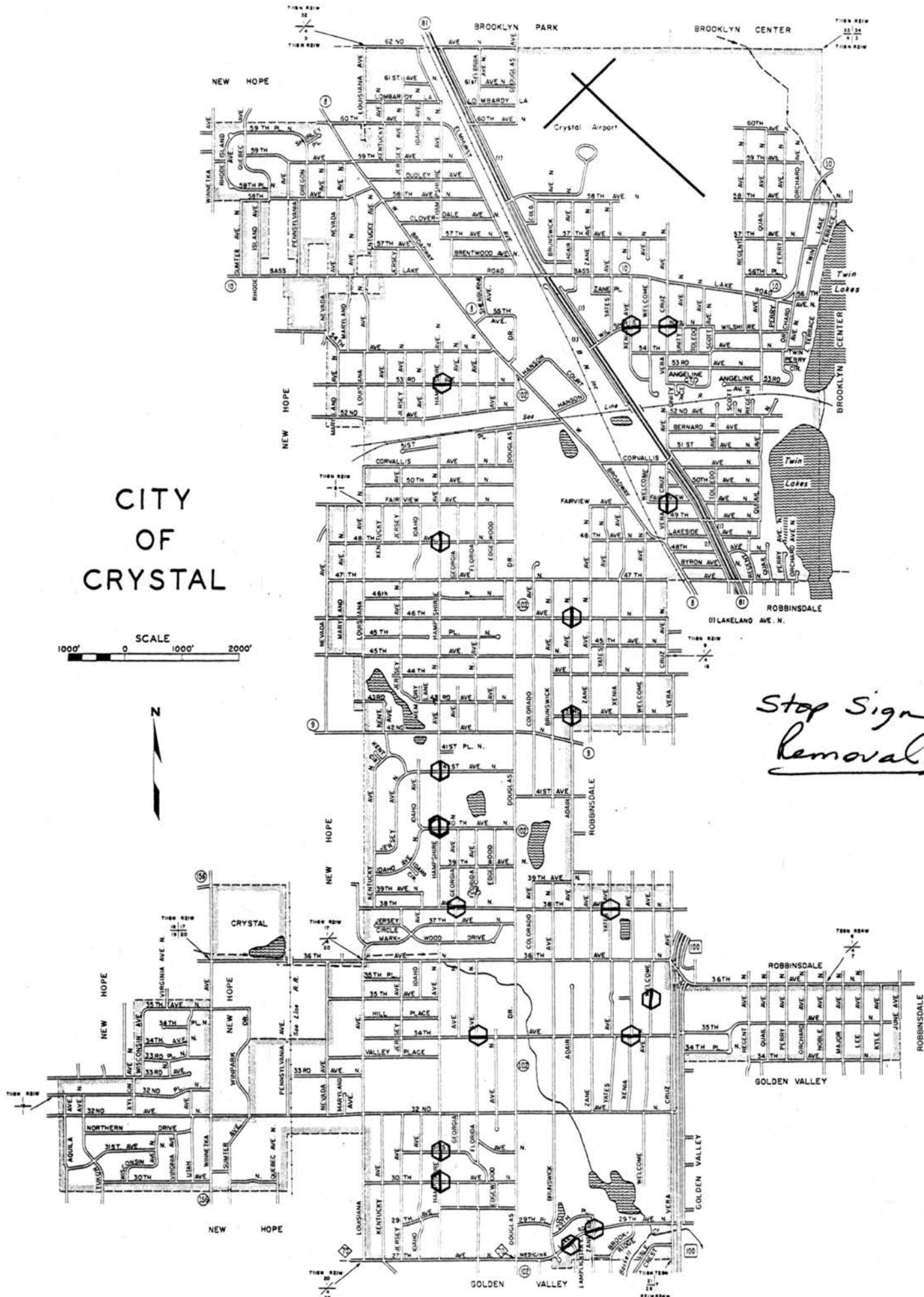
PETITION SUMMARY #2  
DEAD END WELCOME

HOUSE NUMBER	COUNT AT HOUSE	RESIDENTS AT HOUSE	DAYCARE CHILDREN ONLY	ALL CHILDREN TOTAL	OUR CHILDREN UNDER 18 YEARS OF AGE AGES				DEAD END WELCOME AT VERA CRUISE	YES	NO
	TOTAL 91	TOTAL 79	12	42					18	2	
3407	0	0		0							
3413	0	0		0							
3414	3	3		1	3				YES		
3419	3	2	1	2	10	3					NO
3420	0	0		0							
3425	4	4		2	6	2			YES		
3431	2	2		0					YES		
3437	2	2		0					YES		
3443	3	3		0					YES		
3444	1	1		0					YES		
3450	4	4		2	3.5	1.5			YES		
3456	6	6		3	17	11	7 weeks		YES		
3500	3	3		1	1.5				YES		
3506	6	4	2	4	6.5	4	4	2.5	YES		
3512	5	5		3	6.5	3	1.5		YES		
3513	2	2		0					YES		
3519	3	3		1	2				YES		
3534	5	5		2	13	15			YES		
3535	3	3		1	1.5				YES		
3540	3	3		2	6 MONTHS				YES		
3543	0	0		0							
3551	2	2		0							NO
5600	2	2		0					YES		
5607	12	3	9	5	9	2	2.5	3.5	10	YES	
5607	0	0		5	6	6	9	4	10 MTHS		
3560-1	3	3		1	10						
3560-10	3	3		2	9	7					
3560-10	2	2		1	7						
3560-20	4	4		2	5	2					
3560-6	5	5		2	15	14					

NOTE 0 COUNT. RESIDENTS WERE NOT HOME.

# CITY OF CRYSTAL

1000' 0 1000' 2000'



*Stop Sign  
Removals*

DATE: February 13, 1991  
TO: Jerry Dulgar, City Manager  
FROM: William Monk, City Engineer  
SUBJECT: State Aid Street Redesignations

At present Crystal has 17.4 miles of streets designated as part of its Municipal State Aid Street (MSAS) system. Of this total, 9.6 miles covers local City streets while 7.8 miles is involved in joint designations with Hennepin County on the County Road system. This duplication of coverage in joint designations adversely affects both Crystal and the County in terms of the needs portion of our annual MSA allocation as well as our maintenance allowance. Further, Crystal is limited in the improvements it can make to local streets because so much of our mileage is in essence under County jurisdiction.

As you know, I have been working with State Aid and Hennepin County staff to allow redesignation of the joint system mileage onto local streets. By having 17.8 miles of the 80 miles of local streets on the MSA system, Crystal would have a ready funding source to cover 90 to 100 percent of the reconstruction costs for over 20 percent of its streets. Combined use of MSA funds and property assessments could form the cornerstone of Crystal's street reconstruction program. While such a program by itself could make the redesignation worthwhile, recent proposals at the State level make it increasingly inviting and important to consider redesignation:

- MnDOT is currently in the final stages of a rules change that would significantly reduce the required width of MSA streets in residential neighborhoods. This change would allow Crystal to rebuild most of its lower traffic volume MSA streets to a cross section consistent with in place construction.
- The State is proposing to drastically cut the transfer of MVET funds for roadway use. Such a reduction will have a direct impact on MSA allocations and will make decisions regarding designation and use of the funds more important than ever.

The State Aid office has reviewed the grid system described in the attached letter dated November 13, 1990. All the street sections except Yukon and 30th Avenues meet State requirements for layout and termini. Further, the redesignations will not involve any penalties for funds used by Crystal on joint City/County streets within the last 20 years. The proposed system, however, does not comply with the uniform traffic manual in relation to placement of stop signs.

Jerry Dulgarr  
February 13, 1991  
Page 2

The 7.8 miles of local streets proposed to be added to the State Aid System contain 23 sets of stop signs. Only 5 of those locations (intersections of State Aid Streets) comply with provisions of the uniform traffic manual. Stated simply, the traffic volumes carried by these streets do not produce the vehicular conflicts necessary to meet the code.

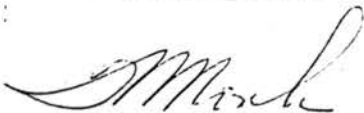
To secure final approval of the MSA redesignations, the following 4-way stops would need to be modified to 2-way stops and allow thru traffic movements along the MSA route:

- Wilshire Ave. at Xenia Ave.
- Wilshire Ave. at Vera Cruz Ave.
- 53rd Ave. at Hampshire Ave.
- Vera Cruz Ave. at Fairview Ave.
- Hampshire Ave. at 48th Ave.
- Hampshire Ave. at 41st Ave.
- Hampshire Ave. at 40th Ave.
- Hampshire Ave. at 31st Ave.
- Hampshire Ave. at 30th Ave.
- Adair Ave. at 43rd Ave.
- 38th Ave. at Yates Ave.
- 38th Ave. at Georgia Ave.
- 34th Ave. at Florida Ave.
- 34th Ave. at Xenia Ave.
- Medicine Lake Rd. at Zane Ave.

The following two-way stop installations would also need to be removed:

- Medicine Lake Rd. at Lamplighter Lane
- Welcome Ave. at 35th Ave. (unimproved)
- Adair Ave. at 48th Ave.

While I am not anxious to pursue removal of stop signs, the petition process used over the years to consider installations has been rather subjective and probably should be reviewed on a City-wide basis. At this time Crystal needs to review the issue as it relates to State Aid streets. I do not feel Crystal is in a position to let our stop sign policy negate this important MSA redesignation process. I propose to review this matter with the Council prior to offering resolutions for action.



WM:mb

Encl



# CITY OF CRYSTAL

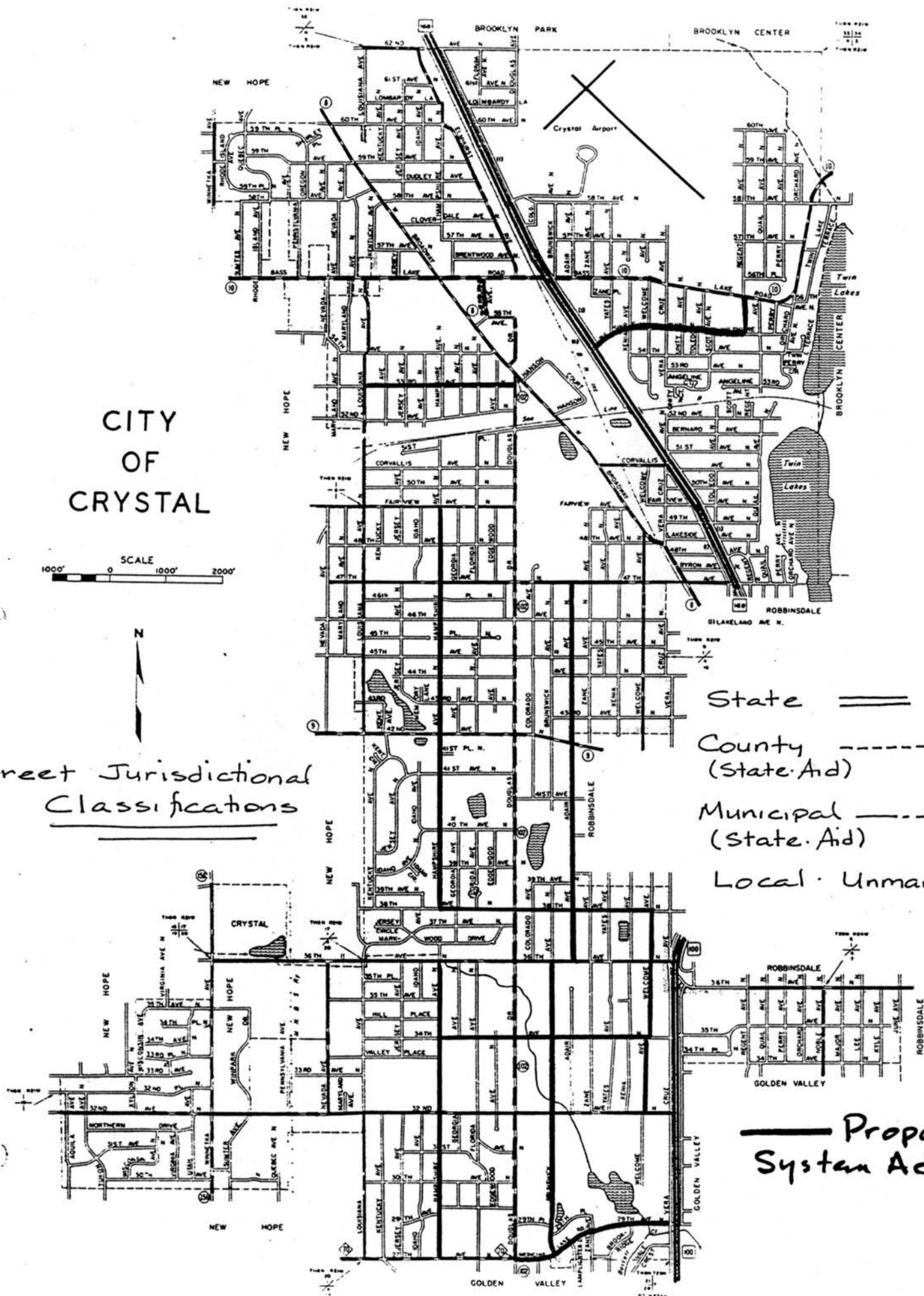
SCALE  
1000' 0 1000' 2000'



Street Jurisdictional  
Classifications

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

Proposed  
System Add.



CITY OF CRYSTAL  
POLICE DEPARTMENT  
MEMORANDUM

DATE: April 30, 1991  
TO: Chief Mossey  
FROM: Sgt. Varnold  
SUBJECT: SOLICITOR'S LICENSE FOR AMERICAN TEENS

This background investigation was recently finished by Det. McFarlane. His investigation showed that there are no outstanding warrants against either of the parties applying for the license, and we have no police contact with them that we can find in our files.

Also, the Minnesota Department of State and the Attorney General's Consumer Affairs office were contacted. Department of State reports that they are licensed as a corporation in the State of Minnesota, but the Attorney General's office has no listing for the organization. However, they apparently do not list organizations that do not have a paid staff or collection of \$25,000 a year or more. He could find no information from the Better Business Bureau on this organization.

At this time, as far as we can see, there would be no reason to not grant a solicitor's license for American Teens. If you wish any further information for this, please let me know as soon as possible.

Sgt. Ken Varnold

KLV/dh

OK  
J. T. III.  
5-1-91

MEMORANDUM

TO: SGT KENNETH VARNOLD  
FROM: DET. RUSS MCFARLANE  
RE: SOLICITOR'S LICENSE FOR AMERICAN TEENS

The Hennepin County Sherriff's Warrant Office has no outstanding warrants for either Juanita M. Skinner or Kelly Joe Skinner. The police department record's section reports no contact with any of the sixteen juvenile individuals that would be soliciting for the organization.

"Barb" of the Minnesota Department of State reports that the corporation is licensed in the state of Minnesota. "Anne" of the Attorney General's Consumer Affairs Office reports that they do not have a listing of the organization. The threshold for being listed with the Attorney General's Office is having a paid staff or collection of \$25,000 a year or more. No information was available from the Better Business Bureau for inclusion in this report.

CITY OF CRYSTAL  
4141 DOUGLAS DRIVE  
CRYSTAL, MINNESOTA 55422

PERMIT #  
DATE 4-16-91

Receipt # 55929

RELIGIOUS AND CHARITABLE ORGANIZATIONS  
PERMIT APPLICATIONS

ORGANIZATION'S NAME American Teens  
ORGANIZATION'S ADDRESS 3710 Central Ave NE. Col. Hgts, MN. 55421  
APPLICANT'S NAME Juanita Marie Skinner PHONE NO. 782-9232  
APPLICANT'S ADDRESS 2807 N. 3rd St. #1 Mpls, MN. 55411  
LOCAL ADDRESS \_\_\_\_\_

NAMES AND ADDRESSES OF OFFICERS AND DIRECTORS OF THE ORGANIZATION:

Kelly Joe Skinner 2807 N. 3rd St. #1 Mpls, MN. 55411  
(Driver)

SOLICITATION IS TO BE CARRIED ON (Date) MAY 91 ~~TO~~ JUNE 91  
(From) (To)

IS ANY COMMISSION, FEE, WAGE OR EMOLUMENT GOING TO BE EXPENDED IN CONNECTION  
WITH SUCH SOLICITATION? See ATTACH Letter

IF THE ANSWER IS YES, WHAT IS THE AMOUNT THEREOF? See ATTACH Letter

IF PERMIT IS ISSUED, YOUR ORGANIZATION, ASSOCIATION OR CORPORATION SHALL FURNISH  
ALL OF ITS MEMBERS, AGENTS OR REPRESENTATIVES CONDUCTING SOLICITATION CREDENTIALS  
IN WRITING STATING THE NAME OF THE ORGANIZATION, NAME OF AGENT AND PURPOSE OF  
SOLICITATION.

ATTACH A LIST OF NAMES, ADDRESSES, AND PHONE NUMBERS OF SOLICITORS.

SIGN THE FOLLOWING STATEMENT:

I AFFIRM THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.

APPROVED:

Harlene George  
CITY CLERK

5-1-91  
DATE

POLICE DEPT. James T. Mossey, Chief Police  
DATE 5-1-91

Juanita M. Skinner  
SIGNATURE OF APPLICANT  
Juanita M. Skinner  
PRINT NAME OF APPLICANT

4-16-91  
DATE

CITY OF CRYSTAL  
4141 DOUGLAS DRIVE  
CRYSTAL, MINNESOTA 55422

PERMIT # \_\_\_\_\_

In order to comply with State and Federal regulations, the City of Crystal is required to ask the information indicated below. This form will be filed separately from your application and will be used only for record keeping purposes.

AUTHORIZATION AND RELEASE

The undersigned, having filed an application with the City of Crystal for a Solicitor license, realizing that the City has need to investigate the background and history of the applicant in order to better evaluate his or her application for the above license, does hereby authorize and request every law enforcement official and every other person, firm, officer, corporation, association, organization or institution having control of any documents, records or other information pertaining to me to furnish the original or copies of any such documents, records and other information to the City or any of its representatives, and to permit said City or any of its representatives to inspect and make copies of any such documents, records and other information. I further authorize any such persons to answer any inquiries, questions or interrogatories concerning the undersigned which may be submitted to them by the City or its authorized representative. I fully understand that the information so obtained by the City may be used by it in its evaluation of my application.

I hereby release and exonerate any person who shall comply with the authorization and request made herein from any and all liability of every nature and kind growing out of and in any way pertaining to the furnishing or inspection of such documents, records and other information.

Dated this 16 day of April, 1991.

PLEASE PRINT:

Juanita M. Skinner  
Signature of Applicant

Juanita Marie Skinner  
First Middle Last Name

2807 N. 3rd St. #1  
Address

Mpls, MN, 55411  
City, State, Zip Code

Main St.  
Previous Address

Sand Creek, Wisc.  
City, State, Zip Code

[REDACTED]  
Date of Birth

American Teens  
Name of Organization Associated With



To Whom it May Concern:

This is a letter explaining what our organization is about.

We are a company that runs on Non-Profit. We help troubled teens, as well as others to learn respect, Responsibility & job training. For kids to earn money to go to camp, movies trips, & also buy their own clothes, radios, stereo's to help their parents out. Our goal is to teach the kids, that there is other thing to do. Instead of getting involved with Drugs, gangs, & violence. It is a proven fact that a teenager kept busy stays out of trouble.

Kids Receive \$1 one Dollar per items sold each night, plus tips. Driver's Receives \$1 one Dollar over all each night. Rest goes to buy more items, office supplies, telephone, postering, & we also go on a trip to the Circus, Zoo, or museum, or something twice a year. Items we sale vary. Wrapping Paper, mugs, Candle Holders, Oven Mitts, Door Harps, Pot Pourri, Boxes Candy, etc.

Our hours we work vary according to Residents. We usually work til 9pm.

But we quit around 8pm, When  
Residents don't answer Doors or  
complains its to late to be out.  
We do not want to disturb  
Residents real late if they wish  
not to.

Thank You For Your  
time

American Teens  
District Managers

Kelly & Juanita Skinner

American Teens  
3710 Central Ave NE  
Columbia Hgts, MN. 55421  
Office # 782-9232 Leave Message

Drivers: Kelly & Juanita Skinner  
2807 N. 3rd St. #1  
Mpls, MN. 55411

Vehicles Being used:

78' Ford Leisure Van  
Lic. Plate # 656-GBF White w/gold trim  
75' Ford Van  
Lic. Plate # 191-FEB Brown 2 Tone

Kids that would be Working:

4-7-75	Patty Evans	1700 NE. 5th St.	Mpls
6-14-76	Donald Evans	1700 NE. 5th St.	Mpls
4-20-76	Mark Lindsey	3701 Dupont Ave <sup>N</sup>	Mpls
7-16-80	Jeff Hermie	2807 N. 3rd St. #1	Mpls
12-23-76	David Hermie	2807 N. 3rd St. #1	Mpls
1-20-78	Chris Gillum	2506 Fremont <sup>N</sup>	Mpls
2-3-78	Craig Brown	2730 N. 4th St.	Mpls
12-17-77	Cliff Washington	711 Sheridan Ave <sup>N</sup>	Mpls
1-21-78	Shon Callender	623 Elwood <sup>N</sup>	Mpls
8-20-76	Shan Scott	704 Upton <sup>N</sup>	Mpls
12-3-75	James Mercier	742 Madison <sup>NE</sup>	Mpls

- Continued on next PAGE -

3-10-82 Danne Herme 2807 N. 3rd St. #1 Mpls  
7-29-77 Del Oria Banks 2315 Queen Ave<sup>N.</sup> #4 Mpls  
9-22-77 William Banks 2315 Queen Ave<sup>N.</sup> #4 Mpls  
Matt Donahoe  
Tonia Nelson 1839 Irving Ave<sup>N.</sup> Mpls

Hours that we would be on streets:

M-F	4pm to 9:00pm
Sat.	9Am to 9pm
Sun	12NOON to 9pm

State of Minnesota

**SECRETARY OF STATE**

CERTIFICATE OF INCORPORATION

I, Joan Anderson Grove, Secretary of State of Minnesota, do certify that: Articles of Incorporation, duly signed and acknowledged under oath, have been filed on this date in the Office of the Secretary of State, for the incorporation of the following corporation, under and in accordance with the provisions of the chapter of Minnesota Statutes listed below.

This corporation is now legally organized under the laws of Minnesota.

Corporate Name: AMERICAN TEENS

Corporate Charter Number: 1E-996

Chapter Formed Under: 317A

This certificate has been issued on 07/12/1990.



*Joan Anderson Grove*  
Secretary of State.



70734

JUL 12 '90

3

BUS SER 70.00  
EXP 5.00  
TOLL 75.00  
CHICK 75.00  
MINN SECRETARY  
OF STATE

1094045 11:00 1101



To acknowledge that the items described below have been accepted by the Secretary of State of Minnesota on the date noted. Those documents will be microfilmed and the original will be returned to the submitter within ten days. The microfilm will be available for public inspection at the office of the Secretary of State.

Description of Item	Date Accepted	RECEIVED UNTIL REMINDER IS RETURNED
Not For Profit Articles of Incorporation	7/12/90	470734
American Teens - John J. PAIRRETT		

State of Minnesota  
Office of the Secretary of State  
Corporation Division  
180 State Office Building  
St. Paul, MN 55155 (612) 296-2803

by:

*John J. Pairrett*  
Secretary of State

Form ST-1  
(COPY)  
(REV. 10-85)

## MINNESOTA SALES AND USE TAX RETURN

See instruction booklet for use of information statement  
and directions for completing return.

Mail to: Minnesota Sales and Use Tax St. Paul, MN 55146-1120  
PHONE: Twin Cities (612) 296-6181. Elsewhere in Minn. call toll free - 1-800-652-9747  
(95¢ 10¢ sales tax)

IF OUT OF BUSINESS, check here ☐ and return permit.  
DATE BUSINESS CLOSED:

MAILING ADDRESS

*American Teens Inc*  
COMPLETE THIS COPY FROM FORM ST-1

Sales &amp; Use Tax Account Number

Period of Return

Date Due

1	Gross Sales (Include Liquor)	+
2	Deductions (from line 1)	+
3	Net sales (Line 1 minus line 2)	
4	Purchases subject to use tax	+
5	Total (Line 3 plus line 4)	
6	Sales/Use Tax (6% of line 5)	+
7	Liquor Sales	+
8	Liquor Tax (2.5% of line 7)	+
9	Total Tax (Line 6 plus line 8)	+
10	A. Penalty	+
	B. Interest	+
11	Adjustments - attach explanation	+
12	Total amount due	+

## YOUR FILE COPY

KEEP THIS COPY FOR YOUR RECORDS  
Stock No 1447

PAID BY CHECK NO. \_\_\_\_\_

DATE FILED \_\_\_\_\_ AMOUNT \_\_\_\_\_

LICENSES &amp; CONSUMER SERVICES - ROOM 1-C

DATE 7-12-90

LICENSE/MISC SOLICITOR-COMPANY

NUMBER (9816)

RECEIVED OF JOHN J. PAIRRETT-  
AMERICAN TEENS, INC.

TOTAL 177.00

BY Miriam Anderson

DATE: April 30, 1991  
TO: Jerry Dulgar, City Manager  
FROM: Bill Barber, Building Inspector  
SUBJECT: 5231 Douglas Dr. N.  
Variance 91-7 Expanding Non-conforming Use Variance  
Variance 9108 Curbcut closer than 50' to lot corner

This property is located on the corner of Douglas Drive and 52nd Ave. N. This property has been a real concern both of staff and the Council. The property is zoned B-4 which permits office and professional offices.

On October 2, 1990 the City Council passed a resolution ordering the abatement of a hazardous building. Since that time I have been working with Paul Beartschi of the City Attorney's office as well as the owner in trying to come up with a viable solution to make use of the property. Nate Sherry, owner of the property, has submitted to us a proposal to add 12'x24' addition to the existing 20'x24' structure. This proposal requires 8 total parking spaces to be provided. As you can see, this is being covered with the outside parking spaces plus 2 spaces in the garage. The entire parking lot will have perimeter curb with hard surfaced lot and provisions for water on site to be picked up by the storm drainage system.

The items requiring a variance are first to allow expansion of a non-conforming structure. The non-conformity is the structure is located 6.4 feet from the side property line. A minimum of 22 feet is required. The second variance is to permit a curb cut closer than 50 feet from the intersection of two or more street right-of-ways. The curb cut will be approximately 27' from the lot corner.

The west property line adjacent to the single family residence will require a screening fence at least 6' high. It is recommended that some landscaping, such as shrubs be planted along the perimeter of the parking lot along Douglas Drive to help soften the transition.

If you approve the first two items, the final item will be to authorize issuance of a building permit for the project. Bill Monk will be putting together a site agreement package for the site improvements. This will cover the normal site improvements items.

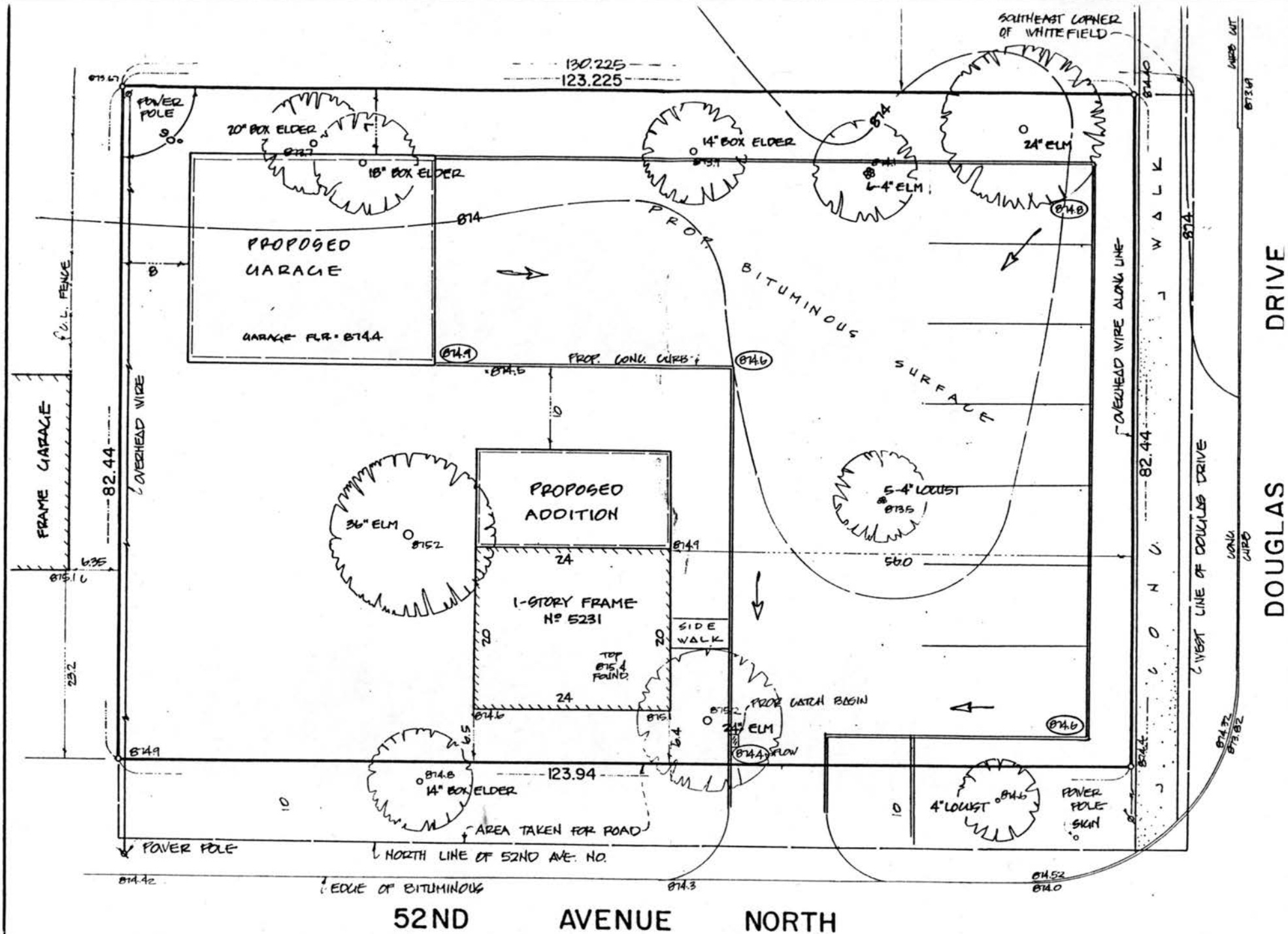
If you have any questions, please give me a call or I'll answer them at the meeting.

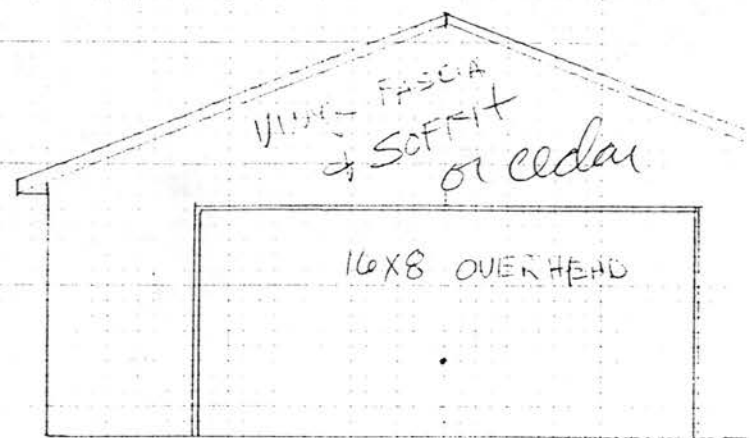
UPDATE FROM PLANNING COMMISSION 4/15/91

The Planning Commission held a public hearing on the expansion of a non-conforming use and variance to permit a curb cut closer than 50' to the corner. The Planning Commission recommended approval of both plus recommended authorization to issue a building permit. Their findings of fact were:

1. The property is in desperate shape as is
2. Any improvement to the site is a benefit to the City

kk

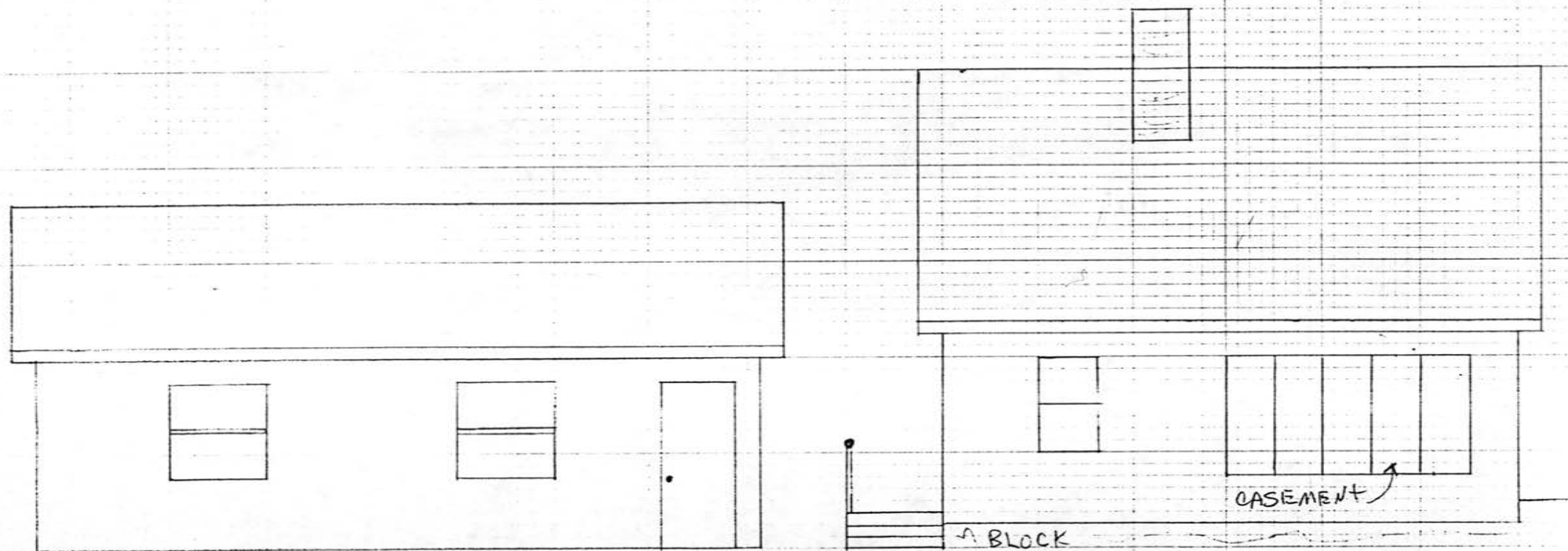




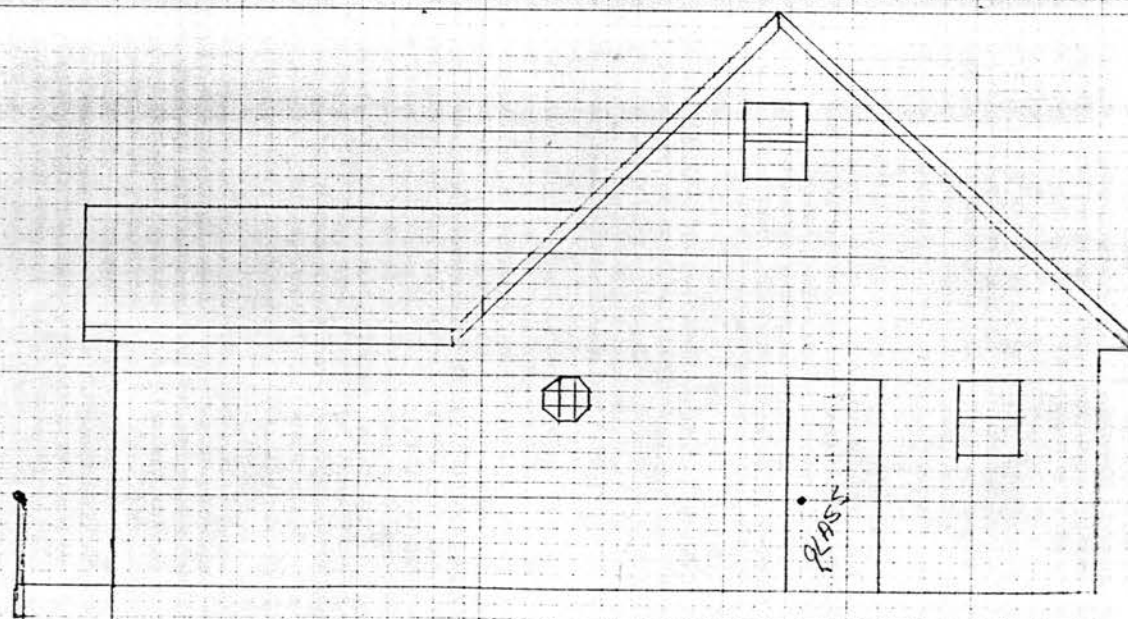
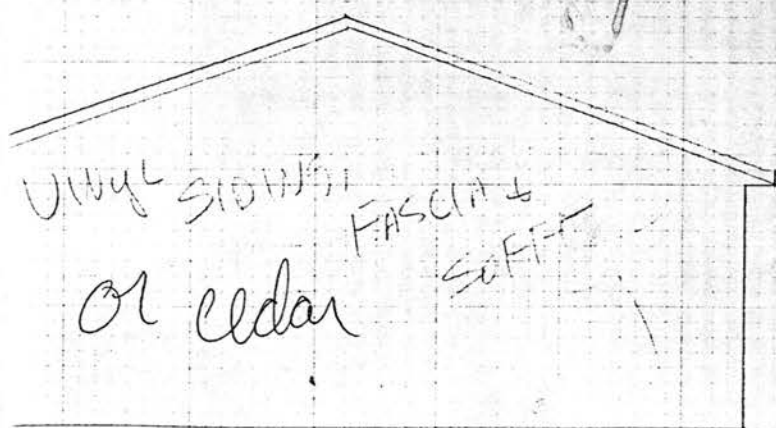
5331 DOUGLAS DR. NW.

FAST SIDE ELEV.



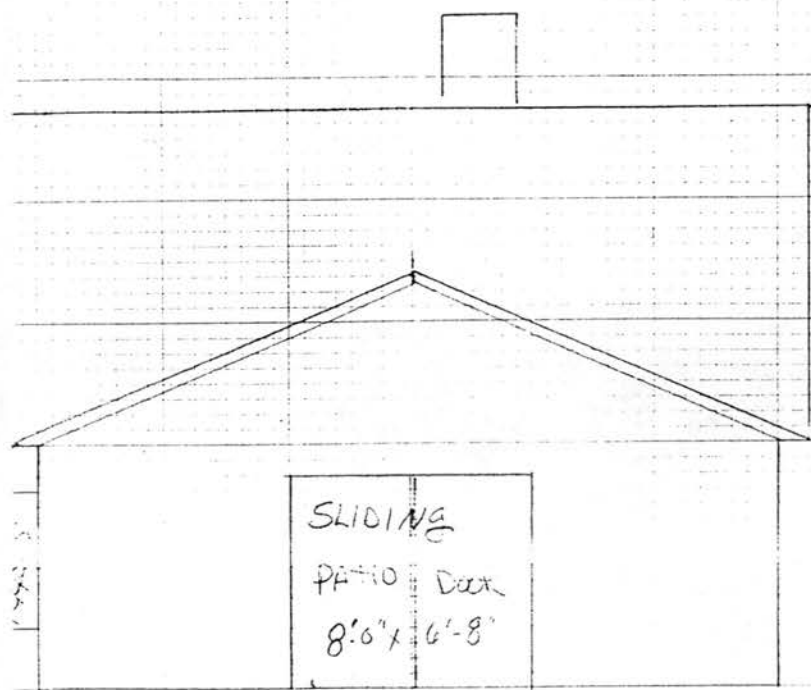


SOUTH SIDE ELEV.



331 MUGLAS DR. NO.

WEST SIDE FIVE



THREE  
TAB SHINGLES

VINYL SIDING  
FASCIA + SOFFIT  
or cedar

NORTH SIDE ELEV.

DATE: May 1, 1991

TO: Jerry Dulgar, City Manager

FROM: Bill Barber, Building Inspector

RE: 4800 56th Ave. N.  
Crown CoCo, Inc. (E-Z Stop Store)  
Request for a building permit

Crown CoCo, Inc. is a service station on 56th Ave. N. at the curve. This site was granted a conditional use in June, 1968. At that time they also did all of the required site improvements such as curbing, storm catch basins, etc.

The addition they are proposing is a 16'x34' which will include a 7'x23' walk-in cooler with 9' of additional floor space. Based on Section 515.35 subd. 4(f) I asked them to show us what areas of the building is used for automotive sales and normal service station operation. The area highlighted in yellow shows that area. The green area shows the area classified as storage with the remaining area being used for sale of products other than that necessary to conduct to business for a motor fuel station.

All setbacks will be met, parking as needed based on the use has been provided, and all screening is in place. I have met with the Engineering Department to go over any concerns that they might have had. We realize that this site is another one which is rather small but I think we have better traffic flow here than we have at some other sites.

It would be staff's recommendation for approval to issue a building permit since all requirements have been met. I will answer any questions you have at the meeting.

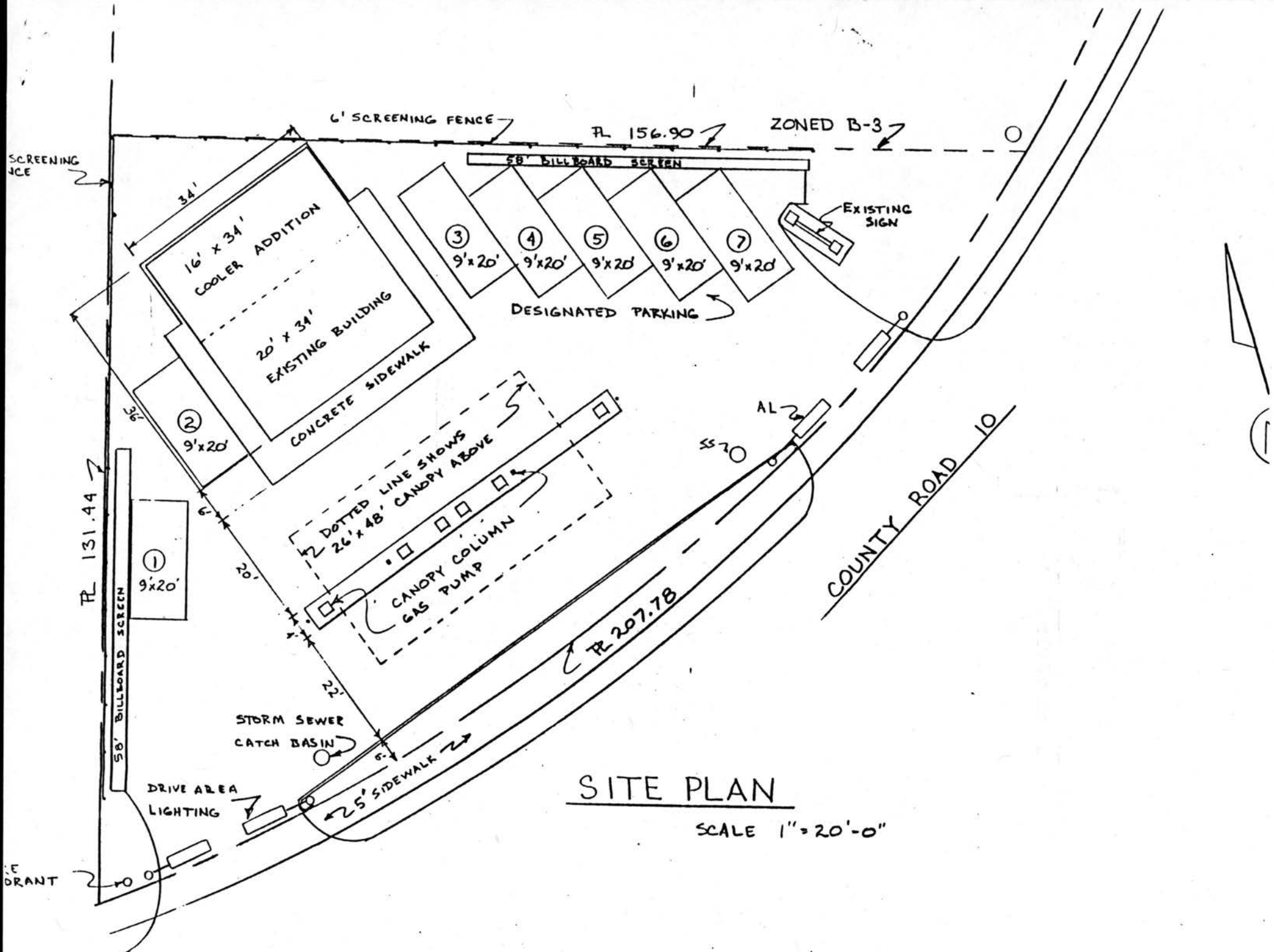
UPDATE FROM PLANNING COMMISSION 4/15/91

The Planning Commission recommended approval to issue a building permit for the proposed expansion subject to standard procedures:

1. Old storage shed be removed
2. Screening fence be repaired properly

kk



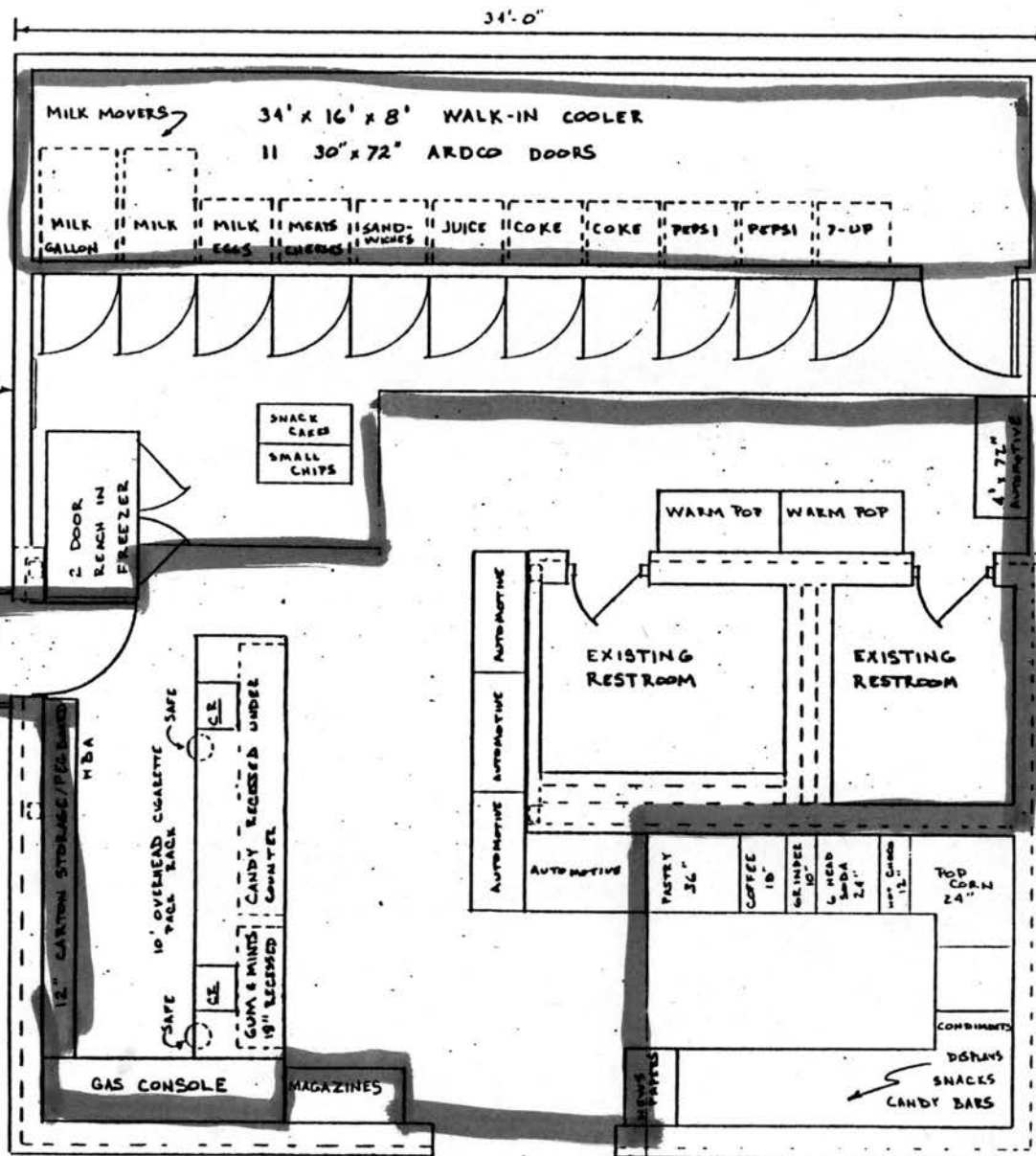




REVISED

2-12-91  
2-15-91  
2-20-91  
3-12-91

WALL MOUNT  
AC/ HEAT UNIT



FLOOR PLAN

SCALE 1/4" = 1'-0"

NOTES

- ① ANGLE MIRROR ABOVE COOLER DOORS
- ② RED PLEXI PERIMETER OF INTERIOR.
- ③ 1" ROLLERS ON 12" CANTON STORAGE BRAND COUNTER FOR CLEANING PURPOSES.
- ④ M<sup>W</sup> CYB3243 CARRIER HEAT/COOL UNITS 9.2 E1 23,500 BTU COOLING, 16,800 BTU HEATING H-17 1/2" W-16" D-18 1/2" 230V 15.0 A
- ⑤ FLOOR SPACE 36' x 34' = 1224 SQUARE FEET, 50% FOR PRINCIPLE USE EQUALS 612 #, 614 # DEDICATED TO PRINCIPLE USE SHOWN.
- ⑥ PARKING REQUIREMENTS 515.09, SUBD. B 1224 #  
(1224) = 100% REDUCTION FOR WALLS.  
1102 #  
(614) = 4 SPACES 515.09, SUBD. B 5) 4/15  
488  
(238) = 1 SPACE 515.09, SUBD. B 1) 1/50  
250  
(250) = 2 SPACES 515.09, SUBD. B 2) 1/14  
7 REQUIRED PARKING SPACES

CRYSTAL E-Z STOP  
4800 56TH AV N  
CRYSTAL, MN 55429  
COOLER ADDITION  
DRAWN 2-11-91  
DLM 331-9344 X124

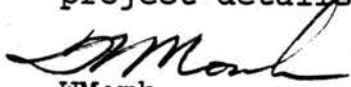
DATE: April 29, 1991  
TO: Jerry Dulgar, City Manager  
FROM: William Monk, City Engineer  
SUBJECT: 36th Avenue Reconstruction

Construction plans and specifications have been completed for the improvements to 36th Avenue between Douglas Drive and Welcome Avenue. An abridged set of those plans is included in this packet for Council review. Items of note include:

- Crystal's width variance to MSA standards was approved. The plan cross-section of a 48 foot wide driving surface reflects that approval.
- Storm sewer is being extended from Douglas Drive to Adair Avenue in efforts to get the water off the street as quickly as possible. Pipes are also being extended north and south on Brunswick Avenue to correct localized drainage problems.
- Repair of two sections of deteriorated sanitary sewer lines is included in the project even though this work is not eligible for State Aid reimbursement.
- The street cross section calls for a six foot wide sidewalk directly behind the curb.
- The construction schedule is set to run from August 1 to November 1. The street will be completely open to traffic at that time. The final lift of blacktop will be installed in the spring of 1992 and will require only a short term, partial street closure.
- Temporary easements and right-of-entry agreements will be required on many properties. The City Attorney's office is coordinating this work.
- An informational meeting was held at City Hall on April 25. All abutting property owners were invited to review the construction details.
- The plan includes removal of 16 mature trees. Adjacent property owners are being offered a tree for tree replacement with choice of species and location.

Jerry Dulgar  
April 29, 1991  
Page 2

At this time, approval of the attached two resolutions is in order and recommended. The first resolution approves the construction documents and establishes a no parking zone. The second resolution is an indemnity agreement required for the MSA variance. I will be prepared to further review the project details on Tuesday night.



WM:mb  
Encl

RESOLUTION NO. 91-

INDEMNIFY AND HOLD HARMLESS THE  
STATE OF MINNESOTA FOR CONSTRUCTION OF  
36TH AVENUE AS A NON-STANDARD MSA ROADWAY

WHEREAS, the City Council of the City of Crystal is the official governing body of the City of Crystal; and

WHEREAS, the City of Crystal desires to construct a roadway that conforms to existing right-of-way restrictions and is slightly narrower than the required 52 foot street width; and

WHEREAS, the City of Crystal has requested the Commissioner of Transportation's approval to construct a 48 foot wide street; and

WHEREAS, the Commissioner of the Minnesota Department of Highways, has granted a variance to construct the desired roadway conditional upon receipt of a resolution by Crystal that holds harmless the State of Minnesota and its agents.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Crystal that the City of Crystal indemnifies and holds harmless the State of Minnesota and all its agents and employees of and from any and all claims, demands, actions or causes of action of any nature or character arising out of or by reason of in any manner, the construction of MSAS 313 (36th Avenue) from Welcome Avenue to Douglas Drive in a manner other than the standard 52' wide street as described in the Minnesota Rule for State Aid Operations Section 8820.9912, and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim of whatsoever character arising as a result of the granting of this variance.

BE IT FURTHER RESOLVED, that the City Clerk of the City of Crystal is hereby directed to forward two copies of this resolution to the Commissioner of Transportation, Minnesota Department of Transportation, Transportation Building, St. Paul, MN 55155, and two certified copies to C. E. Weichselbaum, District 5, 2055 North Lilac Drive, Golden Valley, MN 55422.

Adopted by the Crystal City Council this 7th day of May, 1991.

---

Mayor

ATTEST:

---

City Clerk

RESOLUTION NO. 91-

RESOLUTION APPROVING PLANS AND SPECIFICATIONS  
FOR RECONSTRUCTION OF 36TH AVENUE (SAP 116-313-07) AND  
ESTABLISHING A NO PARKING ZONE BETWEEN DOUGLAS DRIVE  
AND WELCOME AVENUE.

WHEREAS, the Crystal City Council accepted and approved the feasibility study detailing the scope of a street reconstruction project on 36th Avenue between Douglas Drive and Welcome Avenue.

WHEREAS, on January 22, 1991, the Crytal City Council approved the 36th Avenue improvement project and authorized the preparation of construction plans and specifications by RCM Associates, Inc. Said project to be designed to State Aid standards.

NOW, THEREFORE, BE IT RESOLVED that the Crystal City Council hereby approves the construction plans and specifications (SAP 116-313-07) for said section of 36th Avenue as prepared by RCM Associates, Inc. and dated 4/23/1991. Further, that said plans be submitted to the MnDOT Office of State Aid for approval and designation as a project on which expenditure of Crystal's State Aid allocation is permitted. Upon securing this approval, the City Engineer is directed to solicit public bids for construction of the 36th Avenue project.

Further, the Crystal City Council hereby prohibits parking along 36th Avenue between Douglas Drive and Welcome Avenue consistent with State Aid Rules for a high volume arterial and directs staff to include signage for such a prohibition as part of the project.

Adopted by the Crystal City Council this 7th day of May, 1991.

---

Mayor

ATTEST:

---

City Clerk



DATE: May 1, 1991  
MEMO TO: Jerry Dulgar, City Manager  
FROM: Edward C. Brandeen, Park & Recreation Director  
SUBJECT: Awarding of Tree Contract for 1991

On Tuesday, April 30th, the City opened bids for tree removal and trimming for 1991. The City received three bids: Total Tree Service, Arps Tree Service and Tim's Tree Service. The following is the total bid tabulation:

Tim's Tree Service	\$8,145.00
Arps Tree Service	6,845.00
Total Tree Service	5,239.00

As you know, this is a re-bid from March 26, 1991 at which time we only had one bidder - Tim's Tree Service. The low bidder of this bid opening is Total Tree Service.

Total Tree Service has been in business for four years and has done work for the City of Minnetonka, Lafayette Country Club, Lakeview Golf Club, F.F. Jedlicki, Tall Timber, etc. I checked references on several of the above. All businesses contacted stated they were well pleased with the quality and quantity of work in trimming as well as removal.

In view of these positive references and the fact they are the low bidder, I would recommend the bid for tree trimming and removal be awarded to **TOTAL TREE SERVICE.**

[illegible]

**Minnesota Lawful Gambling**  
**Request by a Government to Spend Gambling Funds**

**Government Information**

Name of Government City of Crystal			Phone Number (612 ) 537-8421
Address 4141 Douglas Drive	City Crystal	State Minnesota	Zip Code 55422

Check type of government making request

☒ City    ☐ County    ☐ Township    ☐ School District No. \_\_\_\_\_ of \_\_\_\_\_

☐ State of Minnesota, Department of \_\_\_\_\_, Division of \_\_\_\_\_

☐ United States, Department of \_\_\_\_\_, Division of \_\_\_\_\_

☐ Other \_\_\_\_\_

**Organization Information**

Organization VFW Post 494 Crystal/Robbinsdale	Phone Number (612 ) 537-9914	License Number A 00155
Address 5222 - 56th Avenue North	City Crystal	State Minnesota
		Zip code 55426

**Lawful Purpose Request**

The above-named government requests lawful gambling profits for (explain expenditure- attach additional sheet if necessary):

Amount requested \$ 7,450.00
---------------------------------

Erection of Picnic Shelter Near Little League Field

Check one:

☐ initiating, performing or fostering worthy public works:

☒ erecting or maintaining public structures:

☐ lessening the government's burdens:

☐ voluntarily supporting, augmenting, or supplementing services that the government would usually perform:

By completing and signing this form, the government's agent confirms that the requested funds will be spent for a lawful purpose. This request expires one year from the date below and may be renewed at the request of the local governing body.

Signature of government agent	Title City Manager	Date
-------------------------------	-----------------------	------

Print name  
Jerry Dulgar

**Use of Form:**

• If an organization wishes to expend gambling funds on behalf of a governing body, the governing body must complete this form. Approval of the Gambling Control Board is not required.

• Do not send this form to the Gambling Control Division. The form should be kept on file by the licensed organization.

• Attach a copy of this form to your Schedule C Report for the month in which the funds are spent.

(Do not use this form for expenditures to improve, maintain, repair, expand, acquire or erect real property owned or leased by the organization; those expenditures require board approval. Use form CG260 or CG261 available from the Gambling Control Division, Department of Gaming)

DATE: April 29, 1991

MEMO TO: Jerry Dulgar, City Manager

FROM: Edward C. Brandeen, Park & Recreation Director

SUBJECT: Erection of Picnic Shelter Near Little League Field

The Crystal VFW has mentioned to me that they would like to donate a picnic shelter to the city near the concession stand at the Little League field. The cost of the building is approximately \$8,000 (they will donate total cost). The Little League organization had originally approached the city to build this structure; however, I stated this was not possible due to lack of funds. The VFW intends to donate these monies to the city so other groups could also use this facility.

The building would be located on the grassy area northwest of the concession stand (see attached). The building would be an open-style shelter 16' x 16' square. I had asked Kurt Dale to suggest a building that could be used to match the existing structures and was sent a "Poligon" type structure (see attached).

Attached are the following quotations:

Value Recreation	\$8,700.00 (Wood shelter)
Fimriete Sales	8,393.26
Value Recreation	7,800.00
Minnesota Playground	7,450.00

I recommend that the award be made to Minnesota Playground in the amount of \$7,450.

I would like to order the building and have it installed during the current Little League season.

If you have any questions, please let me know.

Attachs.

## QUOTATION

## Minnesota Playground, Inc.

P.O. Box 27328 • Golden Valley, Minnesota 55427 • (612)548-7787

**MN WATTS (800) 622-5425**

City of Crystal  
Park and Rec. Dept.  
48th & Douglas Drive No.  
Crystal, Minn. 55428

**DATE:** April 16, 1991

**CONTACT PERSON:** Ed Brandeen

**PROJECT:**Little League Shelter

**TELEPHONE:**[illegible]

Quotation in effect until: May 15, 1991

We quote you as above F.O.B. Crystal, MN.

Shipment can be made in: 30-45 Days A.R.O.

**Terms:** Net 30 days

**Sub-Total** \_\_\_\_\_

**Sales Tax** \_\_\_\_\_**Freight** \_\_\_\_\_

**TOTAL** \_\_\_\_\_

**IMPORTANT INFORMATION FOR ORDERING:**

1. The purchase order should be made out to \_\_\_\_\_ They will invoice you upon shipment.
2. Send the order to MINNESOTA PLAYGROUND, INC. as shown above, thereby authorization can be completed before the order is processed.
3. TO EXPEDITE SHIPMENT, three items should show on your purchase request: tax exemption number (if exempt), ADDRESS FOR BILLING, and ADDRESS FOR DELIVERY.

**Exclusive Representative**

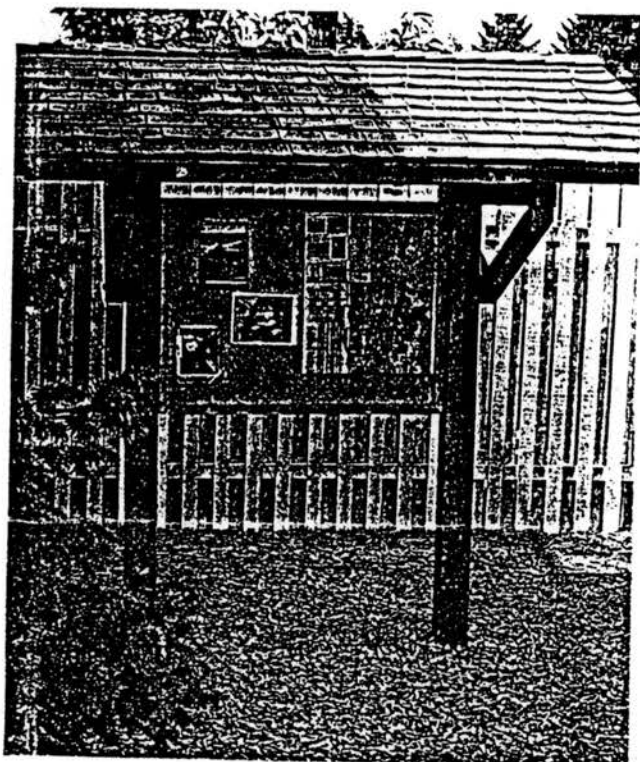
# GameTime

**MINNESOTA PLAYGROUND, INC.**

5.



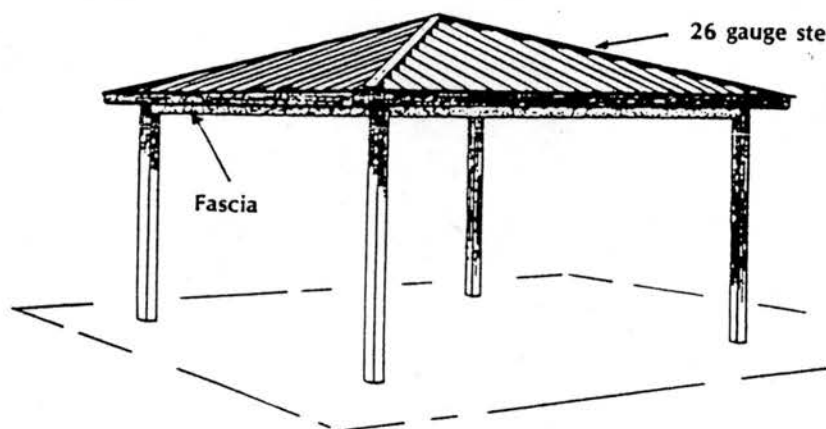
# KIOSK



A perfect message center for public information and recreation areas. One side will be lockable and enclosed with a tough clear plastic cover, while the other side remains open for easy access. Cabinet is 4' wide x 3' high. See table shelter information for post options.

Model #98-74 (shown)

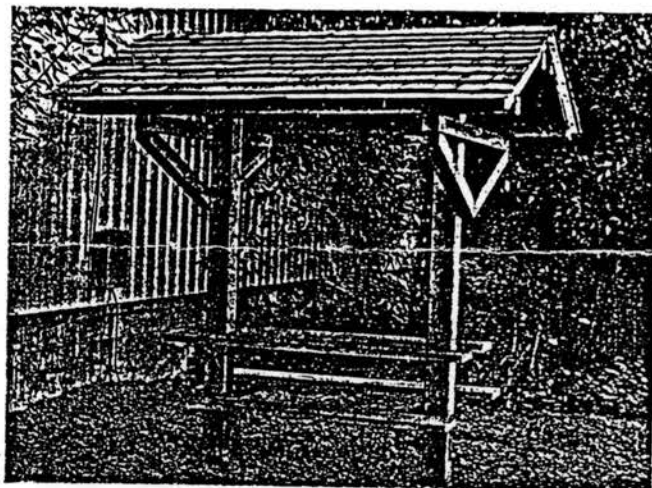
# ALL STEEL SHELTERS



All steel sun or rain shelters are especially designed for parks recreation and rest areas. Fabricated of square steel posts primed and painted with an industrial enamel. Roofing is rolled form ASTM-M446-6 26 gauge steel (80,000 DSI), chemically cleaned, epoxy primed and oven baked at 800° F. This shelter has been engineered for 40 PSF snow load and 20 PSF wind load.

# SHELTERS

Ideal for parks, golf courses, visitor centers and rest areas. Frame work consists of 6" x 6" main columns with 4" x 4" roof supports. Optional steel columns and beams are 5" x 5" x 3/16" square tubing, finished with electrostatically applied powder coating. Our mini shelters are also available with benches. Message boards may be added. Shipped complete with all necessary hardware, decking, and asphalt shingles. Specify Redwood, pressure treated Douglas Fir or steel framework. Add SP after model # for steel posts.

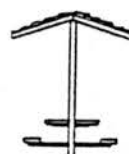


Model #98-75	6' table (shown)	#98-70	8' shelter only
Model #98-76	8' table	#98-71	6' benches
		#98-72	8' benches

## STEEL FRAME SHELTERS



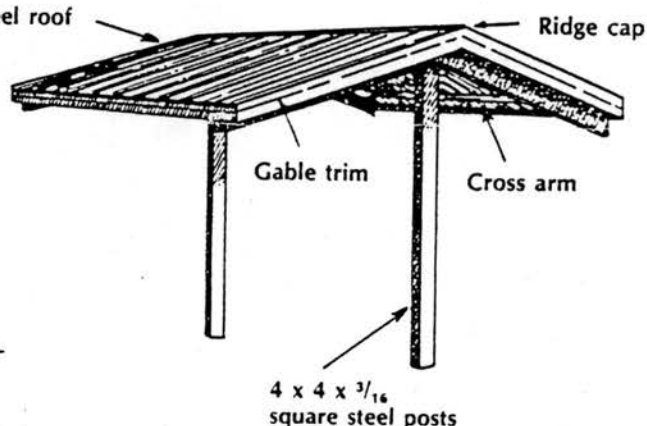
#98-70SP



#98-75SP



#98-71SP



Model #98-100	10' x 10'	2 post gable roof
Model #98-102	12' x 12'	2 post gable roof
Model #98-105	16' x 16'	4 post hip roof
Model #98-106	20' x 20'	4 post hip roof

DATE: May 2, 1991  
TO: Jerry Dulgar, Executive Director  
FROM: Julie Jones, Community Development Coordinator  
SUBJECT: Option to Purchase 5200 35th Ave. N.

Recently Hennepin County staff notified us of the availability of a HUD property within the City of Crystal for sale to the City. You have indicated that the Crystal Economic Development Authority may be interested in purchasing this property as part of the 36th Ave./Hwy. 100 TIF Project since it is located in the redevelopment district. As shown on the attached map the property abuts Meilke Field and is 3 lots away from being included in the Tax Increment District.

It may be in the best interest of the Economic Development Authority to purchase this property while it is up for sale. As the project progresses, it may be beneficial to add some of the single family residential lots which are not included in the Tax Increment District to the redevelopment project area for such things as storm water drainage, delivery truck access, or additional parking.

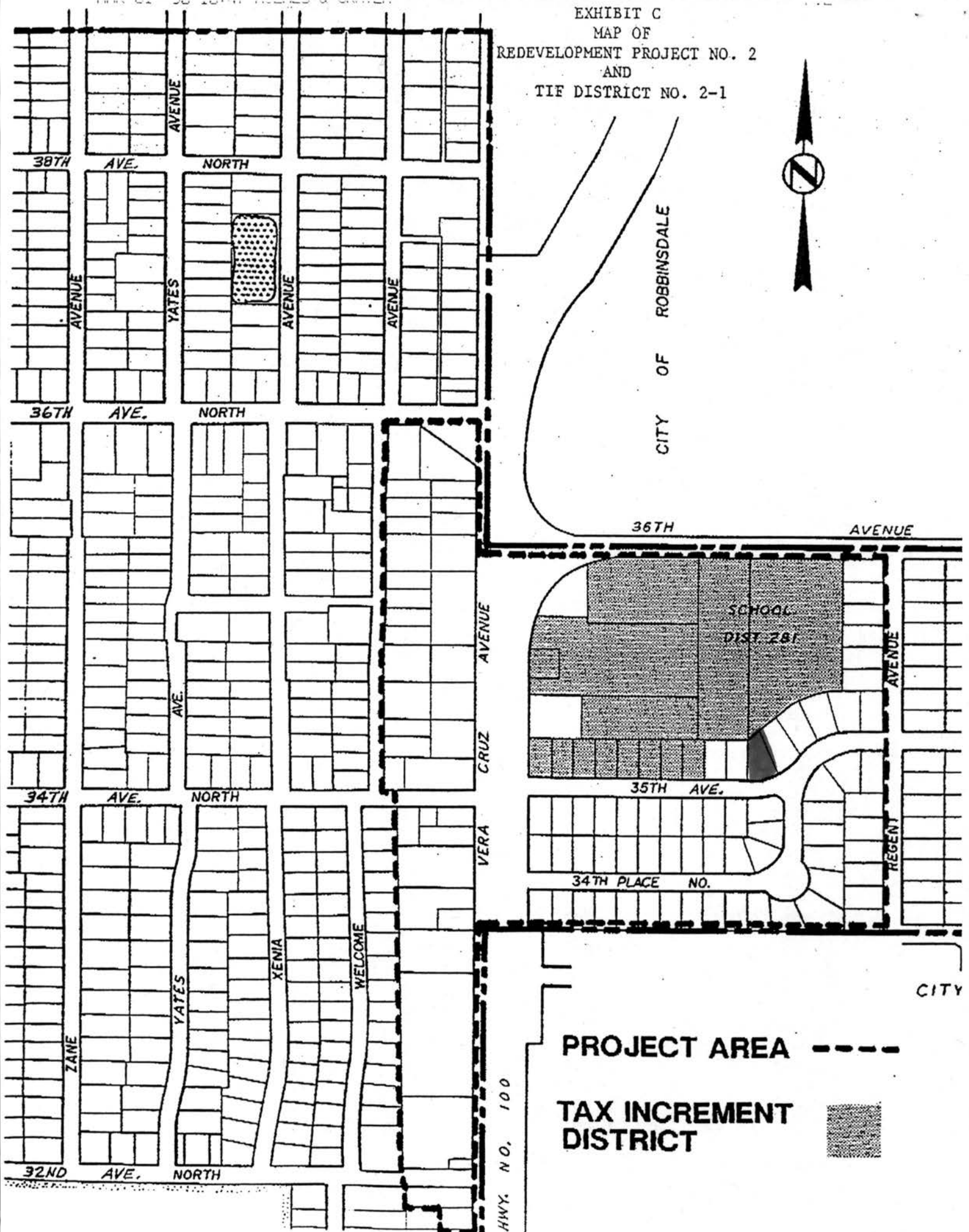
The US Dept. of HUD is offering the property for sale to the City of Crystal for the price of \$40,500. This is a reduced price from the original sales price which was scheduled to be listed in the Sunday Newspaper. The City Assessor currently has the property valued at \$54,900.

The three bedroom home on the property is in livable condition, however, it would need a substantial amount of rehabilitation to bring it to a sellable or rentable condition. Since the property could not be classified as an "unoccupiable" property, I would not recommend purchasing the property with CDBG Scattered Site Acquisition funds. Instead, I would recommend that the City consider purchasing this property with PIR funds, reimbursing the PIR fund when the property is resold to the developer. It is my understanding that the Crystal EDA could not authorize expenditure of the PIR funds. Rather, this authorization would need to come from the City Council level. Therefore, I will place this item on the EDA Agenda as a discussion item and on the City Council Agenda as an action needed item.

If the City of Crystal intends to purchase this property, we must indicate so before May 9 to the Dept. of HUD. If the City chooses not to purchase the property, it will be immediately listed in the Sunday Star Tribune for sale.

kk

EXHIBIT C  
MAP OF  
REDEVELOPMENT PROJECT NO. 2  
AND  
TIF DISTRICT NO. 2-1





# Sales Contract

Property Disposition Program

U.S. Department of Housing  
and Urban Development  
Office of Housing  
Federal Housing Commissioner



OMB Approval No. 2502-0306

HUD Case No.

1. I(We), the Crystal Economic Development Authority  
(Purchaser(s)) agree to purchase on the terms set forth herein, the following property, as more particularly described in the deed conveying the property to the Secretary of Housing and Urban Development:  
5200 35th Ave. N., Crystal, Minnesota  
(Street number, Street name, unit number, if applicable, city, county, State)
2. The Secretary of Housing and Urban Development (Seller) agrees to sell the property at the price and terms set forth herein, and to prepare a deed containing a covenant which warrants against the acts of the Seller and all claiming by, through or under him. Title will be taken in the following name(s) and style:  
Crystal Economic Development Authority
3. The agreed purchase price of the property is Forty thousand five hundred dollars 3. \$ 40,500  
Purchaser has paid \$ 500.00 as earnest money to be applied on the purchase price, and agrees to pay the balance of the purchase price, plus or minus prorations, at the time of closing, in cash to Seller.  
The earnest money deposit shall be held by in escrow by seller
4. ( ) Purchaser is applying for HUD/FHA insured financing with a cash down payment of \$ \_\_\_\_\_ due at closing and the balance secured by a mortgage in the amount of \$ \_\_\_\_\_ for \_\_\_\_\_ months (does not include HUD/FHA Mortgage Insurance Premium).  
( ) Said mortgage involves a repair escrow amounting to \_\_\_\_\_ 4. \$ N/A  
(X) Purchaser is paying cash or applying for conventional or other financing not involving HUD/FHA.
5. Seller will pay reasonable and customary costs, but not more than actual costs nor more than paid by a typical Seller in the area, of obtaining financing and/or closing (excluding broker's commission) in an amount not to exceed \_\_\_\_\_ 5. \$ N/A
6. Upon sales closing, Seller agrees to pay to the broker identified below a commission (including bonus, if applicable) of \_\_\_\_\_ 6. \$ N/A
7. The net amount due Seller is (Purchase price, Item 3, less Item 4 escrow, if any, less Items 5 and 6) \_\_\_\_\_ 7. \$ 40,000
8. Purchaser is ( ) owner-occupant (will occupy this property as the primary residence); ( ) investor.
9. Time is of the essence as to closing. The sale shall close not later than June 1, 1991  
Closing shall be held at \_\_\_\_\_
10. If Seller does not accept this offer, Seller (X) may ( ) may not hold such offer as a back-up to accepted offer.
11. An addendum ( ) is ( ) is not attached hereto and made part of this contract.
12. Should Purchaser refuse or otherwise fail to perform in accordance with this contract, including the time limitation, Seller may, at Seller's sole option, retain all or a portion of the deposit as liquidated damages. The Seller reserves the right to apply the earnest money, or any portion thereof, to any sums which may be owed by the Purchaser to the Seller for rent. Purchaser(s) Initials: \_\_\_\_\_ Seller's Initials: \_\_\_\_\_
13. This contract is subject to the Conditions of Sale on the reverse hereof, which are incorporated herein and made part of this contract.

**Certification of Purchaser:** The undersigned certifies that in affixing his/her/its signature to this contract he/she/it understands all the contents thereof (including the Conditions of Sale) and is in agreement therewith without protest.

Purchaser(s): (type or print names, social security numbers, and sign)

Jerry Dulgar, Executive Director

John Moravec, President

Purchaser(s) Address: Crystal City Hall  
4141 Douglas Dr. N.  
Crystal, MN 55422

Phone No.:  
537-8421

Date Contract Signed by Purchaser(s):

Seller: Secretary of Housing and Urban Development  
By: (type name & title, & sign)

X

Date Contract Accepted by HUD:

**Certification of Broker:** The undersigned certifies that: (1) neither he/she nor anyone authorized to act for him/her has declined to sell the property described herein to or to make it available for inspection or consideration by a prospective purchaser because of his/her race, color, religion, sex, or national origin; (2) he/she has executed and filed with HUD, form HUD-9556, Joint HUD-VA Nondiscrimination Certification (Sales Broker); and (3) he/she has both provided and explained to the purchaser the notice regarding use of HUD's closing agent; and (4) he/she is in compliance with HUD's earnest money policy as set forth in Agreement to Abide executed on \_\_\_\_\_, 19\_\_\_\_.

Business Name & Address of Broker (include Zip Code) (For IRS reporting)

N/A

Broker's Social Security No. or Employer ID No.  
(include hyphens)

Area Code & Phone No. of Broker

Signature of Broker

X

Type or print the name and phone number of sales person:

This section for HUD use only. Broker notified of:

☐ Acceptance ☐ Back-Up No. \_\_\_\_\_  
☐ Rejection ☐ Return Earnest Money Deposit

By:

X

Date

Previous Editions are Obsolete

Copy 1: To HUD Local Office / Upon Approval, HUD will return signed Copy 1 to Broker for delivery to Purchaser

form HUD-9548 (11/90  
ref. Handbook 4310)

ADDENDUM TO SALES CONTRACT  
LEAD-BASED HEALTH HAZARD - PROPERTY CONSTRUCTED PRIOR TO 1978

(This addendum survives the closing of the sale)

RE: 2933111  
(FHA Case #)

5200 35th Ave. N.  
(Property Address)  
Crystal, MN

This property was constructed prior to 1978 and a lead-based paint health hazard may be present. The following information must be provided to HUD (check one & complete as appropriate):

- ☒ [XX] I (we) do not intend to occupy this property but am/are purchasing as investor(s).
- ☐ [ ] I (we) do not have a child(ren) under the age of seven years.
- ☐ [ ] I (we) do have a child(ren) under the age of seven years. Their names and ages are as follows:

Name:

Age:

_____	_____
_____	_____
_____	_____

(Check only one of the following blocks if children are indicated above).

- A. ☐ [ ] I understand that within 15 days after acceptance by HUD of my (our) offer to purchase, I (we) will, at my (our) expense, have each of the above-named children tested for an elevated blood level (EBL) and that I (we) will provide these test results to HUD. If I (we) fail to provide the test results to HUD within the 15 day time frame, the contract will be cancelled immediately without further notice. Further, I understand that if an EBL condition is identified, and the property tests positive for the presence of lead-based paint, HUD may elect not to treat the property. In such a case, the contract will be cancelled and the earnest money refunded.
- B. ☐ [ ] I (we) fully understand that if a blood lead level screening program is not reasonably available, if I (we) refuse to have my (our) child(ren) tested, or, if HUD is unable to test the property for the existence of lead-based paint, I (we) have the option of closing this sale. I (we) hereby acknowledge that this property I (we) am (are) purchasing from the Department of Housing & Urban Development may contain lead-based paint. However, despite this possibility, I (we) elect to close the sale on this property. Further, I (we) agree to hold HUD harmless for this action.

\_\_\_\_\_  
(Signature of Witness)

\_\_\_\_\_  
(Signature of Purchaser)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature of Purchaser)

\_\_\_\_\_  
(Date)



RESOLUTION NO. 91-

A RESOLUTION AUTHORIZING SALES CONTRACT  
TO PURCHASE 5200 35TH AVE. N.

WHEREAS, the Crystal Economic Development Authority and the City Council of the City of Crystal have prepared and approved a Redevelopment Plan, dated April 3, 1990, creating a Tax Increment Financing District, known as Redevelopment Project No. 2; and

WHEREAS, the Redevelopment Project No. 2 plan establishes a project area, which includes a property located at 5200 35th Ave. N.; and

WHEREAS, the US Dept. of Housing and Urban Development has offered the property located at 5200 35th Ave. N., Crystal, for sale to the City of Crystal for the price of \$40,500;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Crystal, Minnesota, that the appropriate officials of the Crystal Economic Development Authority be authorized to purchase the property located at 5200 35th Ave. N. for the value stated above from the Permanent Improvement Revolving fund (PIR fund) of the City with the understanding that the PIR funds will be repaid with tax increment revenues from the Redevelopment District No. 2.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 1991 by the Crystal City Council.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_

**DAVID J. KENNEDY**

Attorney at Law

Direct Dial (612) 337-9232

**HOLMES & GRAVEN**

**CHARTERED**

470 Pillsbury Center, Minneapolis, Minnesota 55402

(612) 337-9300

April 23, 1991

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

Dear Jerry:

Enclosed find an EDA Resolution and a City Resolution providing for the repayment of PIR Funds advanced by the City to accomplish the 1986 refunding. I think the resolutions are self-explanatory.

It is a bit unusual to transfer monies from a debt service fund, but I think the history of this transaction clearly indicates that the transfers authorized by the Resolutions were clearly intended by both the City and the HRA.

The EDA Resolution also creates a Project Fund into which tax increments as received from the county are deposited. Only amounts needed for debt service are withdrawn for that purpose and the balance is available for PIR Advance repayments or other authorized project costs.

I'll be able to answer any questions the Council may have about this procedure.

The blank in Section 1.03 in both resolutions should be filled in by Miles. I think it's about \$1.1 million.

Yours very truly,



David J. Kennedy

DJK:caw

Enclosures

cc: Miles Johnson (with/encl.)

RESOLUTION NO. 91-\_\_\_\_\_

RESOLUTION RELATING TO REPAYMENT  
OF CERTAIN MONIES TO THE  
PUBLIC IMPROVEMENT REVOLVING FUND

BE IT RESOLVED by the City Council of the City of Crystal,  
Minnesota (City):

Section 1. Background: Findings.

1.01. The Economic Development Authority of the City of Crystal (EDA) is responsible for the administration of the Bass Lake Road - Becker Park Redevelopment Project (Project) pursuant to City Council action transferring the administration of the Project from the Housing and Redevelopment Authority of the City of Crystal (HRA).

1.02. The City has issued and sold its \$5,865,000 General Obligation Tax Increment Refunding Bonds, Series 1986A and its \$1,870,000 General Obligation Tax Increment Bonds, Series 1987A and its \$1,870,000 General Obligation Tax Increment Bonds, Series 1987A (the Prior Bonds) to finance public redevelopment costs (Costs) in the Project area, all pursuant to Minnesota Statutes, Chapter 469 (Act), thus achieving significant savings in the required debt service for the Prior Bonds.

1.03. To enable the City to sell the Prior Bonds, the City at the request of the HRA advanced the sum of \$1095,433.00 (Advance) from Part C of the Permanent Improvement Revolving Fund (PIR Fund) of the City. It is found and determined that it was the intent of the City that the Advance was to be repaid to the City for deposit in the PIR Fund from tax increments received by the HRA and the EDA from the Project area not otherwise needed for debt service on the Prior Bonds.

1.04. The City has issued and sold its \$6,310,000 General Obligation Tax Increment Refunding Bonds, Series 1991A (1991 Bonds) to refund the Prior Bonds, thus achieving additional significant savings in debt service for the Prior Bonds and the Project. It is found and determined that it was the intent of the City that the additional savings in debt service achieved by the issuance of the 1991 Bonds be similarly used to repay the City for the Advance.

1.05. The EDA has presented to this Council a resolution (EDA Resolution 91-\_\_\_) requesting that the City take appropriate steps to transfer so much of the moneys in the debt service fund for the Prior Bonds not needed for payment of principal and interest on the 1986 Bonds to the PIR Fund to repay the Advance.

Sec. 2. Approvals: Authorizations.

2.01. The Finance Director is authorized and directed to determine the amount needed to pay the interest due August 1, 1991, principal and interest due February 1, 1992 and interest due August 1, 1992 on the Prior Bonds, and multiply that sum by 105%. The resulting product sum is to be retained in the debt service fund for the Prior Bonds and the balance in that fund is transferred to the PIR Fund, Part C, as a repayment of all or a portion of the Advance.

2.02. The Clerk is directed to transmit a certified copy of this resolution to the EDA.

\_\_\_\_\_  
Mayor

Attest:

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

CRYS7:RES91-03.

CORRICK & SONDRALL

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

LAWYERS

3811 WEST BROADWAY

ROBBINSDALE, MINNESOTA 55422

TELEPHONE (612) 533-2241

FAX (612) 533-2243

CORRICK LAW OFFICES, P.A.

WILLIAM J. CORRICK

STEVEN A. SONDRALL, P.A.

STEVEN A. SONDRALL

MICHAEL R. LAFLEUR

MARTIN P. MALECHA

WILLIAM C. STRAIT

LEGAL ASSISTANTS

LAVONNE E. KESKE

SHARON D. DERBY

April 17, 1991

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

RE: Permanent/Temporary Easements for Medicine Lake Road Project  
Our File No. 99.63962

Dear Mr. Dulgar:

Enclosed you will find one copy of Permanent or Permanent and  
Temporary Easements for the following properties:

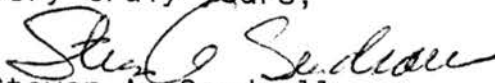
Tract

- |    |  |
|----|--|
| 22 | Balaro Enterprises, 2700 Louisiana Avenue North; and         |
| 29 | Independent School District No. 281, 6600 27th Avenue North. |

These easements involve property acquired for the Medicine Lake Road Project. These easements should be considered and accepted by the Crystal City Council. In that regard, enclosed you will also find a sample resolution accepting these easements.

After the Council action, please have the City Clerk date and sign all copies of all easements, as well as to place the City Seal on the same. Then return all copies to me for further handling. We will record the easements and return a copy to you for your City records.

Very truly yours,

  
Steven A. Sondrall  
New Hope City Attorney

s1w  
Enclosures



RESOLUTION NO. 91-\_\_\_

RESOLUTION ACCEPTING EASEMENTS FOR  
CONSTRUCTION AND MAINTENANCE OF  
PUBLIC IMPROVEMENT  
(MEDICINE LAKE ROAD STREET WIDENING PROJECT)

WHEREAS, the City of Crystal is involved as condemnor in that certain condemnation action entitled The City of New Hope, et al, vs. Medicine Lake Associates Limited Partnership, et al, Court File No. CD - 2154, and

WHEREAS, the object of said condemnation action is to obtain certain easements for the construction and maintenance of a public improvement, namely the Medicine Lake Road Project, and

WHEREAS, condemnation counsel has reached agreements with and obtained easements from various parties, and

WHEREAS, said easements contain obligations on the part of the City and require acceptance by the City Council.

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

1. That the following easements for construction and maintenance of public improvement relating to the Medicine Lake Road Project have been obtained from the following parties, copies of which easements are attached as Exhibit A. That said easements involve certain covenants and agreements on the part of the City. That acceptance of said easements is necessary for the successful construction and maintenance of the Medicine Lake Road roadway and adjacent improvements, including sidewalks.

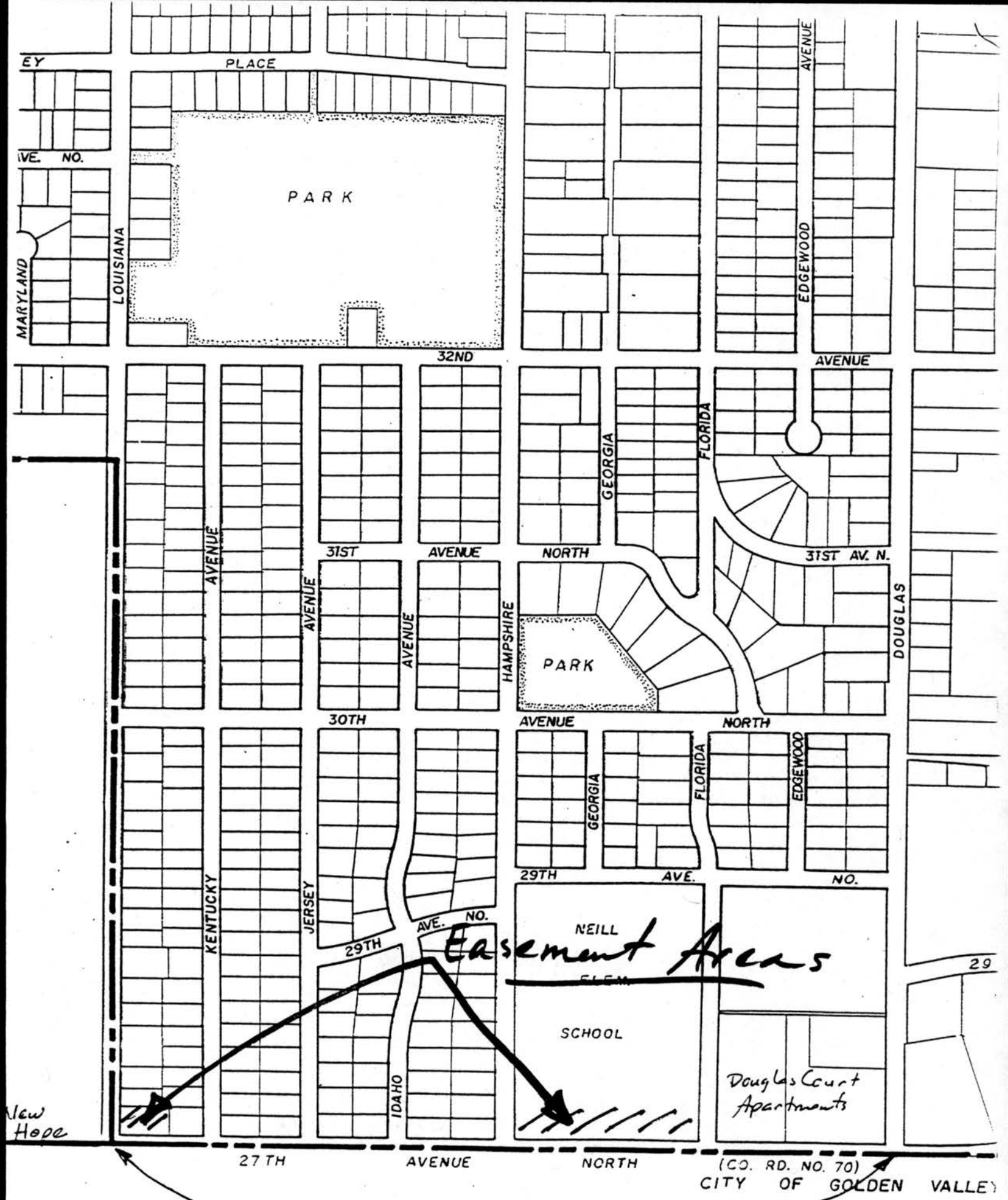
<u>Tract #</u>	<u>Property Owner</u>
22	Balaro Enterprises
29	Independent School District No. 281

2. It is hereby found and determined that this Council accepts said easements from the above listed parties.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1991.

\_\_\_\_\_  
Betty Herbes, Mayor

Attest: \_\_\_\_\_  
Darlene George, City Clerk



PROJECT LIMITS  
(In Crystal)

PERMANENT AND TEMPORARY EASEMENT FOR CONSTRUCTION  
AND MAINTENANCE OF PUBLIC IMPROVEMENT

THIS INDENTURE, executed on the 7 day of MAY, 1990, to take effect as of MAY 15, 1990 between INDEPENDENT SCHOOL DISTRICT NO. 281, a Minnesota Independent School District (herein "First Party") and the CITY OF CRYSTAL, a Minnesota municipal corporation (herein "City").

WHEREAS, First Party is the fee owner of the following described property (herein "Property" or "Tract 29"):

That part of the South 55.69 rods of the Southeast 1/4 of the Southeast 1/4 of Section 20, Township 118, North Range 21, West of the 5th Principal Meridian, lying West of the East 623.50 feet thereof, except roads, Hennepin County, Minnesota.

WHEREAS, the City is desirous of obtaining a temporary construction easement and a permanent street and utility easement over, under and across said Property,

WITNESSETH; That the First Party in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to it in hand paid by the City, the receipt whereof is hereby acknowledged, does hereby grant, bargain and convey unto the said City, its successors and assigns, forever, a permanent easement including the full and free right and authority to enter upon the easement tract hereinbelow described and to maintain a street and public utilities to be constructed therein. The permanent easement herein described shall continue forever as a permanent easement over, under and across said tract and the City shall have the right to make such use as is reasonably necessary and advisable in the construction, maintenance and operation of a street and public utilities over, under and across the tract of land hereinbelow described.

The permanent easement herein granted is situated over, under and across a tract of land in the County of Hennepin, State of Minnesota, described as follows, to-wit:

a permanent easement for street and utility purposes over, under and across that part of Tract 29 described above lying south of a line drawn parallel with and distant 40.00 feet north of the south line of the Southeast Quarter of Section 20, Township 118, Range 21, Hennepin County, Minnesota.

WITNESSETH; Further that the First Party in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to it in hand paid by the City, the receipt whereof is hereby acknowledged, does hereby grant, bargain and convey unto the said City, its successors and assigns, a temporary construction easement; including full and free right and authority to enter upon the property hereinafter described, for the purpose of construction of a street and public utilities (herein "Improvement"), it being the intention of the parties hereto that the aforesaid temporary construction easement shall terminate at midnight on November 15, 1991.

By acceptance of this temporary construction easement, the City hereby covenants and agrees to restore the surface of the ground and all structures to the same condition as existed thereon prior to the construction of said Improvement. The temporary construction easement described above is located over a tract of land situated in the County of Hennepin and State of Minnesota, described as follows, to-wit:

a temporary construction easement over, under and across that part of Tract 29 described above lying south of a line drawn parallel with and distant 45.00 feet north of the south line of the Southeast Quarter of Section 20, Township 118, Range 21, Hennepin County, Minnesota and lying north of the above described permanent easement.

INDEPENDENT SCHOOL DISTRICT NO.  
281, A MINNESOTA INDEPENDENT  
SCHOOL DISTRICT

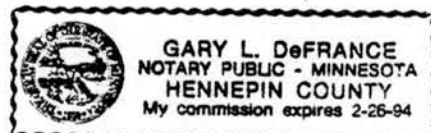
By: Patricia H. Neils  
Its Chairperson

By: Merrilee P. Riley  
Its Clerk

STATE OF MINNESOTA     )  
                                  ) ss  
COUNTY OF HENNEPIN    )

The foregoing was acknowledged before me this 7 day of May, 1990, by Patricia H. Neils and Merrilee P. Riley, the Chairperson and Clerk, respectively, of Independent School District No. 281, a Minnesota independent school district, on behalf of said independent school district.

Gary L. DeFrance  
Notary Public



This Document was Drafted by:

CORRICK & SONDRALL, a Partnership  
of Professional Corporations  
3811 West Broadway  
Robbinsdale, MN 55422  
(612) 533-2241

I, the undersigned, being the duly qualified and acting  
Clerk of the City of Crystal, Minnesota, hereby certify that the  
Council of said City has duly accepted the foregoing easement.

*Sig  
Seal*

Dated: \_\_\_\_\_

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



JUL 11 1990

PERMANENT AND TEMPORARY EASEMENT FOR CONSTRUCTION  
AND MAINTENANCE OF PUBLIC IMPROVEMENT

THIS INDENTURE, executed on the 2 day of April, 1990, to take effect as of MAY 15, 1990 between BALARO ENTERPRISES, a Minnesota partnership, (herein "First Party"), and the CITY OF CRYSTAL, a Minnesota municipal corporation (herein "City").

WHEREAS, First Party is the fee owner of the following described property (herein "Property" or "Tract 22"):

Lot 1, Block 1, Lanes Addition, Hennepin County, Minnesota.

WHEREAS, the City is desirous of obtaining a temporary construction easement and a permanent street and utility easement over, under and across said Property,

WITNESSETH; That the First Party in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to it in hand paid by the City, the receipt whereof is hereby acknowledged, does hereby grant, bargain and convey unto the said City, its successors and assigns, forever, a permanent easement including the full and free right and authority to enter upon the easement tract hereinbelow described and to maintain a street and public utilities to be constructed therein. The permanent easement herein described shall continue forever as a permanent easement over, under and across said tract and the City shall have the right to make such use as is reasonably necessary and advisable in the construction, maintenance and operation of a street and public utilities over, under and across the tract of land hereinbelow described.

The permanent easement herein granted is situated over, under and across a tract of land in the County of Hennepin, State of Minnesota, described as follows, to-wit:

a permanent easement for utility and drainage purposes over, under and across that part of Tract 22 described above lying southwesterly of a line drawn from a point on the west line of said Tract 22 distant 15.00 feet north from the southwest corner thereof to a point on the south line of said Tract 22 distant 15.00 feet east of said southwest corner.

WITNESSETH; Further that the First Party in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to it in hand paid by the City, the receipt whereof is hereby acknowledged, does hereby grant, bargain and convey unto the said City, its successors and assigns, a temporary construction easement; including full and free right and authority to enter upon the property hereinafter described, for the purpose of construction of a street and public utilities (herein "Improvement"), it being the intention of the parties hereto that the aforesaid temporary construction easement shall terminate at midnight on November 15, 1990.

By acceptance of this temporary construction easement, the City hereby covenants and agrees to restore the surface of the ground and all structures to the same condition as existed thereon prior to the construction of said Improvement. The temporary construction easement described above is located over a tract of land situated in the County of Hennepin and State of Minnesota, described as follows, to-wit:

a temporary construction easement over, under and across the south 7.00 feet of that part of Tract 22 described above lying east of the above described permanent street and utility easement.

a temporary construction easement over, under and across that part of Tract 22 described above lying northeasterly of the above described permanent easement and lying southwesterly of a line drawn parallel with and distant 5.00 feet northeasterly of the northeasterly line of said permanent easement.

BALARO ENTERPRISES

By

Its

By

Its

STATE OF MINNESOTA       )  
                                  ) ss  
COUNTY OF HENNEPIN       )

The foregoing was acknowledged before me this 10 day of July, 1990, by B. J. Wold and N. Lomiz Coed and partner and partner, respectively, of Balaro Enterprises, a Minnesota partnership, on behalf of said partnership.

[Signature]  
Notary Public Henn 3-29-95

This Document was Drafted by:

CORRICK & SONDRALL, a Partnership  
of Professional Corporations  
3811 West Broadway  
Robbinsdale, MN 55422  
(612) 533-2241

I, the undersigned, being the duly qualified and acting Clerk of the City of Crystal, Minnesota, hereby certify that the Council of said City has duly accepted the foregoing easement.

Dated: \_\_\_\_\_

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

DATE: April 30, 1991  
TO: Jerry Dulgar, City Manager  
FROM: William Monk, City Engineer  
SUBJECT: Sumter Avenue Closure

The City of New Hope recently held another public meeting to solicit resident input on the Sumter Avenue closure. A majority of those in attendance (including a number of Crystal residents) supported the closure as a means of protecting and enhancing the residential area south of the large apartment complex from thru traffic movements.

Due to the position of Crystal residents on this matter, I recommend Crystal work with New Hope on construction of a permanent barricade in a location agreeable to nearby Crystal and New Hope property owners. Further, that Crystal allocate an amount not to exceed \$2,000 from the Infrastructure Fund to cover 50% of the costs of this joint project.

I have attached the most recent letter from New Hope, as well as my previous memo on this matter, for the Council's review. I will be prepared to discuss this item in more detail on Tuesday night.



WM:mb

Encl

DATE: April 26, 1990  
TO: Jerry Dulgar, City Manager  
FROM: Bill Monk, City Engineer  
SUBJECT: Sumter Avenue Closure

In response to a neighborhood petition that included a number of Crystal residents, the City of New Hope barricaded Sumter Avenue at the Crystal/New Hope boundary. The closure took place last fall in an effort to redirect thru traffic movements, generated by the Winnetka Village Apartments, out of the residential area to nearby collectors such as Winnetka Avenue.

While this office never supported the closure, no formal comments were forwarded as New Hope described the barricade as a temporary measure. To gauge the response of Crystal residents to the closure, a neighborhood meeting was held. The consensus was overwhelming that the barricade should remain as long as the following two conditions could be met:

- 1) The existing barricade should be removed and rebuilt with a structure that better allows for pedestrian and bicycle movements. Also, the structure should be designed to fit the area in terms of an aesthetic layout with landscaping.
- 2) The structure should be moved south 15 to 25 feet (as much as possible) to lessen the impact on the driveway at 2947 Sumter Ave. N., allow for increased snow storage and afford better access to the nearby fire hydrant.

With this in mind, I have worked on a revised closure design that has been sent to nearby residents for review and comment. All comments received to date have been favorable.

At this point, New Hope has approved the revised closure layout and is requesting Crystal enter into a joint project to construct the redesign. New Hope's position is that Crystal residents will benefit from and are in favor of the project. Secondly, that the closure was necessitated by the apartments in Crystal.

It should be noted that New Hope has been cooperative in working with this office on this matter. Additionally, all reconstruction is proposed in New Hope, and New Hope is prepared to contract for all construction. Their request for Crystal participation involves Crystal covering 50% of the construction costs.



Jerry Dulgar  
April 26, 1990  
Page 2

Due to the position of Crystal residents on this matter, I recommend Crystal work with New Hope on this project and allocate an amount not to exceed \$2,000 from the Infrastructure Fund to cover 50% of the costs on the Sumter Avenue closure.

A handwritten signature in cursive script, appearing to read "J. Monahan".

WM

Encls



4401 Xylon Avenue North    New Hope, Minnesota 55428    Phone: 533-1521

April 12, 1991

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

Subject: SUMTER AVENUE/LAMPHERE DRIVE BARRICADE

Dear Jerry:

On June 1, 1989, a temporary closure of Sumter Avenue at the New Hope/Crystal border was constructed. At an informational meeting conducted in May, 1990, the concept of a permanent closure was generally accepted by residents of both New Hope and Crystal, however residents had noted an increase in traffic on 30th Avenue (east of Sumter) and Quebec (north of 30th). Traffic counts in the fall of 1989 confirmed the increases, however the traffic was typical for a residential street. At that time it was determined that additional information would be gathered regarding traffic counts and financial participation in the project by the City of Crystal. Residents were informed that they would be notified when the item was placed on the agenda for a final decision.

Additional traffic counts were taken in the summer of 1990. The City of Crystal did not formally agree to participate financially in the construction of a permanent closure, however Bill Monk recommended that Crystal work with New Hope on the project and allocate an amount not to exceed \$2,000 to cover 50% of the costs on the Sumter Avenue closure. The two cities have agreed on a revised closure design which addresses better pedestrian and bicycle movements, landscaping, increased snow storage, and better access to the nearby fire hydrant. The cost estimate obtained from Driveway Design in 1990 for construction of the closure was approximately \$3,000 and this estimate would need to be updated.

At the April 8th New Hope City Council meeting this issue was again discussed and the same group of residents from New Hope and Crystal were invited to attend the meeting to express their opinion on the project. It is New Hope's position that the temporary street closure needs to be resolved and the purpose of the meeting was to determine if the permanent closure as previously proposed should be constructed or if additional meetings were required to find an acceptable solution.

The majority of residents from both cities at the meeting expressed their support for the permanent closure and indicated that the temporary closure had made a positive impact on the traffic/safety concerns in that neighborhood. The New Hope City Council voted to proceed with the installation of the permanent closure as soon as possible. New Hope will be seeking quotes from several contractors in the near future to finalize the cost of construction.

The City of New Hope is requesting that the City of Crystal participate in this project by funding 50% of the construction costs. Crystal residents will benefit from the project and support the permanent closure, which was necessitated by the apartments in Crystal. New Hope has cooperated with Crystal on the revised closure design to address concerns regarding pedestrian and bicycle movements, landscaping, increased snow storage, and better access to the nearby fire hydrant. Also, the structure would be moved south approximately 20 feet to lessen the impact on the driveway and 2947 Sumter Avenue North. All construction would take place in New Hope and New Hope would contract for all construction.

New Hope respectfully requests Crystal's cooperation and financial participation in the construction of this permanent closure, as it will serve to benefit residents of both communities.

Sincerely,

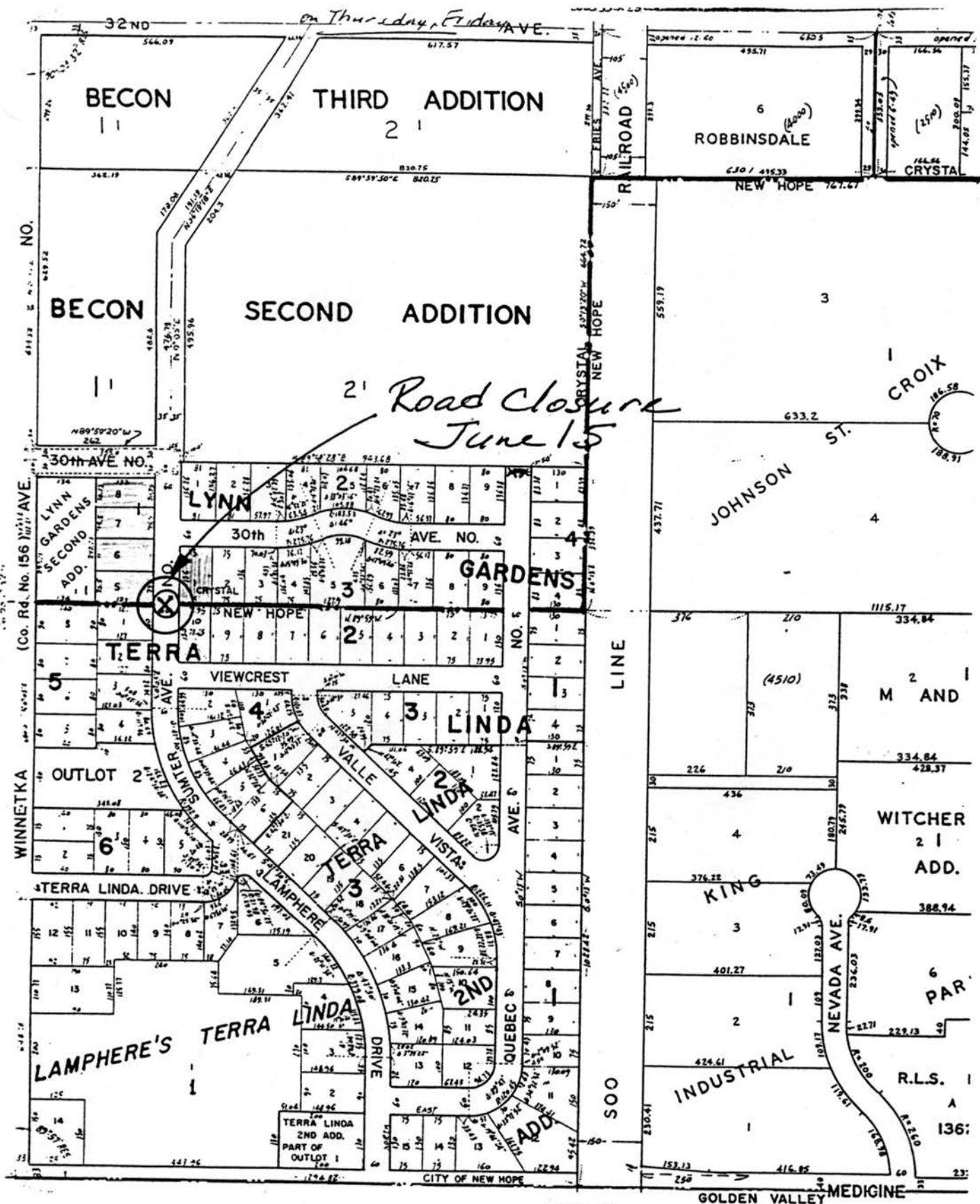


Daniel J. Donahue  
City Manager

KM/lb

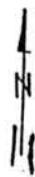
Enclosures: Project Information and 4/8/91 minutes

cc: Mark Hanson, New Hope City Engineer  
Bill Monk, Crystal City Engineer



REMOVE 54' B6-18  
INSTALL 87.68 B6-18

30TH AVE



NO CURB

2946

2947

INSTALL NEW  
B6-18 CURB

CRYSTAL  
NEW HOPE

PLACE 2 REFLECTORIZED SIGNS

TOPSOIL + 500

REMOVE CURB

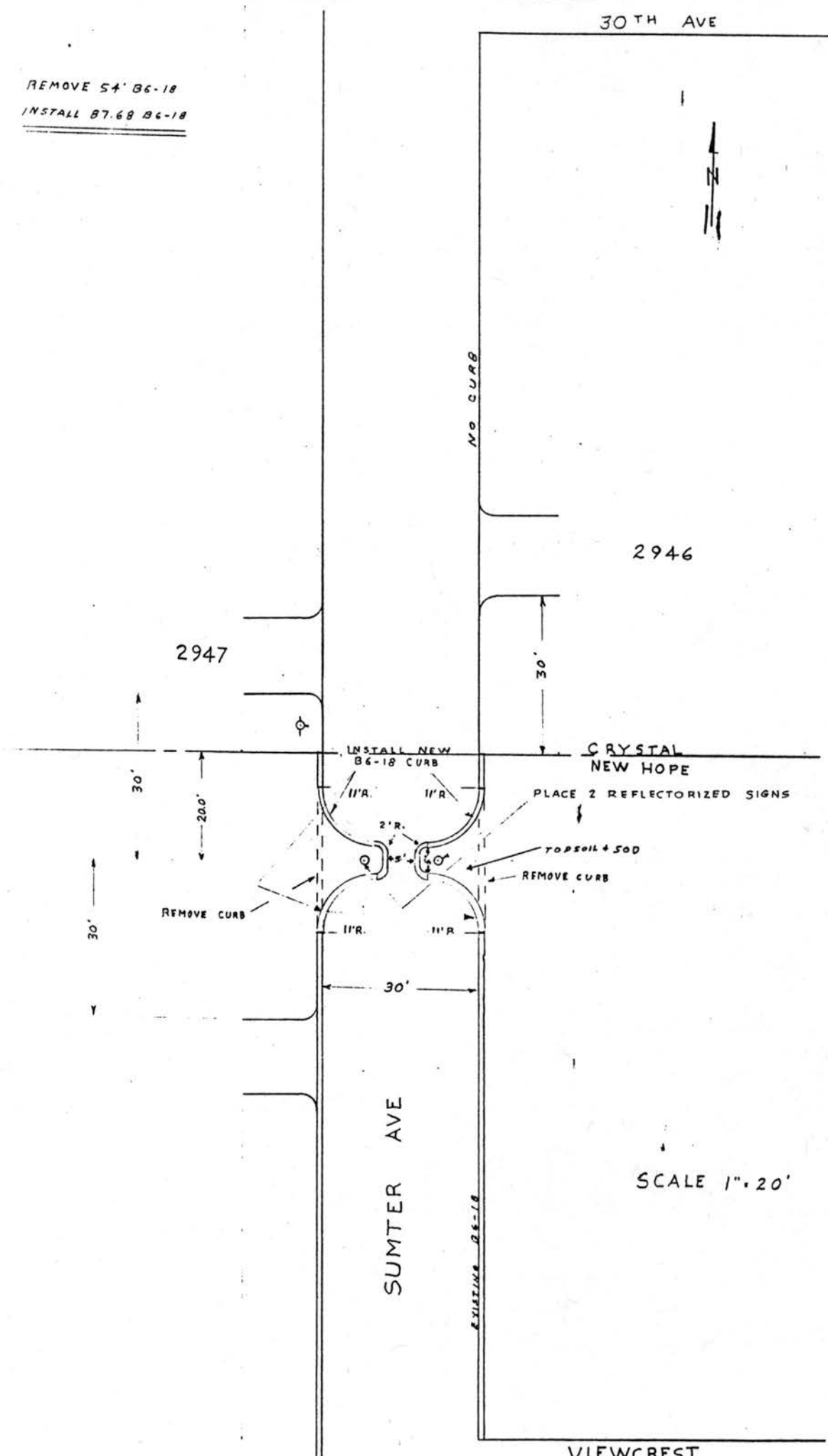
REMOVE CURB

SUMTER AVE

SCALE 1" = 20'

EXISTING B6-18

VIEWCREST





M E M O R A N D U M

DATE: April 16, 1991  
TO: Jerry Dulgar, City Manager  
FROM: Anne Norris, Community Development Director *an*  
SUBJECT: Recommendation Regarding Composition of  
Planning Commission

At its meeting on April 15, 1991, the Planning Commission discussed the composition of the Commission in light of the resignation of Commissioners Christopher and Leppa. The Commission recommended the City Council consider reducing the Planning Commission from 10 to 9 members. There would be two commissioners appointed from each ward and one member from at-large. By going to a nine person commission, tie votes can be avoided.

On April 16th, the Council requested this item be put on the May 7th meeting agenda. Attached is an ordinance revising the composition of the Planning Commission to nine members.

ALN:jt

ORDINANCE NO. 91-\_\_\_\_\_

AN ORDINANCE RELATING TO CITY  
GOVERNMENT: PLANNING COMMISSION:  
AMENDING CRYSTAL CITY CODE,  
SUBSECTION 305.67, SUBDIVISION 2

THE CITY OF CRYSTAL ORDAINS:

Section 1. Crystal City Code, Subsection 305.67, Subdivision 2 is amended to read as follows:

Subd. 2. Membership. The Planning Commission ~~shall consist~~ consists of ten nine members. Two members must be appointed from each of the four wards of the City and one member is appointed at large. The City Manager, Building Inspector and ~~Engineer~~ Public Works Director ~~shall~~ act as consultants to the Planning Commission.

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

\_\_\_\_\_  
Mayor

Attest:

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

ORD03.

DATE: May 2, 1991  
TO: Jerry Dulgar, City Manager  
FROM: William Monk, City Engineer  
SUBJECT: Stop Sign Installation

Although I recently recommended removal of a number of stop signs, I remain aware that stop signs do serve a traffic control purpose. Based on local needs, Crystal was able to persuade the State that 4-way stops at the intersection of State Aid routes were appropriate when neither street was considered the primary route. It was because of this understanding with the State that Crystal was able to leave 12 stop signs in place that had originally been targeted by the State for removal as part of the State Aid designation process. Further, this understanding allows the City to consider the installation of a number of stop signs on the new State Aid routes for traffic control purposes.

It is recommended stop signs be placed at the following locations to change existing two-way stops to 4-way stops:

- 1) on 38th Avenue at its intersection with Adair Avenue.
- 2) on 38th Avenue at its intersection with Welcome Avenue.
- 3) on Hampshire Avenue at its intersection with Fairview Avenue

The maps included with the previous Council item should assist in review of this recommendation. I will be prepared to answer Council questions on this matter on Tuesday night.



WM:mb

M E M O R A N D U M

DATE: May 6, 1991  
TO: Jerry Dulgar, City Manager  
FROM: Anne Norris, Community Development Director *an*  
SUBJECT: Extension of Development Moratorium for  
Redevelopment Area #2

BACKGROUND

As you recall, last year the City Council established a moratorium on development in Redevelopment Area #2. This action was in part, to allow for completion of the Comprehensive Plan, and in part, in anticipation of the Development Agreement with Super Valu for redevelopment of that area southeast of 36th Avenue and Highway 100. The moratorium covers the entire redevelopment area (see attached map) and is in effect through May 31, 1991.

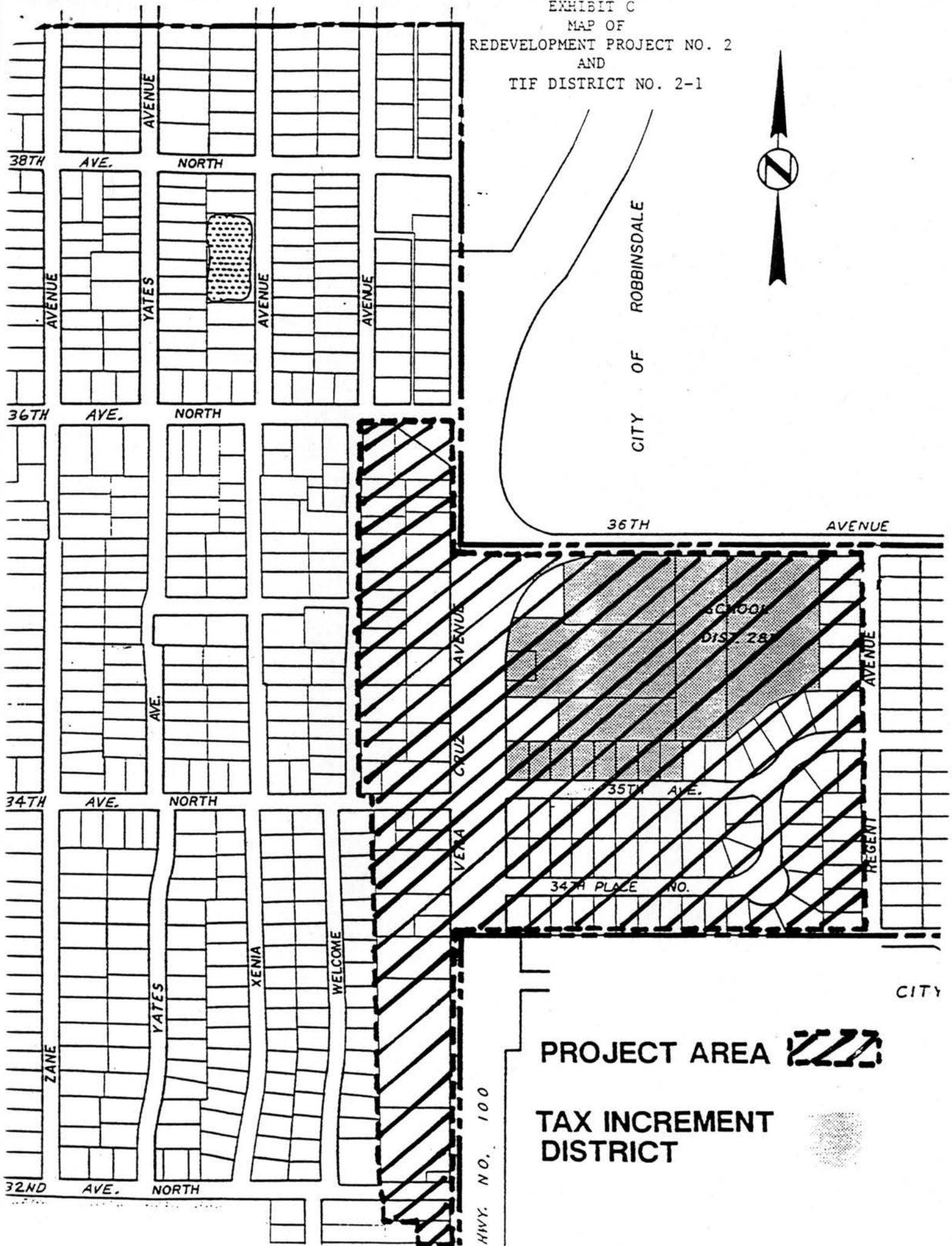
The City Attorney recommends that the moratorium be extended to October 26, 1991. At that time, the City will have the option of extending the moratorium for an additional eighteen (18) month period. An ordinance and resolution extending the expiration of the moratorium will be available at the meeting.

RECOMMENDATION

Adopt the resolution and the first reading of an ordinance extending the expiration of a development moratorium to October 26, 1991, in Redevelopment Area #2.

ALN:jt

EXHIBIT C  
MAP OF  
REDEVELOPMENT PROJECT NO. 2  
AND  
TIF DISTRICT NO. 2-1



PROJECT AREA 

TAX INCREMENT  
DISTRICT



## RESOLUTION NO. 91-

## CITY OF CRYSTAL

RESOLUTION EXTENDING 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, by Resolution No. 90-55 approved September 4, 1990, adopted a moratorium regarding all development and rezoning within the Project area, which moratorium expires on May 31, 1991; and

WHEREAS, the City Council deems it necessary to extend the moratorium on development within the Project area for an additional period, 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. The moratorium adopted on September 4, 1990 regarding all development and rezoning within the Project area, as that area is described in the Redevelopment Project Plan therefor dated April 3, 1990, is hereby renewed and extended. Building permits for the construction, reconstruction or alteration of structures within the Project area will not 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. Proposals for rezoning of property in the Project area will not 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. Land within the Project area may not 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 will 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 a public hearing is not required and the application will be considered by the Council without Planning Commission review unless otherwise directed by the Council.

5. This resolution is effective immediately and expires on October 26, 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 May, 1991.

\_\_\_\_\_  
Betty Herbes, Mayor

Attest:

\_\_\_\_\_  
Darlene George  
City Clerk

## ORDINANCE NO. 91-

## CITY OF CRYSTAL

AMENDMENT TO INTERIM ORDINANCE No. 90-20 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 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 revision of the City's comprehensive plan.

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

1.04 On September 18, 1991, this Council adopted Ordinance No. 90-20 pursuant to Minnesota Statutes, Section 462.355, subd. 4 (the Act), which ordinance is an interim ordinance 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. The interim ordinance was effective on October 26, 1990 and expires on May 31, 1991.

1.05 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 continue and extend the restriction of 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.

1.06 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.

1.07 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 for an additional period of time.

Section 2. Interim Zoning.

2.01 A special zoning district of the City known as the Interim Zoning (IZ) District is hereby renewed and extended for the additional period of time specified in Section 3.01. 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 apply:

1. Building permits for the construction, reconstruction or alteration of structures within the Project area will not be granted by this Council except:
  - a. permits for the necessary repair of existing buildings;
  - b. permits to be issued pursuant to a planned development which has received Council approval prior to the effective date of Ordinance No. 90-22; and
  - c. permits for which application had been duly made to the City prior to September 4, 1990.
2. Proposals for rezoning of property in the Project area will not 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. Land within the Project area may not 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. Notwithstanding the provision of Crystal City Code, subsection 515.56, 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 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 are made in accordance with Section 515.56 of the City Code (Appendix I, "Zoning") except that a public hearing is not required and the application will be considered by the Council without Planning Commission review unless otherwise directed by the Council.

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 October 26, 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



**JERRY DULGAR**  
**GOALS 1991**

**List 3 goals to achieve in 1991 regarding the normal (routine) operation of your department for 1991.**

1. Strive for more involvement of all department, division heads in decision making process.
2. Look at (Big Picture) as far as future operation and finance of City operations goes.
3. Reduce use (cost) of office supplies, materials, etc.
4. Balance budget with minimum of personnel and program cuts.

**List 3 goals to achieve in 1991 that are above and beyond your normal (routine) operation of your department for 1991.**

1. Work to develop service, oriented attitude and approach among staff of City in general.
2. Work to achieve sharing arrangements with neighboring communities to cut cost of operations.
3. Finish housing code and start actual housing inspection program, if possible with promotion of employee already in City employment.

**List 3 goals to achieve in 1991 concerning professional development, encouragement and improvement of your staff.**

1. Encourage Kelli to continue BA program and skills education. Encourage Darlene and Joan to attend as many of Clerks education programs as possible, Nancy to personnel classes.
2. Go through ICMA Effective Supervisors Practices with department heads.
3. Budget retreat at location other than City Hall to help develop team approach to budget.

**List 3 goals to achieve in 1991 concerning professional development, encouragement and improvement of yourself.**

1. Read 3 books on Management.
2. Lead 3-5 seminar sessions on Effective Management.
3. Serve effectively on LMC Board and Twin West Chamber of Commerce Board and report important actions, information to Council and staff.

**This section will be completed by Council. This section will contain several goals set by you, the Council, to be completed by me in 1991.**

- 1.
- 2.
- 3.

**\*\*You must set realistic goals that fit within the 1991 time\*\*  
frame and budget limitations.**



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

April 15, 1991.

Dear Mayor Herbes,

Thank you for supporting the continued funding of the child care subsidy program for your Crystal residents. As the letters I sent previously, indicated, your citizens have really appreciated the help you have given them. You have certainly helped them move toward self-sufficiency.

Greater Minneapolis Day Care Association is aware that gradually the amount of Community Development Block Grant money is getting smaller. We also realize that before long it may not exist at all. With that in mind, we hope you will help us lobby the state legislators for increased funding for the child care subsidy program, so that the waiting list for child care subsidy could be eliminated, and we can phase out the city's role in child care funding.

I was sorry that I was not able to attend your CDBG public hearing, but I had two other similar hearings the same night. Please feel free to call me if I can get any information for you. Thanks again-on behalf of your citizens.

Sincerely,

Grace Norris  
Community Liaison

## Greater Minneapolis Day Care Association

Dale Anderson, Executive Director • 1628 Elliot Avenue South • Minneapolis, Minnesota 55404 • (612) 341-1177





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

ADMINISTRATIVE OFFICE

April 22, 1991

State Senator Ember Reichgott  
Room 301, State Capitol  
St. Paul, Minnesota 55155

Re: S.F. 1169  
Single Member Ward Requirements

Dear Ember:

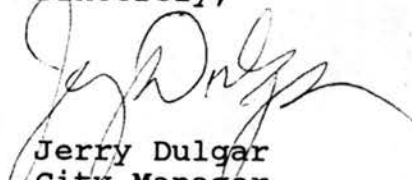
At its April 16 meeting the Crystal City Council discussed the single member ward requirement proposed by the Legislature.

The item was referred to the Crystal Charter Commission. Attached are minutes of the April 26, 1989 and May 31, 1989 meetings wherein the Charter Commission discussed various options of City Council makeup. The minutes clearly indicate that the Charter Commission is in favor of retaining the present system of four wards, one Councilmember each; two sections, one Councilmember each; and the Mayor at large.

As for the portion of the Bill regarding minority population voting strength, Crystal does not appear to have a concentration of minorities in any one area of the City.

On behalf of the Crystal Charter Commission and the City Council of the City of Crystal, I strongly urge committee members to oppose the S.F. 1169.

Sincerely,



Jerry Dulgar  
City Manager  
City of Crystal

JD/js

cc: Charter Commission  
City Council

MINUTES OF REGULAR MEETING  
OF THE CHARTER COMMISSION  
OF THE CITY OF  
CRYSTAL, MINNESOTA

APRIL 26, 1989

Pursuant to due call and notice thereof a regular meeting of the Crystal Charter Commission of the City of Crystal, Minnesota, was held on Wednesday, April 26, 1989, in the Community Room of the Crystal City Hall, 4141 Douglas Drive North, Crystal, Minnesota.

The Chairman called the meeting to order at 7:15 p.m. The following members were present: Anderson, Feyereisen, Irving, Garber, Elsen, Cook, Meintsma, and Dunham. Member Nemer arrived at 7:25 p.m. The following members were absent: Schaaf, Ryan, Homan, Magnuson, Rood and Hawk.

The first order of business was the approval of minutes of the March 29, 1989 regular meeting. Moved by Meintsma, seconded by Garber to approve the minutes. Motion carried.

The next order of business was approval of the proposed agenda. The attorney pointed out that item IV on the proposed agenda was listed in error. Moved by Elsen, seconded by Cook to approve the agenda as amended. It was also agreed by consensus that the next item on the agenda, which is to be a regular agenda item, was consideration of excused absences from the meeting. The attorney pointed out that calls had been received from members Magnuson and Homan prior to the meeting. Moved by Garber, seconded by Feyereisen that the absences of Magnuson and Homan were to be considered excused absences.

✓ The next item on the agenda was discussion of further changes to the City Charter. Meintsma moved to take from the table his motion from the March 29th meeting which was a motion that the Charter be amended to provide for a five member Council with one member from each of the four wards, and one at large. Seconded by Feyereisen, carried without dissent.

✓ There ensued a lengthy discussion about the possible variations of Council makeup employing both the at large and ward system. Moved by Cook, seconded by Feyereisen that the Meintsma motion be passed. The motion was defeated with all members voting no. Meintsma then suggested a listing of various options of the ward and at large system for consideration at the next meeting. Moved by Anderson, seconded by Nemer that the following structural options be considered at the next meeting.

1. Maintain the status quo (four wards, one Councilmember each, two sections, one Councilmember each, and Mayor at large).

2. Three wards, two Councilmembers each, and a Mayor at large.
3. Six wards, one Councilmember each, and a Mayor at large.
4. Five wards, one Councilmember each, one member at large who would be elected as Mayor pro tem, and a Mayor at large.
5. Four wards, two Councilmembers each and a Mayor at large.

Motion carried without dissent.

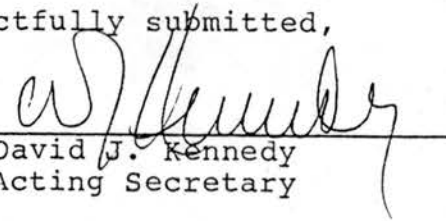
Member Dunham raised the question about the status of the Mayor pro tem in the case of a vacancy in the office of Mayor under the newly adopted charter amendment indicating that there might be a questions about the ability of the Council to fill such a vacancy after the Mayor pro tem assumed the duties of Mayor. Dunham suggested that the absence of the words "until a successor is appointed and qualifies" raises an ambiguity. The attorney was instructed to look into the matter. There was then some discussion about how the various option selections in the previous motion would be evaluated and member Dunham and Meintsma indicated that the Citizen's League had a system of ranking votes on various kinds of options and the attorney was instructed to check on that system.

There ensued a brief discussion about the possibility of discussing the terms of members of the Council at the next meeting, and the attorney was instructed to check with the City Clerk to find out the exact status of the present members of the Council with relation to their terms of office and when they will be up for election.

There being no further business to come before the Commission, the Commission adjourned at 8:45 p.m.

Respectfully submitted,

By

  
David J. Kennedy  
Acting Secretary



MINUTES OF REGULAR MEETING  
OF THE CHARTER COMMISSION  
OF THE CITY OF  
CRYSTAL, MINNESOTA

MAY 31, 1989

Pursuant to due call and notice thereof a regular meeting of the Crystal Charter Commission of the City of Crystal, Minnesota, was held on Wednesday, May 31, 1989, in the Community Room of the Crystal City Hall, 4141 Douglas Drive North, Crystal, Minnesota.

The Acting Chair, Mr. Elsen, called the meeting to order at 7:10 p.m. The following members were present: Magnuson, Homan, Rood, Ryan, Anderson, Feyereisen, Elsen, and Dunham. Member Schaaf arrived at 7:40 and Member Meintsma arrived at 7:55 p.m. The following members were absent: Hawk, Irving, Garber, Cook, and Nemer.

The first order of business was approval of minutes of the April 26th meeting. Moved by Homan, seconded by Feyereisen, motion carried.

The next item of business was a discussion of excused absences. The attorney reported that he had received calls from Nemer, Irving, and Garber. Moved by Feyereisen, seconded by Homan that the absences of Nemer, Cook, Irving, and Garber be considered excused absences.

Member Rood explained that she had submitted a resignation letter to the Chair but had, on reflection, decided to withdraw it.

The next item of business was consideration of the summer schedule of meetings of the Commission. Moved by Homan, seconded by Feyereisen that the Commission not meet in the months of June, July, and August. Anderson raised the question of whether this action would preclude the Commission from preparing any amendment for the November election. The attorney said that it would be most unlikely that anything could be prepared in time for that election. Motion carried. By consensus it was agreed that the next meeting would be held on Wednesday, September 27, 1989.

The attorney then reported on plans for printing the newly amended City Charter, indicating that it would be prepared in exactly the same format as the previous Charter, being set up from type at the newspaper from the notice of public hearing on the amendment. There was general agreement that this technique was desirable.

✓ The next item on the agenda was discussion of the ward v. the at-large method of electing Councilmembers and the various

options for Council make-up listed in the minutes of the April 26th meeting. After extensive discussion, moved by Homan that the present system of four wards, one Councilmember each, two sections, one Councilmember each, and the Mayor at large be retained. Seconded by Magnuson. Motion carried.

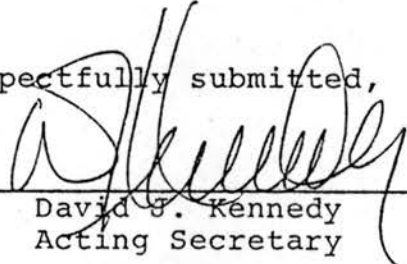
There then ensued a discussion of possibly changing the City election date. Member Meintsma suggested that City elections be held on the same day as School Board elections, that is, in May of each year. There was also discussion about modifying the terms of members of the City Council. After further discussion, moved by Dunham, seconded by Feyereisen, to table any further discussion on election date and terms. Motion carried.

There then ensued a discussion about possible amendments to the Charter relating to zoning ordinance amendments and the Civil Service Commission. The attorney was instructed to gather informational materials about Civil Service and circulate them, together with the unapproved minutes of this meeting, to the membership so that the matter could be taken up at the September Commission meeting.

There being no further business to come before the Commission, the Commission adjourned at 8:45 p.m.

Respectfully submitted,

By

  
David S. Kennedy  
Acting Secretary

0011CHTR.F16

Coppin  
4/22/91

HUMAN RELATIONS COMMISSION  
March 25, 1991

The Human Relations Commission meeting was called to order at 7:13 p.m. by Chair Linda Museus after a quorum was reached. Members present were: Kathryn Huston, William Johnson, Bob Techam, Linda Museus, Anthony Kamp, and Renee Werner. Also present were guest Bill Gentry from the Park & Recreation Advisory Commission, Lerry Teslow from the Environmental Quality Commission, and Joan Schmidt, Staff Liaison.

Absent were James Allen Brown (unexcused), Arlene West (unexcused), Jackie Gustafson (excused), John Luzaich (unexcused) and Elmer Carlson, Councilmember Liaison.

1. Moved by Commission member Werner and seconded by Commission member Huston to approve the minutes of the February 25, 1991 Regular Human Relations Commission meeting.

Motion Carried.

2. The Commission discussed plans for having a float in the Crystal Frolics Parade. Linda Museus gave a report on attending the Knights of Columbus meeting and asking for \$500 to use for a float in the Crystal Frolics Parade. In today's mail was a letter and form to sign for \$100 that the Knights of Columbus will present at their next meeting.

We are looking for a boat to use for this event. Tony Kamp will check on this. His family has a 17' Starcraft boat and trailer which possibly could be used but he will also check with Hawks Marine for a possible donation of the use of a boat or pontoon.

It was suggested to send out letters asking for additional funds to Crystal Lions, the VFW, and any local Kiwanis Club; to contact the Merchants Association for the Crystal Gallery and the Crystal Shopping Center.

Joan Schmidt gave a report on the price of stickers: if we go the same as last year, 500 stickers would cost \$70; 1000 would cost \$95. If we make changes as suggested with the date of this year's event 500 stickers would cost \$107; 1000 would cost \$132. If we go smaller in size with the change we can obtain 1000 for \$185.

Some additional ideas for a message on the float were: "Wipe out discrimination" with members having a surf board in the boat; "Turn the tide on discrimination" and "Wave discrimination away".

Linda will be absent from the next meeting so she asked the members who will be absent to contact Renee and if they have a report to offer to please tell Renee.

3. The Commission then moved onto the next item on the agenda which was preparation for Human Rights Day. Bill Gentry reported that

Bill O'Reilly had talked to people at the Courage Center and at this point has nothing to report regarding beep ball teams.

Bob Techam and Renee Werner also had contacted the Courage Center for further ideas and were told of:

- Deaf Dance Group out of St. Cloud that performs;
- St. Paul Vo-Tech has a group of deaf singers;
- Pacers Puppeteers "Count Me In" do a one-hour production for \$100; 45 minutes show and 15 minutes hands on for kids regarding mental retardation. They also do other shows in regards to blindness, hearing impairments, and using a wheelchair.
- Obstacle course for children that Courage Center would set up (not just wheelchair obstacles but could be blindfolded);
- Could provide us with home crafters;
- Suggested going to State Council on Disabilities and Society of the Blind for further ideas;
- Could have guests such as traffic consultant on WCCO who is blind; former Viking Carl Kasoulki;
- Artist from Wayzata who paints with his feet; artist who is a mouth painter;
- Courage Center would provide card catalogues;
- Wheelchair square dance groups.
- Would an **interpreter** be available for those who attend who would need one? Make sure building is handicap accessible.

An unidentified Crystal resident joined the group at this time to observe.

Other ideas:

- Lerry Teslow asked if people would be interested in a demonstration of sign language.
- Kathy Huston suggested not to say or label as "We're Special People" that the disabled do not like that reference.
- Would be good to have a speaker; perhaps have videos going.
- Pull on idea from the Special Olympics;
- Have Rolling Gophers or Rolling Timberwolves team do a demonstration;
- Hearing dogs which are obtained from the pound and taught could give a one-half hour demonstration as to responding to sounds.
- "Helping Paws" is another group that could give a 15 to 20 mins. demonstration on how they train their dogs.

Moved by Commissioner Techam and seconded by Commissioner Huston to have Pacers scheduled for our event.

Motion Carried.

Renee Werner will contact Pacers Puppeteers and arrange to have them as the first event of the day (1 p.m.).

Lerry Teslow from the Environmental Quality Commission then gave a report on last year's Environmental Awareness Day and some ideas that the Commission has for this year's event. The Environmental Quality Commission would like to join with our

Commission to have their event on the same day and location to help eliminate the problem of gathering people to these events.

Moved by Commissioner Techam and seconded by Commissioner Werner to have posters again at this year's event.

Motion Carried.

Bob Techam will ask his employer for supplies again and the Commission would like John Luzaich to make arrangements with the schools.

4. New Business.

Kathy Huston passed around Information Bulletins from the Minnesota Social Service Association.

Crystal will host a Coalition Meeting on May 15th at the Crystal Community Center in the Activity Room at 7 p.m.

An Annual Meeting will take place at the Crystal Community Center on September 7th.

A League Meeting will take place on April 21st.

Joan Schmidt passed around information on the 44th Annual National Association of Human Rights Workers National Conference at the Radisson Hotel, St. Paul, October 17 - 22, 1991 and an article on Donn McCoy in Humpty Dumpty's Magazine.

The recent incident at Robbinsdale Cooper High School was discussed.

Moved by Commission member Huston and seconded by Commission member Techam to adjourn. Meeting adjourned at 8:50 p.m.



## CRYSTAL PLANNING COMMISSION MINUTES

April 15, 1991

The meeting of the Crystal Planning Commission convened at 7:05 p.m. with the following present: Anderson, Elsen, Guertin, Kamp, Nystrom, and Smith. The following were absent: Christopher, Leppa, Lundeen, Magnuson. Also present was Community Development Director Norris.

Moved by Commissioner Elsen and seconded by Commissioner Nystrom to approve the minutes of the March 11, 1991, meeting as presented.

Motion Carried.

1. Chairperson Anderson declared that this was the time and the place as advertised for a public hearing at which time the Planning Commission will sit as a Board of Adjustments and Appeals to consider Variance Application #91-7 and #91-8 to expand a nonconforming building and to vary the required setback from the intersection for a curb cut to allow the construction of an addition to the existing building at 5231 Douglas Drive North as requested by Nate Sherry.

Community Development Director Norris described Mr. Sherry's proposal. Mr. Sherry explained he purchased the property from a trust fund and by that point the City had started condemnation proceedings and the City would not allow Mr. Sherry to rehabilitate the property for residential use. Mr. Sherry has worked with City staff to develop plans for commercial use of the property. He hopes to be done with the project by the end of this year.

Commissioner Anderson noted the property to the north is for sale and asked whether Mr. Sherry had tried to acquire that property. Mr. Sherry said no he has not as working on this project has taken more time than he had anticipated.

No one appeared in opposition to Mr. Sherry's request.

Moved by Commissioner Elsen and seconded by Commissioner Kamp to close the public hearing.

Motion Carried.

Moved by Commissioner Elsen and seconded by Commissioner Smith that pursuant to Section 5115.55 of the Crystal City Code to recommend to the City Council to vary or modify the strict application of Section 515.05, Subd. 2, to expand a nonconforming building, said non-conformity being the existing building encroaches 15.6' in the required 22' side street side yard setback, and to grant a variance of

April 15, 1991 - Continued

approximately 23' in the required 50' setback from the intersection for a curb cut (Section 515.09, Subd. 4 h) 4), to permit a 12' x 24' addition to the existing building at 5231 Douglas Drive North, P.I.D. #08-118-21-11-0003 as requested in Applications #91-7 and #91-8 of Nate Sherry, 5905 42nd Avenue North, Robbinsdale.

The findings of fact are that the property is in desperate shape as is and any improvement to the site is a benefit to the City.

Motion Carried.

2. Consideration of a building permit for an addition to the existing building at 5231 Douglas Drive North as requested by Nate Sherry.

Moved by Commission Guertin and seconded by Commissioner Nystrom to recommend to the City Council to approve authorization to issue a building permit for a 12'x 24' addition to the existing building located at 5231 Douglas Drive North, P.I.D. #08-118-21-11-0003, subject to standard procedure.

Motion Carried.

3. Consideration of a building permit for a walk-in cooler addition to the existing building at 4800 - 56th Ave. N. as requested by Crown CoCo., Inc.

Ms. Norris described Mr. Miller's proposal to add a 16' x 34' addition to the gas station/convenience store at 4800 - 56th Ave. N.

Moved by Commissioner Kamp and seconded by Commissioner Guertin to recommend to the City Council to approve authorization to issue a building permit for a 16' x 34' walk-in cooler addition to the existing building located at 4800 - 56th Ave. N., P.I.D. #04-118-21-44-0057, subject to standard procedure and the conditions that the existing shed be removed and screening be upgraded.

Motion Carried.

- 4 Consideration of Application #91-9 of Lars P. Lodoen for rezoning property from R-1 (Single Family Residential) District to R-2 (Single and Two Family Residential) District and Variance Application #91-10 for construction of a duplex on a lot which does not have the required 12,500 sq. ft. lot area at 6809 - 36th Ave. N.

The Application has been withdrawn by the applicant.

5. Consideration of Tim Mannie's proposal for a fast food restaurant at 3640 Winnetka Ave. N.

April 15, 1991 - Continued

Mr. Mannie was present to review his proposal with the Commission. He intends to come forward with more specific information and an application for a conditional use permit at a later date. The Planning Commission saw no problems with Mr. Mannie's proposed use. The site is difficult given topography, soils and wetlands on the site. Mr. Mannie agreed that the soil conditions create difficulty and additional expense for development on the site.

6. Fred Hoisington of Hoisington Group, Inc., discussed the Comprehensive Plan. Mr. Hoisington updated the Commission that draft policies for the Comprehensive Plan have been reviewed by the various commissions, and he has incorporated some of those changes; however, Mr. Hoisington is concerned with the EDA's recommendation regarding the airport and feels strongly that the policy regarding the airport in the Economic Development section remain as originally proposed. Mr. Hoisington introduced Jim Lasher and Harold Skjelbostad of LSA Design Inc., who are completing the image portion of the Comprehensive Plan.

Mr. Lasher outlined for the Commission historical perspectives of community image, principles of community image, elements of community image, images of Crystal and briefly discussed appearance zoning. Mr. Lasher noted that with regards to images in Crystal, it appears that the City has not done all it could to protect visibility of landmarks and views from different points throughout the City. Mr. Lasher also noted that in commercial districts the City Code requires a portion of the site to be landscaped; however, this does not appear to be met at many of the larger commercial areas in Crystal. Mr. Lasher suggested the need to make Crystal's major commercial areas more pedestrian friendly and more visually pleasing. Also perhaps the scale for light standards needs to be revised for the commercial vs. residential districts. Mr. Lasher also noted that the current Sign Ordinance appears to allow limited signage, however, that does not seem to be adhered to by most businesses in the community. Mr. Lasher also noted the potential for image builders and landmarks at community boundaries throughout Crystal. Mr. Lasher said that he will bring recommendations regarding image problems/issues to the next Planning Commission meeting for the Commission's review and discussion. The Commission discussed briefly design review criteria as well as the possibility of cleaning up some of the commercial areas in Crystal.

7. Consideration of an ordinance change for rear yard setbacks and side street side yard setbacks on corner lots.

Ms. Norris explained Mr. Barber's request that the existing rear and side yard setback requirements are cumbersome

April 15, 1991 - Continued

to enforce. Ms. Norris also emphasized that if the Commission decides to proceed with making these changes, staff will need to be more vigilant in enforcing the standards and reducing the number of variances requested and variances granted by the Planning Commission. Chairperson Anderson suggested that the Commission wait to take action on this matter until more members of the Commission are present. Mr. Anderson also requested that staff complete a survey of other communities' requirements for rear yard and side street side yard setbacks, particularly those communities adjacent to Crystal.

Motion made by Commissioner Nystrom and seconded by Commissioner Smith to continue to the May Planning Commission meeting pending additional information on setback requirements from adjacent communities.

Motion Carried.

8. Consideration of the Sign Ordinance

Community Development Director Norris suggested that in light of Mr. Lasher's discussion and anticipated recommendations, the Planning Commission wait to take action on this until the image component of the Comprehensive Plan is complete.

Motion was made by Commissioner Smith and seconded by Commissioner Nystrom to continue this matter until after the recommendations regarding image have been completed and received from the consultant.

Motion Carried.

9. Discussion Items:

Chairperson Anderson noted two resignations from the Commission, those of Commissioners Leppa and Christopher. Mr. Anderson suggested the Planning Commission recommend to the City Council that the Planning Commission be reduced from 10 to either 8 or 9. Ms. Elsen suggested that 9 would avoid a tie vote and you could have two members from each ward and one at-large member. The quorum would be lowered to 5 persons. Motion was made by Commissioner Elsen and seconded by Commissioner Kamp to recommend that the City Council consider reducing the Planning Commission from 10 to 9 members and that the composition be 2 members be appointed from each ward and one member appointed at large in order to avoid tie votes and reduce the quorum necessary for a meeting.

Motion Carried.

10. Consideration of Application #91-11 for construction of a 3-season porch which will encroach in the required 20' side street side yard setback at 4403 Zane Ave.N. as



April 15, 1991 - Continued

requested by Charles G. Simons of Contempra Remodeling for Judy Rice.

Moved by Commissioner Kamp and seconded by Commissioner Guertin to set 7:00 p.m., or as soon thereafter as the matter may be heard, Monday, May 13, 1991, as the date and time for a public hearing at which time the Planning Commission will sit as a Board of Adjustments and Appeals to consider Variance Application #91-11 to grant a variance of 8' in the required 20' side street side yard setback (Section 515.13, Subd. 3 a) 2) ii) to build a 10' x 20' 3-season porch on the existing house at 4403 Zane Ave. N., P.I.D. #16-118-21-22-0058.

Motion Carried.

11. Consideration of Application #91-12 for an addition to the attached garage which will encroach in the required 5' side yard setback at 4813 Yates Ave. N., as requested by Sandra J. Green.

Moved by Commissioner Kamp and seconded by Commissioner Guertin to set 7:00 p.m., or as soon thereafter as the matter may be heard, Monday, May 13, 1991, as the date and time for a public hearing at which time the Planning Commission will sit as a Board of Adjustments and Appeals to consider Variance Application #91-12 to grant a variance of 1'4" in the required 5' side yard setback (Section 515.13, Subd. 3 a) 1) to build a 12' x 22' addition to the attached garage on the existing house at 4813 Yates Ave. N., P.I.D. #09-118-21-31-0060.

Motion Carried.

Moved by Commissioner Kamp and seconded by Commissioner Guertin to adjourn.

Motion Carried.

The meeting adjourned at 8:30 p.m.

\_\_\_\_\_  
Acting Chairperson Anderson

\_\_\_\_\_  
Secretary Anderson





## League of Minnesota Cities

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

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April, 1991

TO: Mayors, Managers, Clerks

FROM: Leland Swanson, Chairperson, Nominating Committee  
(Mayor, Morris)

RE: 1991 Nominations for the League of Minnesota Cities  
Board of Directors

The nominating committee asks your assistance in identifying candidates for the League's board of directors. If you are interested in placing your name before the nominating committee or know of a city official you think the committee should consider for nomination, please send the candidate's name and a brief resume of qualifications to Lynda Woulfe at the League offices, 183 University Avenue East. Suggestions should be in writing.

If possible, submit your suggestions by May 31. However, candidates are accepted until June 13, when the committee interviews all candidates. The committee's goal is to make sure that all good candidates are considered. The nominating committee makes it a practice to confirm the fact that an individual is willing to serve before presenting his or her name to the annual meeting delegation.

Board of director positions that expire in June, 1990 are: Todd Prafke, City Administrator, Brice Lynn, Delevan, Easton, and Minnesota Lake; Betty Sindt, Councilmember, Lakeville; Tim Madigan, City Manager, Faribault; and Jim Willis, City Manager, Plymouth.

In addition to the four board seats, the offices of president and vice president are elected annually.

The nominating committee works with "Guidelines for Board Representation" which have been developed as a result of the deliberation of past nominating committees and board discussions. The guidelines appear on page 2, as well as a list of nominating committee members. Also enclosed is a list of the present board members and officers of the League.

The nominating committee will seriously consider all suggestions. Thank you in advance for your help.

## "GUIDELINES FOR BOARD REPRESENTATION"

### 1. Geographic and Population Size Representation

There has been a conscious effort to see that different parts of the state are represented on the board, as well as the different sizes of cities that are among the League's constituency.

### 2. Twin Cities/Greater Minnesota Balance

While there are no specific seats on the board reserved for the Twin Cities area or Greater Minnesota members, it has been a consistent practice to maintain a rough balance of board members from those areas.

### 3. Elected/Appointed/Gender Balance

Traditionally both elected and appointed municipal officials have participated in all aspects of the League's activities, including membership in the board of directors.

No specific number of seats on the board reserved for either elected or appointed officials, but the League strives to have a majority of the board composed of elected officials. Furthermore, there has been some effort to provide an opportunity for a variety of appointed officials (e.g. clerks, city managers, attorneys, assessors, etc.) to serve on the board.

There has been a conscious effort to make board representation reflect the gender composition among officials of the membership.

### 4. Rotation of Membership

In view of the fact the League has more than 790 members cities any individual who serves a full term on the board is not normally considered for another board term. However, city officials with board experience are often considered as potential officers, or for terms of less than one year.

### Nominating Committee Members are:

Leland Swanson, Mayor, Morris -- Chair  
Joan Campbell, Councilmember, Minneapolis  
Barry Johnson, City Administrator, Woodbury  
Pat Nasi, City Administrator, Hibbing  
Don O'Brien, Mayor, Baxter  
LaNelle Olsen, Councilmember, Northfield  
Joy Robb, Mayor, Robbinsdale  
Mark Sather, City Manager, White Bear Lake

Nomination Form -- LMC Board of Directors

PLEASE BE AS DETAILED AS POSSIBLE.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_ City/Zip: \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_ Work Phone: (\_\_\_\_) \_\_\_\_\_

1. Length of service in your present position: \_\_\_\_\_ years

2. Other municipal position(s) you have held and the number of years:

_____	_____
_____	_____
_____	_____

3. Previous League experience (e.g. committees, conferences, affiliate organizations, etc.)

_____	_____
_____	_____
_____	_____

4. Attendance record as committee members: \_\_\_\_\_

5. Can you complete a full three-year term as a board member? \_\_\_\_\_

You may also attach other materials (e.g. your resume) which may be useful to the Nominating Committee during their deliberations.

PLEASE RETURN THIS FORM BY MAY 31 TO: LYNDIA WOULFE, LEAGUE OF MINNESOTA CITIES, 183 UNIVERSITY AVE. E., ST. PAUL, MN 55101-2526.



**League of Minnesota Cities**

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

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April 23, 1991

TO: Managers, Administrators, and Clerks  
FROM: Donald A. Slater *[Signature]*  
Executive Director  
RE: League of Minnesota Cities Proposed Constitutional Amendments

Enclosed for your consideration are four constitutional amendments which will be offered to the delegates at the League's Annual Meeting at 3:45 p.m. on Thursday, June 13, 1991.

Of the four amendments, two deal with fees and dues and are the result of a recommendation from the Dues and Services Committee.

One deals with the composition and size of the board and one proposes establishment of a Budget Committee rather than the current Dues and Services Committee every third year. Again, this last mentioned amendment proposal arises from a suggestion of the Dues and Services Committee.

To assist you in understanding the effect of these proposals, you will find enclosed a copy of the current League of Minnesota Cities constitution. Please bring these proposed amendments to the attention of your city's delegates to the annual conference so that your city's views on these proposed amendments can be adequately represented.

DAS:mjd  
Enc.

# ARTICLE III FEES AND DUES

5.2

Section 2. The dues for each municipality shall be based upon populations as given ESTABLISHED by the latest federal decennial CENSUS, or BY A special census TAKEN BY THE UNITED STATES BUREAU OF THE CENSUS, BY AN ESTIMATE MADE BY THE METROPOLITAN COUNCIL, OR BY THE STATE DEMOGRAPHER, WHICHEVER HAS THE LATEST STATED DATA. This fee shall be payable annually in advance on the first day of September.

Section 3. The annual dues for each member municipality shall be set by the League's board of directors AFTER RECEIVING THE RECOMMENDATION FROM THE BUDGET COMMITTEE. THE BOARD OF DIRECTORS MAY ADJUST DUES BY NOT MORE THAN TEN PERCENT IN ANY FISCAL YEAR. ADJUSTMENTS GREATER THAN TEN PERCENT IN ANY FISCAL YEAR REQUIRE THE VOTE OF THE MEMBERSHIP.

~~not-to-exceed-the-amounts-established-in-the-schedule-or-schedules set-out-as-appendices-to-this-constitution,-which-shall-be-adopted or-amended-in-the-same-manner-as-other-parts-of-this-constitution. If-no-new-dues-schedule-is-adopted-for-a-given-year,-the-dues schedule-in-effect-for-the-most-recent-prior-year-shall-remain-in effect-~~

The total dues for each member city as calculated shall be rounded to the nearest dollar.

## APPENDIX A-

~~Dues Schedule Maximum for 1988-89-  
(based on maximum five percent increase)-~~

249 or less	194
250-4,999	66 plus 51.24 cents per capita
5,000-9,999	536 plus 41.85 cents per capita
10,000-19,999	1157 plus 35.64 cents per capita
20,000-49,999	3055 plus 21.65 cents per capita
50,000-299,999	11711 plus 614 cents per capita
300,000 and over	19740 plus 3.47 cents per capita

## APPENDIX B-

~~Dues Schedule Maximum for 1989-90-  
(based on maximum six percent increase)~~

249 or less	206
250-4,999	70 plus 54.31 cents per capita
5,000-9,999	568 plus 44.36 cents per capita
10,000-19,999	1227 plus 37.78 cents per capita
20,000-49,999	4193 plus 22.95 cents per capita
50,000-299,999	12413 plus 6.51 cents per capita
300,000 and over	20924 plus 3.68 cents per capita

## APPENDIX C-

~~Dues Schedule Maximum for 1990-91--  
(based on maximum seven percent increase)~~

249 or less	220
250-4,999	75 plus 58.12 cents per capita
5,000-9,999	607 plus 47.47 cents per capita
10,000-19,999	1312 plus 40.42 cents per capita
20,000-49,999	4486 plus 21.56 cents per capita
50,000-299,999	13282 plus 6.97 cents per capita
300,000 and over	22389 plus 3.94 cents per capita



#### ARTICLE IV OFFICERS AND COMMITTEES

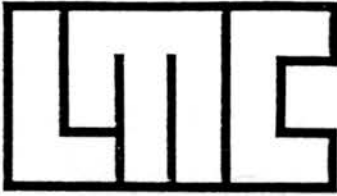
Section 1. The officers of the League shall be an elected president, an elected FIRST vice president, AN ELECTED SECOND VICE PRESIDENT, ~~the-immediate-past-president-ex-officio, the-president-of the-Association-of-Metropolitan-Municipalities-ex-officio, the president-or-vice-president-of-the-National-League-of-Cities-if-a Minnesota-city-official-ex-officio,~~ AND THE FOLLOWING PERSONS EX-OFFICIO: THE IMMEDIATE PAST PRESIDENT; THE PRESIDENT OF THE ASSOCIATION OF METROPOLITAN MUNICIPALITIES; THE PRESIDENT OF THE COALITION OF GREATER MINNESOTA CITIES; THE PRESIDENT OF THE MINNESOTA ASSOCIATION OF SMALL CITIES; AND THE PRESIDENT OR VICE PRESIDENT OF THE NATIONAL LEAGUE OF CITIES IF A MINNESOTA CITY OFFICIAL and twelve elected directors. The officers acting as a group shall constitute the board of directors.

#### ARTICLE IV OFFICERS AND COMMITTEES

Section 9. ~~A-special-committee-shall-be-appointed-by-the-president every-three-years-to-study-league-dues-and-league-services, commencing-with-the-appointment-of-such-a-committee-in-the-fall-of 1989.~~ A BUDGET COMMITTEE SHALL BE APPOINTED BY THE PRESIDENT. THE BUDGET COMMITTEE IS TO BE COMPRISED OF TWO CITY OFFICIALS FROM EACH CONGRESSIONAL DISTRICT AND THE BOARD OF DIRECTORS VICE PRESIDENT. THE VICE PRESIDENT SHALL SERVE AS CHAIR. BUDGET COMMITTEE MEMBERS WILL SERVE FOR A TERM OF THREE YEARS AND TERMS SHALL BE STAGGERED. TO INITIATE THE STAGGERED TERMS, IN 1992 THE PRESIDENT SHALL APPOINT SIX PEOPLE TO SERVE A THREE YEAR TERM, FIVE PEOPLE TO SERVE A TWO YEAR TERM, AND FIVE PEOPLE TO SERVE A ONE YEAR TERM. VACANCIES SHALL BE FILLED FOR THE REMAINDER OF THE TERM BY APPOINTMENT BY THE PRESIDENT.

THE BUDGET COMMITTEE SHALL REVIEW LMC SERVICES, STUDY THE LEAGUE'S DUES STRUCTURE, AND RECOMMEND TO THE BOARD OF DIRECTORS A BUDGET FOR EACH FISCAL YEAR.

Additionally special committees may be authorized by the board of directors for the purpose of studying municipal problems, conducting schools, making legislative recommendations, or other appropriate League service. The chair of each such committee appointed by the President shall, on the completion of the committee's work make a report to the board of directors, convention, or legislative conference in such form as the executive director may request.



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

**League of Minnesota Cities**

April 24, 1991

Governor Arne H. Carlson  
130 State Capitol  
St. Paul, MN 55155

Dear Governor Carlson:

I appreciate your letter of April 18 responding to our earlier questions about your budget's constraints on state agency spending. It addresses many of my concerns. At my request, the League staff have studied the differences between their analysis of state agency budgets and that of the Finance Department. Their preliminary analysis shows that there are numerous variables that contribute to our differing conclusions. For example, the League calculated budget growth from biennium to biennium, whereas Finance calculated growth from the FY91 base. The League used data from the administration's budget books for all state funds, the only source we have for data showing a breakdown between direct state agency budgets and local assistance portions of agency budgets. The League used a broader definition of state agency budgets.

In summary, I believe there is room for reasonable debate on our respective complaints. However, the League feels a complete analysis of state agency budgets would require a great deal of work with the Finance Department. League staff feel that they must devote their full attention to the omnibus tax bills now moving through the House and Senate Tax committees. I suspect that the Finance Department also would like to avoid such additional work. Therefore, we have informed our member cities of our intention to table further discussion on this issue.

In closing, it would appear that we do not have insurmountable differences with your broadly-stated property tax and local aid policy objectives. However, the realities of the specific implementation proposals create a need for continued dialogue on their impacts. League staff members have a meeting scheduled with Lyall Schwarzkopf on May 3rd to pursue those matters. I continue to believe that we need a more positive relationship between your office and city officials. I remain committed to that end.

Sincerely,

Robert J. Benke  
President, League of Minnesota Cities  
Mayor, City of New Brighton

c: LMC Board members  
Lt. Governor Joanelle Dyrstad

**CRYSTAL COMMUNITY CENTER ACTIVITIES  
APRIL 1991**

**PERMITS ISSUED: 35 total**

**OF 35 PERMITS:**

**Non-profit Groups - 28 permits**

9 permits were issued for no charge events

19 permits had a rental fee

28 total

6 permits were for multiple meetings

22 permits were for 1 meeting

28 total

**Resident Groups - 6**

6 permits had a rental fee

3 permits were for 1 meeting only

3 permits were for multiple meetings

6 total

**Non-resident Groups - 1**

1 permit had a rental fee

1 permit was for 1 meeting only

**EVENING BUILDING USAGE**

Meeting Rooms - Mondays: 95% of available evening time this month is used for rentals and Park and Recreation activities.

Tuesdays: 80%

Wednesdays: 75%

Thursdays: 43%

Fridays: 25%

Gyms - Mondays: 86% of available evening time this month is used for rentals and Park and Recreation Activities.

Tuesdays: 100%

Wednesdays: 75%

Thursdays: 75%

Fridays: 56%

**WEEKEND BUILDING USAGE**

Meeting Rooms: 26% of available weekend time this month is used for rentals and Park and Recreation activities.

Gyms: 66% of available weekend time this month is used for rentals and Park and Recreation activities.

**RENTAL GROUPS:**

<u>NAME</u>	<u>CAT</u>	<u>FREQ</u>	<u>FEE</u>
Crosstrailers Square Dance	NP	1	52.50
Providers Choice	NP	2	20.00
Promised Land Church	NP	2	160.00
Crystal Team Gym Rental	NP	2	30.00
Col Hts VB Club	NP	4	60.00
TOPS	NP	4	40.00
Nu-Skin	RES	3	90.00
AA	NP	1	N/C
Barnburners Sq. Dance	RES	2	225.50
Westside Church VB	NP	1	30.00
Open Door VB	NP	1	130.00
Forest PTA	NP	1	N/C
Women of Today	NP	1	N/C
4-H	NP	1	N/C
Dist 281 Wkshp	NP	1	70.00
Cub Scout 289	NP	1	N/C
Cooper Hockey	NP	1	5.00
USVBA Tourney	NP	1	500.00
LUPUS	NP	1	N/C
AMIGA Computers	NP	1	N/C
Non-Resident Reception	NRES	1	600.00
Yth Soccer Club	NP	1	10.00
Boy Scout Troop	NP	2	30.00
N. Star Officials	NP	1	20.00
NHPAA	NP	1	20.00
Resident function	RES	1	345.00
Cooper HS	NP	1	5.00
Resident function	RES	1	30.00
Olivet Baptist	NP	1	10.00
Geneological Soc	NP	1	N/C
Metro Care	NP	1	N/C
Resident Training Class	RES	3	40.00
State Human Rights	NP	1	15.00
Zion Luthern	NP	1	40.00
Resident function	RES	1	235.00
Little League - No permit issued			N/C
Cry-Robb-GV Travel BBall - No permit issued			N/C
Crystal Human Relations Commission - No permit issued			N/C
Crystal Frolics Committee - No permit issued			N/C

**PARK & RECREATION ACTIVITIES:**

<u>Meeting Rooms</u>	<u>Day</u>	<u>Freq</u>
Congregate Dining	M - F	22
Seniors	M - F, SA, SU	30
Flute Lessons	F	4
500 Tourney	SA	1
Adult Tap Dance	T	3
Paint Class	TH	4
Music Mom & Me	W	4
Music for Kinderfolk	T	3

<u>Gyms</u>	<u>Day</u>	<u>Freq</u>
Youth Open Gyms	T/TH	8
Adult Open Gyms	TH/SA	8
Morning Ex	M/W/SA	13
VB League	SU-TH	19
Jazzercise Night	M,T,TH	13
Rhythmic Gym/ Baton Class	W	4
3 Man BB Lge	TH	4
Youth Dance	TH	4
Youth Spec Event	M	1
Hops & Barley Play	W	1



CRYSTAL PARK AND RECREATION DEPARTMENT  
MONTHLY REPORT  
APRIL 1991

-----  
PROGRAM ACTIVITIES: APRIL START

ACTIVITY NAME	REGISTRATION		LOCATION	AGE GROUP	DAY/TIME
	1991	1990			
READ ME	17	N/A	COMMUNITY CENTER	PRESCHOOL	WEEKDAY MORNING
TEEN DANCE	142	N/A	HOSTERMAN	MIDDLE SCHOOL	FRIDAY EVE
MUSIC, MOM & ME	10	N/A	COMMUNITY CENTER	PRESCHOOL/PARENT	WEEKDAY MORN
FLUTE LESS/CHOIR	8	N/A	COMMUNITY CENTER	YTH/ADULT	WEEKDAY AFT/EVE
YOUTH GYMNASTICS	58	22	SANDBURG	PRESCHOOL - GR 6	WEEKDAY EVE
ADULT TAP DANCE LESSONS	7	N/A	COMMUNITY CENTER	ADULT	WEEKDAY MORN
DEFENSIVE DRIVING	35	N/A	COMMUNITY CENTER	SR. ADULT	WEEKDAY (2 SESSIONS)

-----  
ONGOING PROGRAMS - APRIL 1991  
-----

SENIORS

CENTER MEMBERSHIP: 1100  
(Mar. 1991 - 1100/Apr. 1990 - 663)  
CRIBBAGE: 70 (70)  
WELCOME: 4 (4)  
500 DAY: 96 (96)  
500 NITE: 96 (96)  
SCRAPBOOK: 2 (2)  
POKER FOR FUN: 24 (24)  
BRIDGE DAY: 76 (76)  
BRIDGE NITE: 48 (48)  
DUPLICATE BRIDGE: 72 (72)  
EXECUTIVE COMMITTEE: 9 (12)

\*\*Quarterly Update on the above groups\*\*  
2nd Quarter numbers listed/last qtr in ( )

SPECIAL EVENTS:

OTLB: 26 to Venetian Inn  
BRUNCH BUNCH: 78 speaker from Arthritis Foundation  
500 TOURNEY: 128  
MOONLIGHT MADNESS DANCE: 110

ADULTS

ADULT OPEN BASKETBALL  
ADULT OPEN VOLLEYBALL  
MORNING EXERCISE - 25 FOR APRIL SESSION  
JAZZERCISE  
SPRING VOLLEYBALL LEAGUES  
WALK  
OPEN GYMS  
3 PERSON BASKETBALL LEAGUE

YOUTH

GYMNASTICS /RHYTHMIC GYMNASTICS  
DANCE  
OPEN GYMS

OTHER ACTIVITIES

TMH-EMH/ADAPTED\*\*  
COMMUNITY TRIPSTERS\*\*  
NO APRIL TRIP  
GETAWAY\*\*  
SCHEIK'S SEXTET: 28 TOTAL/2 CRYSTAL  
\*\*-CO-SPONSORED WITH OTHER AGENCIES

-----  
PROGRAMS COMPLETED  
-----

1. YOUTH DANCE                      1990-91 REGISTRATION: 80      (Fall/Winter Sessions)  
   1989-90 REGISTRATION: 79      (Fall/Winter Sessions)

OBJECTIVE:                      To provide instruction in basic tap & ballet steps and terms.

SUCCESES:                      Addition of "On Point" class was successful. Instructor is excellent.  
   Crystal Community Center site worked well for all classes.

PROBLEMS:                      None encountered.

RECOMMENDATIONS:              Continue program format. Possibly add a summer class.

2. WALK PROGRAM                      1990-91 REGISTRATION: 65  
   1989-90 REGISTRATION: 62

OBJECTIVE:                      To provide an indoor walking facility for exercise.

SUCCESES:                      Program well received. Changing start time to 5pm encouraged  
   people to come after work.

PROBLEMS:                      Many dates cancelled due to school activities.

RECOMMENDATIONS:              Continue program format.

CRYSTAL PARK AND RECREATION ADVISORY COMMISSION

Minutes

April 3, 1991

The regular meeting of the Crystal Park and Recreation Advisory Commission was called to order at 7:09 p.m. by Chairperson Bill Gentry. Members present were: Mr. Ertz, Mr. Theisen, Ms. Reid, Ms. Saunders, Ms. Howard, Mr. Jungroth, and Mr. O'Reilly. Also present were: Mr. Moravec, council liaison, and Mr. Brandeen and Ms. Hackett from the department staff.

Ms. Michelle Howard was introduced as the newest member.

Ms. Hackett reviewed the monthly activity report and the Community Center usage report.

Mr. Gentry gave the Chairperson's Report. The Commission was updated on the progress of the Human Rights Day. The Environmental Commission may also jointly sponsor the day. Mr. Gentry reported on the first joint Twin Lake plan meeting held with Brooklyn Center and Robbinsdale representatives. Another meeting is scheduled for April 25, 1991.

Mr. Reid reported on the last Crystal Frolics Committee meeting. Planning is going as scheduled. The Commission may be asked to do the "Dunk Tank". Fireworks have been changed to Saturday. The donation received from the Lions has been invested. Ms. Reid will meet with Ms. Fackler regarding work on the Honored Seniors program. Mr. O'Reilly is working on the Bike Race time trials.

The Commission Long Range Planning Committee reviewed their meeting. They discussed the policies and objectives of the comprehensive plan regarding open space. Some changes were discussed and wording was changed.

Moved by Mr. Theisen and seconded by Mr. O'Reilly to recommend acceptance of the City Comprehensive Plan for Parks, Open Space and Trailways/Pathways with changes discussed.

Motion carried - unanimous.

The Commission Public Relations Committee discussed the "Adopt-A-Park" concept. The committee discussed the purpose of the program and felt that it was to better utilize the available facilities. The new theme is: "Use Your Other Backyard". The committee is working on two kick-off events tentatively scheduled for June 23 at Lions Valley Place and Twin Oak parks. Ms. Reid will seek donations from the Lions and VFW for these events. The committee is planning refreshments and picnic games as well as having promotional brochures available. In addition, the four outdoor park

meetings will have a 6:30 p.m. lemonade social to distribute promotional materials.

Ms. Hackett discussed the fees and charges for the 1991 budget. The purpose of the discussion was to determine fee subsidies for youth, adult and senior programming. Two scenarios for subsidies for youth and adult programs were discussed.

Moved by Ms. Reid and seconded by Mr. Theisen to provide for a 50% youth program subsidy and 125% adult program subsidy over two years.

Motion carried-unanimous.

Other fee areas discussed were:

-Community Events: discussion centered on the fact the city should continue these low or no cost events as a service. Donations to Becker concert program should be actively pursued. Also include some fee activities at community events (face painting, concessions, etc). The Marketing sub-committee will discuss this at a later meeting.

-Senior Programming: Activity fees were discussed. The Commission felt fees were at the proper subsidy with the exception of the center membership fees which seemed low. A two-tier membership was discussed. Staff will look into this concept of a "Gold" and "Silver" membership with Gold being inclusive of all center events.

-Adaptive Programming: The Commission felt the consortium of cities providing services to the handicapped was the most economical means to provide these services.

Moved by Ms. Reid and seconded by Mr. O'Reilly to recommend that the City continue its 100% subsidy of the adapted recreation programs offered through the consortium of suburban cities.

Motion carried-unanimous.

Ms. Howard was assigned to the Public Relations Committee.

The Commission discussed the meeting the Marketing Committee had with KSTP radio regarding the "Smart Shopper" program. In return for sales items, you receive free air time on the radio. The Commission discussed marketing the waterslide in this way. The sales items are auctioned off during a specific time.

Mr. Gentry suggested that the Commission select a dollar amount - \$1,500 for example - and develop several waterslide

packages that could be sold. The Marketing Committee will meet on April 23 at 7 p.m. to develop the packages of \$20-25 each.

Mr. O'Reilly informed the Commission that Crystal Center will hold a Crystal Park and Recreation Day at the July sidewalk sale. We will have a table for informational materials.

Ads for the waterslide will be in the Little League magazine, Parent magazine, Birthday Party placemats, flyers to all the schools.

Mr. Moravec asked about including a season waterslide pass with the season pool pass. Mr. Brandeen replied that the fee for this would be undeterminable and probably quite high.

The park and recreation staff was thanked for their work on the promotional materials for the waterslide.

The June 8th first anniversary for the waterslide and center was discussed. There will be balloons and refreshments.

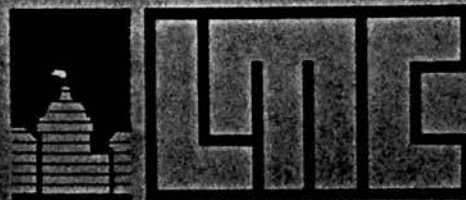
The meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Gene Hackett  
Recorder



# League of Minnesota Cities Legislative Wrapup Sessions



League of Minnesota Cities

The League of Minnesota Cities will hold four legislative wrapup sessions June 24-27, 1991, to discuss new laws enacted during the 1991 session of the Legislature.

To register please return the registration form at the bottom to LMC Finance Department, League of Minnesota Cities, 183 University Avenue East, St. Paul, MN 55101-2526. Please contact Lynda Woulfe at (612) 227-5600 if you have any questions.

## LMC LEGISLATIVE WRAPUP SESSIONS REGISTRATION

Registration fee is \$25 per person advanced; \$35 on-site (includes lunch). Please make your check payable to the League of Minnesota Cities.

Name \_\_\_\_\_ Name \_\_\_\_\_

Title \_\_\_\_\_ Title \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ Phone ( ) \_\_\_\_\_

I (we) will attend the session in:

☐

Grand Rapids

☐

Alexandria

☐

Brooklyn Park

☐

Mankato

Number attending \_\_\_\_\_ Total enclosed \_\_\_\_\_

Return to: LMC Finance Department  
183 University Avenue East  
St. Paul, MN 55101-25

## Agenda

9:30 a.m.

Registration

10:00 a.m.-Noon

General Government, Joel Jamnik  
Data Practices  
Open Meetings  
Environmental  
Solid Waste & Recycling  
Wetlands Preservation  
Personnel & Retirement  
Pay Equity  
Workers' Compensation  
Bargaining  
Discipline & Discharge  
Early Retirement

Noon-1:00 p.m. Lunch

1:00-2:15 p.m.

Revenue and Taxation  
John Tomlinson, Sarah Hackett  
Local Aid  
Early Retirement  
Local Aid

2:15-2:30 p.m. Break

2:30-2:45 p.m.

Additional Revenue Issues  
John Tomlinson, Sarah Hackett

2:45-3:00 p.m.

Elections & Ethics, Ann Higgins

3:00-3:15 p.m.

Transportation, Sarah Hackett

## SITES

Monday, June 24

Grand Rapids  
Sawmill Inn  
2301 Potemkin Avenue South

Tuesday, June 25

Alexandria  
Park Inn  
194 & Hwy 29 South

Wednesday, June 26

Brooklyn Park  
The Club House at Edinburg USA  
8700 Edinbrook Crossing

Thursday, June 27

Mankato  
Holiday Inn Downtown  
101 Main

**WEEK OF  
MAY  
2**

# **HOT SPOTS**

**THE METRO's WEEKLY CONSTRUCTION UPDATE**

---

## **Highway 7**

At County Road 19 in Excelsior: Daily non-rush hour lane closures (until mid-May).

## **Interstate 35E**

At I-94 and throughout Downtown St. Paul: Non-rush hour lane closures (until Fall).

- Southbound I-35E to eastbound I-94 is closed (until 1992).
- Eastbound I-94 to northbound I-35E is on a temporary ramp (until November).
- Broadway entrance to northbound I-35E is closed (until July).
- Mainline I-35E through Downtown St. Paul - use alternate routes as designated by signs (until Fall 1992).

Through Downtown St. Paul: Closed from 5 PM on Saturday, May 11 to 6 AM on Monday, May 13. All alternate routes will be marked with signs.

## **Highway 36**

At White Bear Avenue in Maplewood: Traffic is reduced to one lane in each direction (until early-July).

## **Highway 55**

County Road 85 to Highway 61 in Hastings: Closed (until fall 1991). Traffic is detoured via county roads.

## **Interstate 94**

In Downtown St. Paul:

- Occasional non-rush hour lane closures and ramp restrictions (until 1992).
- Closed from 5 PM on Saturday, May 11 to 6 AM on Monday, May 13. All alternate routes will be marked with signs.

Around St. Paul:

- 12th Street exit from westbound I-94 is closed (until November).
- Westbound I-94 to southbound Hwy. 3 (Lafayette) is closed (until 1992).
- Northbound Hwy. 3 to westbound I-94 is closed (until July).
- Olive Street entrance to westbound I-94 is permanently closed. (New entrance at 7th Street opens in July).
- Marion Street exit from eastbound I-94 is closed (until November).

**MORE**

**TDD Callers 296-9930**

**Questions? West Metro 593-8432 East Metro 779-1248**

**Minnesota Department of Transportation**

West Metro Office - Golden Valley  
2055 North Lilac Drive  
Golden Valley, MN 55422

East Metro Office - Oakdale  
3485 Hadley Ave. N.  
Oakdale, MN 55128

**Interstate 94 (continued)**

Bridges over I-94: St. Paul

- Minnesota Street bridge is closed (until May 8).
- Jackson Street bridge is closed (until November).
- Western Avenue bridge is closed (until November).
- Beginning May 11, the Cedar Street Bridge will be closed (until May 1992).

Bridges over I-94: Minneapolis

- Lasalle Avenue bridge is single lane (until June).
- Groveland Avenue bridge is closed (until June).

**Highway 61**

Over Phalen Creek in Maplewood: Traffic is reduced to one lane in each direction (until mid-October).

**Highway 77 (Cedar Avenue)**

I-494 - 89th Street: Occasional non-rush hour lane closures (until August).

At 89th Street: Left lane closed on the southbound side (until early-May).

**Highway 95**

From Afton to Highway 61: Beginning May 6, there will be lane closures from 7 AM to 7 PM, Monday through Friday (until early-June). No wide loads allowed during work hours.

**Highway 100**

Glenwood Ave. - Minnetonka Blvd.: Occasional non-rush hour lane closures (until 1993).

At Glenwood Ave: Ramp from Glenwood to northbound Hwy. 100 is closed (until May 15).  
-Ramp from Glenwood Avenue to southbound Hwy. 100 is closed (until June).

36th Avenue North in Crystal to Highway 7 in St. Louis Park: Beginning May 7, traffic will be reduced to one lane between 8 PM and 6 AM (until mid-June).

**Highway 212**

In Norwood: Traffic is reduced to one lane in each direction over the railroad bridges west of Norwood (until October).

**Highway 242**

University Avenue to Highway 65 (Central Avenue) in Blaine: Beginning May 8, traffic will be one lane in each direction from 8 PM to 6 AM (until May 15).

**MORE**

**Interstate 394**

Plymouth Road in Minnetonka - I-94 in Minneapolis: Occasional non-rush hour lane closures (until 1993).

Plymouth Road - County Road 73: North Frontage Road is restricted to one lane (until mid-June).

At Highway 100: There are speed restrictions and bypasses are carrying traffic through the construction zone (until 1992). Motorists are urged to drive with caution.

**Interstate 494**

At Carlson Parkway: Access from southbound I-494 to Carlson Parkway is closed (until June).

Cedar Avenue - 34th Avenue South in Bloomington: Non-rush hour lane and ramp closures (throughout the summer).

At Highway 77: ramp from eastbound 494 to northbound Hwy. 77 is closed (until late-July).

**Interstate 694**

At I-35W in New Brighton:

- Ramp from northbound I-35W to eastbound I-694 is closed (until mid-October).
- Loop from southbound I-35W to eastbound I-694 is closed (until mid-October).
- Westbound traffic at I-35W is reduced to one lane (until mid-October).
- Daily non-rush hour lane closures eastbound and westbound (until mid-October).

**REMINDER:** Projects may be delayed because of inclement weather.

**FOR UP-TO-THE-MINUTE TRAFFIC REPORTS  
TURN TO TRAFFIC RADIO  
KBEM-FM 88.5**



**HOLMES & GRAVEN**  
CHARTERED

**JAMES M. STROMMEN**  
Attorney at Law

470 Pillsbury Center, Minneapolis, Minnesota 55402  
(612) 337-9300  
Facsimile (612) 337-9310

Direct Dial (612) 337-9233

May 6, 1991

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

Re: Veit and Company, Inc. v. City of Crystal, Court File No. CT 89-20566  
Our File No. CR205-36

Dear Bill:

Enclosed are documents filed and served on us in connection with the Veit appeal. These documents commence an appeal process which works roughly as follows:

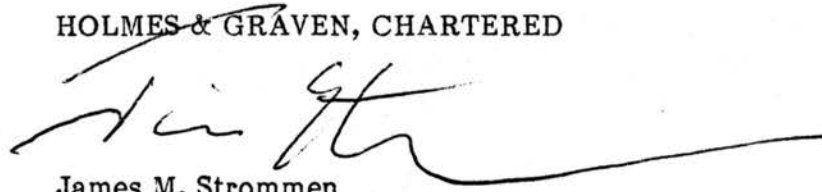
1. A transcript is ordered of any pertinent proceedings. Veit has requested a transcript from the summary judgment hearing. I am not certain one exists.
2. Depending upon the existence of a transcript or not, Veit has either 30 or 40 days from May 3 to file a brief with the court of appeals.
3. The City then has 30 days from Veit's deadline to file its own responsive brief.
4. Veit may file a reply brief within 10 days of the City's brief.
5. The court of appeals schedules oral argument for usually 45 to 60 days after the reply brief is filed.
6. The court of appeals then has 90 days to file a decision.

If the court of appeals affirms the trial court decision, the City will be in a position to simply settle the liquidated damages at some discount. If the court of appeals reverses the trial court decision, the appealed issue of contract modification will be a triable issue. The City will then be in a position to complete its discovery of damages issues, a more time consuming aspect of this case.

If you have any questions, please call.

Very truly yours,

HOLMES & GRAVEN, CHARTERED



James M. Strommen

JMS/sd  
Enclosure



④

ADDRESS

BOARD OF REVIEW AGENDA

May 7, 1991

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Pursuant to due call and notice thereof, the City of Crystal Council convened as a Board of Review on May 7, 1991, at the City Hall, 4141 Douglas Drive, Crystal, Minnesota at 7:00 P.M.  
The Secretary of the Council called the roll and the following were present:

Councilmembers

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

Staff

P Dulgar  
P Norris  
P Kennedy  
P Monk  
P Barber  
P George  
P Bjorn  
P Hedlund

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

Tom May, <sup>Assistant</sup> Hennepin County, <sup>Assessor</sup> was present to discuss the 1991 assessment rolls and answer questions from those present. Those residents heard were:

John Paulson, Jr., 4825 Vera Cruz Ave. No., P.I.D. # 09-118-21310010

Gary Boyle, 6812 Cloverdale Ave. No., P.I.D. # 05-118-21420019

James Irving, 2722 Vale Crest Road, P.I.D. # 91-118-21340032

W<sup>m</sup> McPherson, attorney for owner of 5237 Douglas Dr., P.I.D. # 08-118-21-11-0084

2. J/M to reconsider the previous motion.  
*Motion carried*

3. Moved by <sup>Mayor</sup> Councilmember H and seconded by Councilmember I to ~~reconvene at the May 21, 1991 City Council meeting until such time as appeals can be reviewed.~~ *preliminarily approve the assessment rolls as presented by the City Assessor with the exception of property at 6812 Cloverdale, PID # 05-118-21-43-0019 which is referred to the City Assessor for further review and report to the Board at an adjourned meeting on May 21, 1991.* Motion Carried.
1. Moved by Councilmember J and seconded by Councilmember L to affirm the assessment rolls as presented by the City Assessor. Motion Carried.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (change) (continue the approval of) the 1991 assessment rolls. Motion Carried.

Moved by Councilmember L and seconded by Councilmember I to adjourn the meeting of the Board of Review. *until 7 p.m. on May 21, 1991* Motion Carried.

The Board of Review adjourned at 7:35 p.m. *to 7:00 p.m. on May 21, 1991*

## BOARD OF REVIEW AGENDA

May 7, 1991

Pursuant to due call and notice thereof, the City of Crystal Council convened as a Board of Review on May 7, 1991, at the City Hall, 4141 Douglas Drive, Crystal, Minnesota at 7:00 P.M.  
The Secretary of the Council called the roll and the following were present:

Councilmembers

P Carlson  
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Staff

P Dulgar  
P Norris  
P Kennedy  
P ~~Menk~~  
P Barber  
P George  
P Bjorn  
P Hedlund

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

Tom May, <sup>Hennepin County Assessor</sup> ~~Hennepin County~~, was present to discuss the 1991 assessment rolls and answer questions from those present. Those residents heard were:

- John Paulson Jr., <sup>Property at</sup> ~~Cambridge Apts.~~ 4825 Vera Cruz Ave.  
P.I.D 09-118-21310010
- Gary Boyle - 6812 Cloverdale Ave.  
P.I.D 05-118-21420019
- <sup>Spelling</sup> James Irving - 2722<sup>1</sup>/<sub>2</sub> Vale Crest Road
- W<sup>m</sup> McPherson, <sup>attorney for owner</sup> 5237 Douglas Dr.  
Lavonne McPherson?

2. J/M reconsider <sup>previous</sup> ~~motion~~ motion. Carried  
3. ~~H/I~~ <sup>H/I</sup> amend to withhold on 6812 Clarendale and ask Kennedy  
refer to assessor to come back to Council on May 21, 1991. Motion Carried

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to reconvene at the May 21, 1991 City Council meeting until such time as appeals can be reviewed.

Motion Carried.

Moved by Councilmember J and seconded by Councilmember L to affirm the assessment rolls as presented by the City Assessor.

Motion Carried.

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to (change) (continue the approval of) the 1991 assessment rolls.

Motion Carried.

Moved by Councilmember L and seconded by Councilmember I to adjourn the meeting of the Board of Review.

Motion Carried.

The Board of Review adjourned at 7:35 p.m.



DATE: April 30, 1991  
TO: Jerry Dulgar, City Manager  
FROM: Ken Bjorn, City Assessor  
SUBJECT: Local Board of Equalization  
Scheduled for 7 p.m., May 7, 1991

This memo is to remind the Council, acting as the local Board of Equalization, that the only issues that can be heard and acted upon are those issues dealing with property value and classification as of January 2, 1991. By Minnesota Statute this is the sole responsibility of the Board. They may elect to change the classification or value of a property, have the Assessor review the classification or value (and report in a reconvene of the Board), or elect to certify the assessment role as it stands. In order for a property owner or taxpayer to appeal to the County Board which meets beginning June 17, an appeal must first be made in person or in writing to the local board.

It would be my recommendation that a Board spokesperson make an announcement on the above prior to hearing appeals, or they may be getting dialog on taxes, pending legislation or whatever that has no relevancy to Board of Equalization proceedings..

KCB:jrs