



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

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COUNCIL AGENDA

782

June 4, 1991

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on June 4, 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 *7:06*
P Moravec *7:01*

Staff

P Dulgar
P Norris
P Kennedy *7:03*
P Monk
P Barber
P George

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

The Mayor recognized a donation in the amount of \$100 to the Park & Recreation Department from Mary Kile to be used to purchase a tree in memory of her husband, Ralph Kile. Tree will be planted at the Crystal pool site.

The Mayor proclaimed June 15, 1991 as Deirdre C. Chapman Day in the City of Crystal for her designation as a U.S. Presidential Scholar, the nation's highest honor bestowed upon graduating high school seniors this year. Ms. Chapman is a senior at Robbinsdale/Cooper High School and daughter of Paul & Marcia Chapman of Crystal.

1. The City Council considered the minutes of the Board of Review Meeting of May 21, 1991 and the Regular Meeting of May 21, 1991.

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

to) the minutes of the Board of Review Meeting of May 21, 1991 and the Regular Meeting of May 21, 1991.

Motion Carried.

CONSENT AGENDA

1. Consideration of a request from the Crystal Frolics Committee for authorization to hold a parade on Sunday, July 28, 1991 at 1 p.m. with same parade route as 1990 (coming down West Broadway and turning on Bass Lake Road), and a license to operate a carnival at Becker Park with waiver of the fee on July 25, 26, 27 and 28, 1991.
2. Consideration of a letter of resignation from the Human Relations Commission dated May 21, 1991 from Linda E. Museus, 3926 Idaho Avenue North.
3. Consideration of an Application for Exemption from Lawful Gambling License for Church of St. Raphael's, 7301 Bass Lake, for August 2, 3 and 4, 1991.
4. Consideration of a license to operate a beerstand at Becker Park July 26, 27 and 28, 1991 (Crystal Frolics) with waiver of the license fee as requested by Crystal Firefighters Relief Association.
5. Consideration of a license to operate a 3.2 beerstand with waiver of fee at Welcome Park on June 15 and 16, 1991 and authorization to close Welcome Avenue at 46th and 47th for a Police Softball Tournament as requested by the Crystal Police Association.

Councilmember Jocelyn requested Items 1, 4 and 5 on the Consent Agenda be moved to the end of the regular Agenda.

Moved by Councilmember J and seconded by Councilmember M to approve the Consent Agenda.

Motion Carried.

Items 2 & 3 on

Due to people in the audience wishing to speak regarding items 1, 4 and 5 of the Consent Agenda, the Mayor moved the items to the beginning of the regular Agenda.

(over)

Regular Agenda

1. The City Council considered a request (Copy item 1 on Consent Agenda Joan)
Those appearing & heard were Liz Reid, Treasurer and Ed Thorander, Pres. of Crpt. Firefighters Comm.
J/I to ~~approve~~ ^{authorize} Crystal Firefighters Committee to hold a parade on Sunday, July 28, 1991 at 1 p.m. with same parade route as 1990 (coming down W. Broadway and turning on B.L.R.) and a license to operate a carnival at Becker Park on July 25, 26, 27 and 28, 1991 with the exception of Waiver of the fee.

C/G to amend the motion to include the waiver of license fee.

Aye: G, H, C

No: I, J, L, M

Motion Failed

Voting on the original motion:

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

Motion Carried

2. The City Council considered... (Copy item 4 from Consent Agenda Joan)

J/L to approve a license to operate a beerstand at Becker Park July 26, 27 and 28, 1991 (Crystal Firefighters) ~~with the exception of waiver of the fee~~ as requested by the Crystal Firefighters' Relief Association with the exception of waiver of the fee.

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

Motion Carried

3. The City Council considered (Copy ~~item~~ 5 from Consent Agenda Joan)

J/M to approve a license to operate a 3.2 beerstand at Welcome Park on June 15 and 16, 1991 with the exception of waiver of the fee, and authorization to close Welcome Ave. at 46th and 47th for a Police Softball Tournament as requested by the Crystal Police Association.

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

Motion Carried

REGULAR AGENDA

- 4 1. The City Council considered an application for appointment to the Environmental Quality Commission received from Pamela L. Brooks, 3510 Douglas Drive North, for an unexpired term expiring December 31, 1992. *Pamela Brooks appeared and was heard.*

Moved by Councilmember ^{Mayor} H and seconded by Councilmember G to appoint Pamela L. Brooks, 3510 Douglas Drive North, to the Environmental Quality Commission for an unexpired term expiring December 31, 1992.

Motion Carried.

- 5 2. The City Council considered a variance to the side street side yard setback of 8' in the required 20' setback at 4403 Zane Avenue North.

F/C to continue

Moved by Councilmember I and seconded by Councilmember C to (grant) (deny as recommended by and based on the findings of fact of the Planning Commission) (continue until June 18, 1991 the discussion of) authorization pursuant to Section 515.55 of the Crystal City Code a variance of 8' in the required 20' side street side yard setback to build a 10' x 20' porch on the existing house at 4403 Zane Avenue North as requested in application #91-11, and *request applicant to be present.* Motion Carried.

- 6 3. The City Council considered a variance to allow a ham radio antenna tower to be installed 9' into the front yard setback at 4201 Kentucky Avenue North. *Ron and Mary Mannix, applicants, appeared and were heard.*

Moved by Councilmember G and seconded by Councilmember J to (grant 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 515.13, Subdivision 2 a) a variance of 9' in the required 30' front yard setback to erect a 25' ham radio antenna tower at 4201 Kentucky Avenue North as requested in application #91-13. Motion Carried.

*Recess 8 p.m.
Reconvened 8:12 p.m.*

7. The City Council considered a petition for stop signs on 47th Avenue at its intersection with Louisiana Avenue.

Moved by Councilmember C and seconded by Councilmember G to (approve as recommended by the City Engineer) (deny) (continue until _____ the discussion of) the installation of a 4-way stop at the intersection of 47th and Louisiana Avenues.
Motion Carried.

8. The City Council considered a funding option for construction of a parking inset at 6300 - 6400 Medicine Lake Road, Douglas Court Apartments. *Wallace Kenneth appeared and was heard.*
No action was taken by the City Council.

9. 8. The City Council considered a resolution of denial of variances at 5231 Douglas Drive North (action taken by Council on May 7, 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. 91-50

RESOLUTION DENYING VARIANCE APPLICATION
FOR PROPERTY AT 5231 DOUGLAS DRIVE IN THE CITY

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

Motion carried, resolution declared adopted.

10. 7. The City Council considered the First Reading of an Ordinance Amendment to Section 2005 (Misdemeanors) of the Crystal City Code relating to trespassing.

*C/L to continue to the July 2, 1991 meeting and request
staff of Police Dept. and the prosecuting attorney to be
in attendance.*

Motion Carried

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

ORDINANCE NO. 91-

AN ORDINANCE AMENDING SECTION 2005
RELATING TO TRESPASSING

and further, that the second and final reading be held on June 18, 1991.

Motion Carried.

- 11 8. The City Council considered the resolution awarding a bid for the 1991 Curb and Gutter/Sidewalk Program.

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. 91-51

RESOLUTION AWARDING CONTRACT FOR
SIDEWALK AND CURB & GUTTER REPAIR NO. 91-5

*- to Advanced
Concrete*

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

Motion carried, resolution declared adopted.

- 12 9. The City Council considered the Second Reading of an Ordinance for Storm Water Utility.

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

ORDINANCE NO. 91-13

AN ORDINANCE RELATING TO STORM SEWER SYSTEM:
AMENDING CRYSTAL CITY CODE BY ADDING SECTION 725

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

Motion Carried.

WTS 11/10/91

- 13 ~~10.~~ The City Council considered a license to operate a 3.2 beer stand at Becker Park on July 4, 1991 with waiver of the license fee as requested by the Crystal Lions Club, and approval of a public display of fireworks with direction to City staff to proceed with closing of Bass Lake Road during the fireworks.

Moved by Councilmember G and seconded by Councilmember C to (approve) (deny) (continue until _____ the discussion of) a license to operate a 3.2 beer stand at Becker Park on July 4, 1991 with waiver of the license fee as requested by the Crystal Lions Club, and approval of a public display of fireworks with direction to City staff to proceed with closing of Bass Lake Road during the fireworks, subject to standard procedure.

J/L to amend motion to exclude waiver of fee Motion Carried. Aye: M, I, J, L
 Aye: L, M, I, J No: C, G, H Motion Carried, relating on Main Motion as amended: No: C, G, H

- 14 ~~11.~~ The City Council considered a resolution approving premises permit for a one-day off-site lawful gambling event at Becker Park on July 27, 1991 (Crystal Frolics) as requested by Elk's Lodge #44, 5410 Lakeland Avenue North, (license approved by Council on May 7, 1991).

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

RESOLUTION NO. 91-52

RESOLUTION RELATING TO LAWFUL GAMBLING: APPROVING CERTAIN PREMISES PERMIT

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

Motion carried, resolution declared adopted.

15. 12. The City Council considered a resolution establishing dates for the 1991 Municipal Election.

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

RESOLUTION NO. 91-53

RESOLUTION ESTABLISHING DATES FOR THE
1991 MUNICIPAL ELECTION

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

Motion carried, resolution declared adopted.

16. 13. The City Council considered the 1991 labor agreement between the City of Crystal and Law Enforcement Labor Services, Inc., Local #44.

Moved by Councilmember I and seconded by Councilmember L to (approve) (deny) (continue until _____ the discussion of) the 1991 labor agreement between the City of Crystal and Law Enforcement Labor Services, Inc., Local #44.

Motion Carried.

17. 14. The City Council considered the appointment of a committee to review the City Manager's goals for 1991.

Moved by Councilmember I and seconded by Councilmember L to appoint C.M. Joselyn, C.M. Grimes, and Mayor Herder to review the City Manager's goals for 1991.

Motion Carried.

- 18 15. The City Council considered waiving fees for non-profit daycare centers.

No action taken by Council. ^{Consensus was} fees are considered exempt under the ^{existing} ordinance.

- 19 16. The City Council considered the Second Reading of an Amendment to the Housing Maintenance Code.

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

ORDINANCE NO. 91-14

AN ORDINANCE RELATING TO HOUSING:
LICENSING RENTAL HOUSING UNITS:
REQUIRING DISCLOSURE AT TIME OF SALE:
AMENDING CRYSTAL CITY CODE, SECTION 425

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

Motion Carried.

I/G to adopt the following resolution, the reading.....

Resolution No. 91-54

*Resolution Relating to Fees
For Rental Housing and Point
of Sale Inspection*

Roll Call: Aye: G, H, F, J, L, M, C

Motion Carried

- 20 17. The City Council considered a resolution supporting and requesting that the county board of commissioners adopt the optional one-half percent sales tax.

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. 91-55

In Support of
RESOLUTION ~~URGING~~ HENNEPIN COUNTY
ADOPTION OF LOCAL OPTIONS SALES TAX

*(Change urge to
support in last
paragraph of resolution
also)*

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

Motion carried, resolution declared adopted.

~~Open Forum~~

21. The City Council considered a resolution waiving compliance with recording requirements under Minn. Statutes in connection with conveyance of a certain parcel in Tax Increment Financing District No. 2. (5400-35th Ave. N.)

L/M to adopt the following resolution, the reading

Resolution No. 91-56

Resolution Waiving Compliance With Recording Requirements Under Minnesota Statutes, Section 462.358, Subdivision 4b In Connection With Conveyance Of a Certain Parcel Within Tax Increment Financing District No. 2-1

Roll Call: Aye: I, J, L, M, C, G, H.

Motion Carried,

Informal Discussion and Announcements

1. Employee of the Month for June (Kelli Granlund).

Jaslyn: Traffic survey re: stop sign removal - what about speeders - what portion of cars exceeded speed - Report on speeding arrest comparison?

Langedorf: Is use of a marked vehicle valid for accurate speeds?

Moravec: Time of day survey taken? Recommend rush hours - people going to work + coming home from work?

Irving: Report of speeds that went into averages given on survey.

Mayor: Reminder of Comm. Ed. Compliance mtg. - 7 A.M. - June 5.

Langedorf: Inquired of impact on City of recent storms - City Engr. responded.

Moravec: Inquired of status of correspondence with New Hope regarding curb cut ^{permit} on Louisiana + Parking for bank proposal at 7001-56th Ave. No. - City Engr. responded.

City Engr: Reported on 2-1991 Hennepin County projects in Crystal -
Overlay - Winnetka
Overlay - West Broadway (Clouetdale to Knox)

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

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

Meeting adjourned at 9:50 p.m.

APPLICATIONS FOR LICENSE
June 4, 1991

GAS FITTERS LICENSE - \$30.25

Marsh Heating & Air, 6248 Lakeland Ave. N. #110, Brooklyn Park, MN 55428

PLUMBERS LICENSE - \$30.25

R. A. Johnson & Sons Plumbing, 7265 Woodland Trail, Rockford, MN 55373
Peterson Plumbing, 1080 Raymond Ave., Suite 17, St. Paul, MN 55108
Eide Plumbing, 2868 135th Ave. NW., Andover, MN 55304

POOLS - Outdoor (\$200.00)

Douglas Drive Terrace Apartments, 3330 Douglas Drive
Krystal Kourts Apartments, 5930-40-50 West Broadway
Lou Ann Terrace Apartments, 7201 36th Avenue North

REFUSE HAULERS - \$75.00 Co. License + \$35.00 ea. vehicle

A & E Rubbish Removal, Minnetonka, MN
Aagard Sanitation, St. Paul, MN
Browning Ferris Industries Recycling Trucks
Twin City Sanitation, Vadnais Heights, MN

FOOD ESTABLISHMENT - Itinerant (exempt)

Fire Relief Association for pizza at Becker Park at the
Crystal Frolics, July 26-28, 1991.

Fire Relief Association for chips and peanuts at Becker Park at the
Crystal Frolics, July 26-28, 1991

Crystal Police Association, MN State Law Enforcement Softball
Tournament at Welcome Park, June 15 & 16, 1991,

PERMIT FOR WINE AND BEER IN PARK/COMMUNITY CENTER

City of Crystal, 4141 Douglas Dr. N., Crystal, MN, at Crystal
Community Center, August 14, 1991 from 5:00 p.m. - 12:00 a.m. for
Annual Employee Picnic

3.2 BEER STAND (seasonal)

Steve Gillane for Crystal Lion's Club, at Becker Park July 4, 1991
(~~fee-waived~~)

Mark Warnack for Crystal Firefighters Relief Assn., at Becker Park
July 26-28, 1991 (~~fee-waived~~)

Craig Thomseth for The Crystal Police Association, at Welcome Park,
Softball Tournament, June 15-16, 1991 (~~fee-waived~~)

CARNIVAL (seasonal)

Chuck's Amusements & Crystal Frolics Committee, at Becker Park for
Crystal Frolics, July 26-28, 1991 (~~fee-waived~~)

Included with agenda packets for 6-4-91 meeting:

Memo from Park & Rec. Director dated 5-20-91 re:
Tree Donation for Memorial - Ralph Kile.

Proclamation - Deirdre C. Chapman, U. S. Presidential
Scholar.

Letter to Mayor from The White House Commission on
Presidential Scholars dated May 1991; 1991 United
States Presidential Scholars Program Fact Sheet.
Minutes of Board of Review and Regular City Council
meeting of May 21, 1991.

Memo from Asst. Finance Director dated 5-31-91
re: outstanding bills of Frolics 1990.

Letter from Frolics Committee dated 5-6-91 re: ~~b~~
parade, carnival, barricades, fireworks, etc.

Memo from Linda E. Museus, Human RElations Comm.
dated 5-21-91 re: resignation from commission.

Application for Exemption from Lawful Gambling
License.

Memo from Crystal Firefighters Relief Association
re: license to operate beerstand July 26, 27 and
28 for Crystal Frolics.

Memo from Crystal Police Association dated 6-4-91
re: waiver of license fees for a fund-raising
softball tournament.

Memo from Todd Gustafson dated 5-30-91 re: State
Law Enforcement Softball Tournament.

Application for appointment to the Environmental
Commission from Pamela L. Brooks, 3510 Douglas
Drive North.

Memo from Bldg. Inspector dated 5-29-91 re: variance
at 4403 Zane Ave. North.

Memo from Bldg. Inspector dated 5-29-91 re: variance
at 4201 Kentucky Ave. N.

Memo from City Engr. dated 5-31-91 re: stop sign
petition.

Letter to Mr. Wallace Kenneth re: parking inset ~~ad~~
adjacent to apartment complex, 6300-6400 Medicine
Lake Road.

Letter from City Attorney dated 5-31-91 re: Resolu-
tion for Denial of Variance Apps. 91-7 and 91-8;
copy of resolution. M

Memo from Nancy R. Vanderheider dated 5-14-91 re:
trespassing ordinance.

Memo from City Engr. dated 5-30-91 re: 1991 Curb
& Gutter and Sidewalk Repair Program.

Memo from City Engr. dated 5-31-91 re: Storm Water Utility.

Letter from Crystal Lions dated 5-6-91 re: waiver of beer license fee for July 4.

Memo from City Clerk dated 5-29-91 re: 1-day Off-Site Lawful Gambling License - Elk's Lodge #44 - at Becker Park on July 27, 1991; license info.

Resolution establishing dates for the 1991 Municipal Election.

Memo from City Mgr. dated 5-31-91 re: Local #44 LELS Contract.

Memo from Public Health Sanitarian dated 5-30-91 re: Licensing of Non-profit Daycare Programs.

Memo from Comm. Dev. Director/Bldg. Official dated 5-29-91 re: Housing Maintenance Code; copy of code.

Resolution urging Hennepin County adoption of local options sales tax; letter from Board of Hennepin County Commissioners dated 5-28-91.

Letter from Chair, Crystal Charter Commission dated 5-30-91 re: Crystal Charter Commission.

Crystal Park & Rec. Advisory Commission Agenda for June 5, 1991.

Memo from Police Chief dated 5-30-91 re: Traffic/Speed Survey.

Letter from City Engr. to City of New Hope dated 5-30-91 re: curb opening permit - 7001 - 56th Avenue North.

Letter to LMHRC from Joan Schmidt dated 5-23-91 re: nominee for MN Human Rights Award (Donn McCoy).

Memo from Public Health Sanitarian dated 5-15-91 re: Crystal Dairy Queen.

Human Relations Commission mtg. minutes of 4-22-91.

Crystal Planning Commission mtg. minutes of 5-20-91.

Hennepin Recycling Group Mtg. minutes of 4-18-91.

Env. Quality Commission meeting minutes of 4-18-91.

Charter Commission meeting minutes of 4-24-91.

Memo from Asst. Finance Director dated 5-28-91 re: 1992 Budget Worksheets.

Letter to Crystal residents from City Engr. dated 5-31-91 re: ponding area E. edge of Sims Park.

Harlene

Memorandum

DATE: May 31, 1991
TO: Mayor and Council
FROM: Jerry Dulgar, City Manager
SUBJECT: Preliminary Agenda for the June 4, 1991 Council Meeting

Consent Agenda:

Item 1: Consideration of a request from the Crystal Frolics Committee for parade and carnival. One thing I should point out to the Council is that the Frolics Committee is running around in all different directions doing different things with different people all of the time. They are causing some real consternation on the part of City staff members. They are going directly to all kinds of different people and demanding things and there doesn't seem to be any coordination. We are trying to work on this internally but you may get some complaints.

Another thing that has come to my attention on the Frolics is that they have not paid for the refuse removal and the rental of barricades from last year. They have not even acknowledged the bills that keep getting sent to the City and that we send to them. I think the Council might want to table this until they take care of last year's obligations.

Another thing I think the Council should consider strongly on all of these applications that we are getting in is waiving the fee. We spend a lot of administrative time, work and effort putting these things together, whether it's for some organization like the Frolics or whether they are for somebody else. Most all of these organizations do make some money in their operations and I wonder why the City should be subsidizing these things by not charging a fee. I frankly think we ought to re-evaluate our policy of waiving fees. Essentially what we are doing is abdicating the Council's authority to other people by letting them decide where the money is going to be spent instead of us taking it in as administrative fees and spending to reduce taxes or whatever.

Item 4: Consideration of a license to operate a beerstand at Becker Park July 26, 27 and 28, 1991 with waiver of the license fee as requested by Crystal Firefighters Relief Association. I have no problem with their permit although I think we want to make it clear to them that they have to have adequate insurance at their expense. Nancy has worked this out with them the last couple of years. I think again we should charge them the fee for the license. They are simply taking City money and deciding how to spend it when we don't charge them a fee.

Item 5: Consideration of a license to operate a 3.2 beerstand at Welcome Park on June 15 and 16, 1991 for a Police Softball Tournament with waiver of fee as requested by the Crystal Police Association and street closure for the tournament. Bill will have comments on the street closure. I don't have any problem with it unless Bill does from a safety, engineering or traffic standpoint. However, again I don't think we should waive the fee.

Regular Agenda:

Item 2: Consideration of a variance to the side street side yard setback of 8' in the required 20' setback at 4403 Zane Avenue North. What I have been able to understand about this application is that there are other ways of putting a deck on this home. I think we should deny the request.

Item 3: Consideration of a variance to allow a ham radio tower to be installed 9' into the front yard setback at 4201 Kentucky Avenue North. I think this was passed on a split vote by the Planning Commission. The reasoning being that it was going to be screened by pine trees. What happens when the pine trees are gone. Also, one thing that the Council should consider is this is right on one of our busy streets in town and do we want a radio tower standing out in the frontyard right on 42nd and Kentucky.

Item 4: Consideration of a petition for stop signs on 47th Avenue at intersection with Louisiana Avenue. I walk and drive through this intersection all of the time and I fail to see the need for the signs. Frankly, I think it's another situation where people think the signs are going to slow people down. I don't think they will do that. Needless stop signs just burns up more fuel and causes more pollution and noise. Stop signs like this really don't do what people think they are going to do.

Item 5: Consideration of funding option for construction of parking inset on Medicine Lake Road at Douglas Court Apartments. I have no problem with the parking inset being put in but I think it should only be done if the property owners are willing to stand the expense.

Item 6: Consideration of approval of resolution of denial of variances at 5231 Douglas Drive North (action taken by Council on May 7, 1991). I would recommend that the Council adopt the findings of fact that the City Attorney has prepared. I should mention also that the applicant has agreed to tear the building down within a reasonable length of time. I think that will be a real step towards getting some good development on that property or in that area.

Item 7: Consideration of the First Reading of an Ordinance Amendment relating to trespassing. The City Attorney has requested that we make some changes in this ordinance. The changes relate to procedure that we are using in the shopping centers and some areas to tell habitual troublemakers that they are trespassing and ask them to stay off the premises. But, the

notice provisions have bothered the City Attorney and some of the judges. I would recommend that we approve change as recommended by the Police Department and the City Attorney.

Item 9: Consideration of Second Reading of an Ordinance for Storm Water Utility. I would recommend that we adopt this ordinance and begin to set up and fund a storm water utility. I think the recent rains has shown the many needs we have. The utility rate at the present time will not be adequate to take care of all those needs but it will provide some funding to start working on some of them anyway.

Item 10: Consideration of a license to operate a 3.2 beer stand at Becker Park on July 4, 1991 with waiver of the license fee as requested by Crystal Lions Club. Again, I have no problem with the permit being issued as long as they have adequate insurance, etc. However, again I think we should charge a license fee.

Item 13: Consideration of the 1991 labor agreement between the City of Crystal and Law Enforcement Labor Services, Inc., Local #44. I've been trying to get an official recognition from them or acknowledgement that they have approved the proposed contract. I hope to have that by Tuesday so that we can recommend to the Council that you approve the contract for 1991 with the patrol unit of the City Police Department.

Item 15: Consideration of waiving fees for non-profit daycare centers. The Health Department has a memo for your consideration relative to this particular situation that is occurring at Thorson School. I think one thing that we might want to do with this and other fees is to try to be as consistent as we can.

Item 16: Consideration of the Second Reading of an Amendment to the Housing Maintenance Code. I have not received any inputs to speak of relative to this matter. I would recommend to Council that we go ahead so we can begin to gear up to implement it next year.

Item 17: Discussion of letter from Board of Hennepin County Commissioners regarding optional one-half cent sales tax. I will be prepared to discuss this with the Council.

Informal Discussion and Announcements:

1. Employee of the Month for June (Kelli Granlund). The Council should as normal recognize Kelli for the fine work she is doing for the City.

Have a nice weekend.

js

COUNCIL AGENDA - SUMMARY

COUNCIL MEETING OF
June 4, 1991

Call to order

Roll call

Recognition of a donation in the amount of \$100 to the Park & Recreation Department from Mary Kile to be used to purchase a tree in memory of her husband, Ralph Kile. Tree will be planted at the pool site.

Recognition of Crystal resident Deirdre C. Chapman's designation as a U.S. Presidential Scholar, the nation's highest honor bestowed upon graduating high school seniors this year. Ms. Chapman is a senior at Robbinsdale/Cooper High School and daughter of Paul & Marcia Chapman of Crystal.

Approval of the minutes of the Board of Review Meeting of May 21, 1991 and the Regular Meeting of May 21, 1991.

Consent Agenda

1. Consideration of a request from the Crystal Frolics Committee for authorization to hold a parade on Sunday, July 28, 1991 at 1 p.m. with same parade route as 1990 (coming down West Broadway and turning on Bass Lake Road), and a license to operate a carnival at Becker Park with waiver of the fee on July 25, 26, 27 and 28, 1991.
2. Consideration of a letter of resignation from the Human Relations Commission dated May 21, 1991 from Linda E. Museus, 3926 Idaho Avenue North.
3. Consideration of an Application for Exemption from Lawful Gambling License for Church of St. Raphael's, 7301 Bass Lake, for August 2, 3 and 4, 1991.
4. Consideration of a license to operate a beerstand at Becker Park July 26, 27 and 28, 1991 (Crystal Frolics) with waiver of the license fee as requested by Crystal Firefighters Relief Association.
5. Consideration of a license to operate a 3.2 beerstand at Welcome Park on June 15 and 16, 1991 for a Police Softball Tournament with waiver of fee as requested by the Crystal Police Association and street closure for the tournament.

Regular Agenda Items

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6. Consideration of approval of resolution of denial of variances at 5231 Douglas Drive North (action taken by Council on May 7, 1991).
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8. Consideration of a resolution awarding bid for 1991 Curb and Gutter/Sidewalk Program.
9. Consideration of Second Reading of an Ordinance for Storm Water Utility.
10. Consideration of a license to operate a 3.2 beer stand at Becker Park on July 4, 1991 with waiver of the license fee as requested by Crystal Lions Club, and approval of a public display of fireworks and direct staff to proceed with closing of Bass Lake Road during the fireworks, subject to standard procedure.
11. Consideration of a resolution approving premises permit for a one-day off-site lawful gambling event at Becker Park on July 27, 1991 (Crystal Frolics) as requested by Elk's Lodge #44, 5410 Lakeland Avenue North, (license approved by Council on May 7, 1991).
12. Consideration of a resolution establishing dates for the 1991 Municipal Election.

13. Consideration of the 1991 labor agreement between the City of Crystal and Law Enforcement Labor Services, Inc., Local #44.
14. Consideration of appointment of a committee to review the City Manager's goals for 1991.
15. Consideration of waiving fees for non-profit daycare centers.
16. Consideration of the Second Reading of an Amendment to the Housing Maintenance Code.
17. Discussion of letter from Board of Hennepin County Commissioners regarding optional one-half cent sales tax. *per*

Open Forum

Informal Discussion and Announcements

1. Employee of the Month for June (Kelli Granlund).

Licenses

Adjournment

*17. Consideration of a resolution urging
Hennepin County adoption of ^{1/2 percent} optional
sales tax.*

APPLICATIONS FOR LICENSE
June 4, 1991

GAS FITTERS LICENSE - \$30.25

Marsh Heating & Air, 6248 Lakeland Ave. N. #110, Brooklyn Park, MN 55428

PLUMBERS LICENSE - \$30.25

R. A. Johnson & Sons Plumbing, 7265 Woodland Trail, Rockford, MN 55373
Peterson Plumbing, 1080 Raymond Ave., Suite 17, St. Paul, MN 55108
Eide Plumbing, 2868 135th Ave. NW., Andover, MN 55304

POOLS - Outdoor (\$200.00)

Douglas Drive Terrace Apartments, 3330 Douglas Drive
Krystal Kourts Apartments, 5930-40-50 West Broadway
Lou Ann Terrace Apartments, 7201 36th Avenue North

REFUSE HAULERS - \$75.00 Co. License + \$35.00 ea. vehicle

A & E Rubbish Removal, Minnetonka, MN
Aagard Sanitation, St. Paul, MN
Browning Ferris Industries Recycling Trucks
Twin City Sanitation, Vadnais Heights, MN

FOOD ESTABLISHMENT - Itinerant (exempt)

Fire Relief Association for pizza at Becker Park at the
Crystal Frolics, July 26-28, 1991.

Fire Relief Association for chips and peanuts at Becker Park at the
Crystal Frolics, July 26-28, 1991

Crystal Police Association, MN State Law Enforcement Softball
Tournament at Welcome Park, June 15 & 16, 1991,

PERMIT FOR WINE AND BEER IN PARK/COMMUNITY CENTER

City of Crystal, 4141 Douglas Dr. N., Crystal, MN, at Crystal
Community Center, August 14, 1991 from 5:00 p.m. - 12:00 a.m. for
Annual Employee Picnic

3.2 BEER STAND (seasonal)

Steve Gillane for Crystal Lion's Club, at Becker Park July 4, 1991
(fee-waived)

Mark Warnack for Crystal Firefighters Relief Assn., at Becker Park
July 26-28, 1991 (fee-waived)

Craig Thomseth for The Crystal Police Association, at Welcome Park,
Softball Tournament, June 15-16, 1991 (fee-waived)

CARNIVAL (seasonal)

Chuck's Amusements & Crystal Frolics Committee, at Becker Park for
Crystal Frolics, July 26-28, 1991 (fee-waived)

DATE: May 20, 1991

MEMO TO: Jerry Dulgar, City Manager

FROM: Edward C. Brandeen, Park & Recreation Director *E.C.B.*

SUBJECT: Tree Donation for Memorial - Ralph Kile

Mary Kile, a citizen of Crystal, has donated \$100 as a memorial to her husband.

She wants the City to purchase a tree in his memory. This tree will be planted at the pool site.

I have sent her a thank you letter.



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

PROCLAMATION

WHEREAS, Crystal resident and graduating senior at Robbinsdale/Cooper High School, Deirdre C. Chapman, has been named one of one hundred and forty-one outstanding young Americans designated as a U.S. Presidential Scholar, and

WHEREAS, this designation is the nation's highest honor bestowed upon graduating high school seniors this year, and

WHEREAS, selection as a Presidential Scholar is based on outstanding accomplishments in academic success, demonstrated leadership ability, involvement in school and community, and achievement in the arts, sciences, and fields of interest, and

WHEREAS, the independent judgment of the members of the White House Commission on Presidential Scholars and the concurrence of the President of the United States determined the final selection,

NOW, THEREFORE BE IT RESOLVED, that I, Betty Herbes, Mayor of the City of Crystal, proclaim June 15, 1991, as Deirdre C. Chapman Day in the City of Crystal.

Mayor

date

Betty Herbes
Mayor

John G. Moravec
Councilmember
Section I

Pauline Langsdorf
Councilmember
Ward 1

E. Gary Joselyn
Councilmember
Ward 2

Jack Irving
Councilmember
Section II

Elmer Q. Carlson
Councilmember
Ward 3

Garry A. Grimes
Councilmember
Ward 4

Jerry Dulgar
City Manager



THE WHITE HOUSE
COMMISSION ON PRESIDENTIAL SCHOLARS
ROOM 2189
400 MARYLAND AVENUE, S.W.
WASHINGTON, D.C. 20202

May 1991

The Honorable Betty Herles
Mayor of Crystal

Dear Mayor Herles:

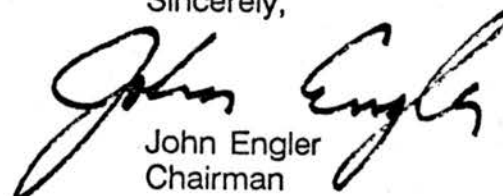
The White House and its Commission on Presidential Scholars have announced the names of the 1991 U.S. Presidential Scholars. Deirdre C. Chapman, daughter/son of Paul and Marcia Chapman, who reside at 5000 Quail Ave N Crystal Mn 55428, is one of 141 outstanding young Americans designated as a U.S. Presidential Scholar, the nation's highest honor bestowed upon graduating high school seniors this year.

Selection as a Presidential Scholar is based on outstanding accomplishments in many areas -- academic success, demonstrated leadership ability, involvement in school and community and achievement in the arts, sciences and fields of interest. The independent judgment of the members of the White House Commission on Presidential Scholars and the concurrence of the President of the United States determine the final selection. Competition is extremely keen.

The above-named Presidential Scholar is a graduating senior at Robb Cooper Sr High School and has been invited to participate in Presidential Scholars National Recognition Week, June 15 to 20, 1991, in Washington, D.C., to be honored by members of the Administration, Congressmen, educators and others in public life. The Scholars will be awarded the Presidential Scholars Medallion, commemorating their designation as an American Scholar by the President. The Scholars will also be honored at many special events, including receptions, performances and seminars.

These young people represent those students nationwide who have achieved excellence in education. I know you will want to congratulate your local Scholar in every way possible.

Sincerely,


John Engler
Chairman



WHITE HOUSE
COMMISSION ON PRESIDENTIAL SCHOLARS

U.S. DEPARTMENT OF EDUCATION
ROOM 2189
400 MARYLAND AVENUE, S.W.
WASHINGTON, DC 20202

**THE 1991 UNITED STATES PRESIDENTIAL SCHOLARS PROGRAM
FACT SHEET**

The United States Presidential Scholars Program was established in 1964, by Executive Order of the President, to recognize and honor our nation's most distinguished graduating high school seniors. In 1979, the program was extended to recognize students who demonstrate exceptional talent in the visual, creative, and performing arts. Annually, up to 141 students are chosen from among outstanding graduating seniors to become Presidential Scholars, the nation's highest honor for high school students. The Scholars are chosen on the basis of their accomplishments in many areas — academic and artistic success, leadership, and involvement in school and the community. The Scholars represent excellence in education and the promise of greatness in young people. In honoring the Presidential Scholars, the President of the United States symbolically honors all graduating high school seniors of high potential.

The Commission on Presidential Scholars is a group of eminent private citizens appointed by the President to select and honor the Presidential Scholars. The Commission members serve at the pleasure of the President and receive no monetary compensation for their participation. The final selection of Scholars rests solely upon the independent judgment of the Commission. The U.S. Department of Education provides administrative support and helps the Commission fulfill its responsibilities.

There are two paths to the honor of Presidential Scholar. The greater number of students (up to 121) are chosen on the basis of broad academic achievement. A smaller number of students (up to 20) are selected on the basis of their academic and artistic scholarship in visual arts, performing arts, or creative writing. Students may not apply individually to the program, nor may their schools nominate them.

For the academic component of the 1991 program, all high school seniors who are citizens of the United States are automatically considered for participation if, on or before November 1990, they have scored exceptionally well on either the Scholastic Aptitude Test (SAT) of the College Board (and indicated they wish to participate in the Student Search Service) or the ACT Assessment of the American College Testing Program (and elected to participate in the Educational Opportunity Service). Approximately 1,500 students are selected as Semifinalists and receive an invitation to participate.

To be considered further, Semifinalists must submit candidacy materials, including essays, self-assessments, secondary school reports, and transcripts. In late March, 500 Finalists are chosen by an independent, national committee of educators convened by the Commission on Presidential Scholars. In April, the Commission selects up to 121 Presidential Scholars. One young man and one young woman are chosen from each state, the District of Columbia, the Commonwealth of Puerto Rico, and from families of U.S. citizens living abroad. In addition, up to 15 students are chosen at large. Commissioners consider community activities and leadership qualities in selecting all students named as Presidential Scholars.

(Continued on reverse side)

For the arts component of the program, the Commission recommends Semifinalists from among students who participate in the Arts Recognition and Talent Search (ARTS), a national program for identifying and honoring young people who have demonstrated excellence in the arts. (ARTS is an activity of the National Foundation for Advancement of the Arts, which is based in Miami, Florida.) The Semifinalists are asked to affirm their candidacy by submitting supporting materials. The Commission selects up to 20 Presidential Scholars in the Arts from the students who affirm their candidacy.

In May, the President of the United States notifies, by mailgram, all Presidential Scholars of their selection. Because the Presidential Scholars Program is a recognition program, there is no monetary award.

The Commission invites the Scholars to be honored for their accomplishments during Presidential Scholar National Recognition Week, held in Washington, D.C. in June. As guests of the Commission, the Scholars meet with their elected representatives, government officials, educators, authors, musicians, scientists, and other accomplished persons. They visit the museums and monuments of the nation's capitol and attend recitals, receptions, and ceremonies in their honor. The Scholars identify the educators who have been most influential to them, and these educators become Scholars' Distinguished Teachers. The teachers are presented with Certificates of Excellence and honored, along with their Scholars, at a special reception. The Presidential Scholars in the Arts give performances and presentations in the concert hall of the John F. Kennedy Center for the Performing Arts. National Recognition Week culminates with a ceremony sponsored by the White House for the Scholars, their parents and teachers, and special guests of the Commission. At this ceremony the Scholars are awarded the Presidential Scholars medallion to commemorate their achievement.

During the past 27 years, this unique federal program has honored nearly 3,000 Presidential Scholars. All these distinguished young people have demonstrated leadership, scholarship, contribution to school and community, and accomplishments in the arts, sciences, or other fields. By personally recognizing the Scholars, the President honors their achievement and their potential for further accomplishment.

In a larger sense, the true beneficiary of this program is the United States. The work of the Commission on Presidential Scholars reaffirms, on behalf of the President, the nation's commitment to education that enables people to lead lives of challenge, accomplishment, and fulfillment.

For additional information, contact Carolyn C. Moore, executive director of the Presidential Scholar Program, at (202) 401-0986.

May 21, 1991

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BOARD OF REVIEW

Pursuant to due call and notice thereof, the City of Crystal Council convened as a Board of Review on May 21, 1991, at the City Hall, 4141 Douglas Drive, Crystal, Minnesota at 8:00 P.M. The Secretary of the Council called the roll and the following were present: Moravec, Irving, Grimes, Herbes, Langsdorf, Joselyn; absent was: Carlson. Also in attendance were the following staff members: Jerry Dulgar, City Manager; Anne Norris, Community Development Director; David Kennedy, City Attorney; William Barber, Building Inspector; Darlene George, City Clerk; Ken Bjorn, Assessor.

The Board of Review reconvened to reconsider property located at 6812 Cloverdale Avenue North. Property owner, Gary Boyle, appeared and was heard.

Moved by Councilmember Irving and seconded by Councilmember Langsdorf to affirm the assessment of property at 6812 Cloverdale Avenue North, PID 05-118-21-42-0019.

Motion Carried.

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

Motion Carried.

The Board of Review adjourned at 8:03 p.m.

Mayor

ATTEST:

City Clerk

May 21, 1991

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Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on May 21, 1991 at 8:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota.

The Secretary of the Council called the roll and the following were present: Grimes, Herbes, Irving, Joselyn, Langsdorf, Moravec; absent was: Carlson. 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; Ed Brandeen, Park & Recreation Director.

The VFW Ritual Squad presented an American flag, a Minnesota flag, and a City of Crystal flag to the City of Crystal to be placed in the Council Chambers.

The Mayor on behalf of the Minnesota Vietnam Veterans Memorial Incorporated, presented a plaque to the VFW Post 494 in recognition of its sponsorship of the names of Sergeant Paul Conrad Johnson and PFC Richard Donald Sweet on the Minnesota Vietnam Veterans Memorial Wall. Mr. Johnson and Mr. Sweet were Crystal residents at the time of their service in Vietnam.

The City Council considered the minutes of the Board of Review Meeting of May 7, 1991 and the Regular City Council Meeting of May 7, 1991.

Moved by Councilmember Langsdorf and seconded by Councilmember Moravec to approve the minutes of the Board of Review Meeting of May 7, 1991 with the change in the motion regarding adjournment to indicate 8 p.m. May 21 rather than 7 p.m. and to approve the minutes of the Regular City Council Meeting of May 7, 1991.

Motion Carried.

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

1. The City Council considered the First Reading of an Amendment to the Housing Maintenance Code. Those present and heard were: Gary Boyle, 6812 Cloverdale Avenue North; Reuben Lundquist, 3548 Jersey Avenue North; Rosemary Knutson, Representative of Minneapolis Area Association of Realtors; Mike Halek, 31st and Douglas Drive; Michael Racer, 3429 Major Avenue North; Paul Sigurdson, N.E. Minneapolis (Realtor); Adrian Rygg, 4120 Brunswick Avenue North.

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

May 21, 1991

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ORDINANCE NO. 91-

AN ORDINANCE RELATING TO HOUSING:
LICENSING RENTAL HOUSING UNITS:
REQUIRING DISCLOSURE AT TIME OF SALE:
AMENDING CRYSTAL CODE, SECTION 425

and further, that the second and final reading be held on June 4, 1991.

Motion Carried.

Moved by Councilmember Langsdorf and seconded by Councilmember Joselyn that community meetings be scheduled for informational purposes relating to the Housing Code.

Motion Carried.

The Mayor called a recess at 9:32 p.m. and the meeting was reconvened at 9:45 p.m.

2. The City Council reconsidered authorization to issue a building permit for a 16' x 34' addition to the existing building at 4800 - 56th Avenue North, Crown CoCo, Inc. Dave Miller, representative of the gas station, appeared and was heard.

Moved by Councilmember Irving and seconded by Councilmember Joselyn to approve, as recommended by the Planning Commission, 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 procedure and with the condition that the existing shed be removed and screening be updated.

Motion Carried.

Staff was directed to look into an amendment to the ordinance to eliminate storage areas on vacant residential lots.

3. The City Council considered a request from Chuck Tabor, owner of Minnesota Baseball Services, to use City ball fields for baseball camps.

Moved by Councilmember Joselyn and seconded by Councilmember Grimes to approve a request to use the three City of Crystal ball fields at the rate of \$25.00 per field per day, plus \$10 per field for dragging.

Motion Carried.

The City Council recessed at 10:04 p.m. to conduct a special meeting of the Economic Development Authority of the City of Crystal (EDA). The City Council meeting was reconvened at 10:33 p.m.

May 21, 1991

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4. The City Council discussed a meeting on May 28 of the City Council and the Economic Development Authority regarding 36th Avenue/Highway 100 development.

The Council set 8:15 p.m. on May 28, 1991 for a meeting of the City Council and the Economic Development Authority regarding 36th Avenue/Highway 100 development.

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

RESOLUTION NO. 91-45

RESOLUTION APPROVING CONTRACT FOR
PRIVATE REDEVELOPMENT AMONG THE
CRYSTAL EDA, THE CITY AND SUPER VALU STORES, INC.

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

Motion carried, resolution declared adopted.

5. The City Council considered the Second Reading of an Ordinance regarding composition of the Planning Commission.

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

ORDINANCE NO. 91-10

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

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

Motion Carried.

6. The City Council considered the Second Reading of an Ordinance regarding extension of the moratorium for Redevelopment Project No. 2.

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

ORDINANCE NO. 91-11

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

May 21, 1991

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

Motion Carried.

7. The City Council considered a plan amendment for Medicine Lake Road Project for parking inset at 6300 - 6400 Medicine Lake Road, Douglas Court Apartments. The owner of Douglas Court Apartments left the meeting prior to Council consideration due to a prior commitment.

Moved by Councilmember Irving and seconded by Councilmember Grimes to proceed with the plan agreement if the applicant agrees to pay 100% of the cost, and if he does not agree to pay 100% of the cost, he may come back to the Council at a future date.

Motion Carried.

8. The City Council considered a City of Crystal Employee Retirement Party Policy.

Moved by Councilmember Irving and seconded by Councilmember Langsdorf to approve a City of Crystal Employee Retirement Party Policy.

Motion Carried.

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

Motion Carried.

Staff was instructed to change wording in item #5 of the policy to conform to personnel rules (i.e. Permanent full-time employees).

9. The City Council considered the Second Reading of an Ordinance relating to secondhand goods dealer license renewals.

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

ORDINANCE NO. 91-12

AN ORDINANCE RELATING TO SECONDHAND GOODS
DEALERS: AMENDING CRYSTAL CITY CODE,
SUBSECTIONS 1175.03, 1175.17, 1175.19,
1175.21 AND 1175.23

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

Motion Carried.

10. The City Council considered the 1991 labor agreement between the City of Crystal and Law Enforcement Labor Services, Inc., Local #44. No action was taken.

May 21, 1991

page 779

11. The City Council considered a resolution in support of Larry Bakken, Mayor of Golden Valley, for League of Minnesota Cities' Vice President.

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

RESOLUTION NO. 91-46

RESOLUTION OF SUPPORT FOR THE NOMINATION OF
LARRY A. BAKKEN AS VICE PRESIDENT OF THE
LEAGUE OF MINNESOTA CITIES

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

Motion carried, resolution declared adopted.

12. The City Council considered a resolution relating to a lawful gambling premises permit for Hartinger Foundation at Paddock Bar, 5540 Lakeland Avenue North.

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

RESOLUTION NO. 91-47

RESOLUTION RELATING TO LAWFUL GAMBLING:
APPROVING CERTAIN PREMISES PERMITS

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

Motion carried, resolution declared adopted.

13. The City Council considered a letter of resignation from Diane Christopher, 3506 Zane Avenue North, dated 4-18-91 and received 5-9-91 from the Environmental Quality Commission.

Moved by Councilmember Moravec and seconded by Councilmember Grimes to accept the resignation of Diane Christopher, 3506 Zane Avenue North, from the Environmental Quality Commission, and send a letter of thanks and appreciation.

Motion Carried.

14. The City Council considered no parking zone along Wilshire Boulevard adjacent to Twin Oak Park.

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

May 21, 1991

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RESOLUTION NO. 91-48

RESOLUTION PROHIBITING PARKING
ON PORTION OF WILSHIRE BOULEVARD
ADJACENT TO TWIN OAK PARK

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

15. The City Council considered membership in the Regional Mutual Aid Association.

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. 91-49

RESOLUTION AUTHORIZING JOINT AND COOPERATIVE
AGREEMENT FOR USE OF PERSONNEL AND EQUIPMENT
REGIONAL MUTUAL AID ASSOCIATION

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

16. The City Council considered a Joint Council/Planning Commission Workshop to review recommendations for the Image Portion of the Comprehensive Plan.

Moved by Councilmember Moravec and seconded by Councilmember Joselyn to set 6:30 to 8:00 p.m., June 10, 1991 as the date and time for a Joint Council/Planning Commission Workshop to review recommendations for the Image Portion of the Comprehensive Plan.

Motion Carried.

17. The City Council discussed the 1991 goals for the City Manager as suggested by the City Council.

It was the consensus of Council to continue to June 4 meeting to appoint a committee to set 1991 goals for the City Manager, with the same committee reviewing City Manager's salary for 1992 based on 1991 Goals and Objectives.

INFORMAL DISCUSSION AND ANNOUNCEMENTS

The City Attorney recommended a resolution of denial be prepared to be placed on the June 4 City Council meeting for variances denied at the May 7, 1991 City Council meeting relating to property at 5231 Douglas Drive.

May 21, 1991

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Councilmember Joselyn recommended when considering an item, City Council procedure be to (1) hear from the public (2) debate and (3) vote.

Moved by Councilmember Irving and seconded by Councilmember Moravec to approve the list of license applications as submitted by the City Clerk to the City Council, with the addition of C.J. Frank's Furniture itinerant food license for May 24-27, 1991 contingent upon review and approval by the Health Department, 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 Irving and seconded by Councilmember Langsdorf to adjourn the meeting.

Motion Carried.

Meeting adjourned at 11:13 p.m.

ATTEST:

Mayor

City Clerk

MEMORANDUM

TO: Jerry Dulgar, City Manager

FROM: Jessie Hart, Assistant Finance Director *JH*

DATE: May 31, 1991

SUBJECT: Outstanding Bills of Frolics 1990

Attached are copies of the invoice sent to the Frolics Committee for payment to the City for expenditures made on behalf of the Frolics Committee for the 1990 Frolics Event. Also attached is a copy of the letter which was sent to the Treasurer of the Frolics Committee.

The total bill due the City is \$1,477.20. This is made up of rubbish removal from Becker Park during the event, rental of barricades and the rental of a trailer. I have attached copies of each invoice that was paid to each vendor.

The City did not allocate any monies to assist the Frolics Committee with costs for the 1990 event, as they had done in the past. They have not allocated anything in 1991, yet, and I would recommend that they not approve anything until the bill is settled and it is agreed that any costs incurred in 1991 on behalf of the Frolics Committee be reimbursed prior to the end of 1991.

INVOICE

City of Crystal
 4101 Douglas Drive
 Crystal, Minnesota 55422
 612-537-3421

NO 2738

SOLD TO	Crystal Frolics Committee	SHIP TO	
	c/o Ms. Liz Reid, Treasurer		

INVOICE DATE	TERMS	P.P.D. COLL	SHIPPED VIA
December 12, 1990			
CUSTOMER'S ORD. NO.	OUR ORDER NO.	SALESMAN	DATE SHIPPED
			F.O.B.

QUANTITY		DESCRIPTION	PRICE	AMOUNT	
ORDERED	SHIPPED				
		Reimbursement of 1990 Crystal Frolics			
		Expenses per attached			
		01-4990-000-32			\$1,477.20

TRIPLICATE

Thank You!



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

ADMINISTRATIVE OFFICE

December 12, 1990

Ms. Liz Reid, Treasurer
Crystal Frolics Committee
5417 Vera Cruz Avenue North
Crystal, Minnesota 55429

Dear Ms. Reid:

Enclosed is an invoice from the City of Crystal payable by the Crystal Frolics Committee for expenses incurred for the 1990 Crystal Frolics. These are expenses that the City paid on behalf of the Frolics Committee.

Please remit a check from the Frolics Committee in the amount of \$1,477.20 which covers the refuse handling at Becker Park, barricades for the events and the rental of a trailer.

Your prompt attention would be greatly appreciated. If you have any questions, please feel free to contact me at 537-8421.

Sincerely,
CITY OF CRYSTAL

Jessie L. Hart

Jessie L. Hart
Assistant Finance Director

JH/jlh

Enclosures

cc: Ed Brandeen, Park and Recreation Director

PLEASE PAY BY **STATEMENT** NO INVOICE WILL BE SENT



GALLAGHER'S SERVICE, INC.

1691 91st Ave. N.E.

Blaine, MN 55434

Telephone: 784-4709

STATEMENT DATE

**ANY TRANSACTION AFTER
THIS DATE WILL BE SHOWN
ON YOUR NEXT STATEMENT.**

ACCT. NO.

MO. DAY YR.
08/07/90

City of Crystal
4141 Douglas Dr.
Crystal, Minn. 55422

TERMS: NET 30 DAYS. A SERVICE CHARGE AT THE ANNUAL PERCENTAGE RATE OF 18% PER ANNUM (MONTHLY RATE IS 1.5%) WILL BE APPLIED ON ALL PAST DUE ACCOUNTS.

PLEASE DETACH HERE — AND RETURN THIS PORTION WITH YOUR PAYMENT. *Thank You.* AMOUNT ENCLOSED

MO. DAY YR.	REFERENCE	CHARGES	PAYMENTS/CREDITS	BALANCE
		PREVIOUS BALANCE →		
	5-8 yard containers @ 175.each @ Becker Park	875.00		
	7-28-90 Time charged	12.50		
	7-28-90 emptied 1-6 yard container @ Welcome Park	60.00		
	Sales Tax	56.10		
				1103.60
STATUS OF YOUR ACCOUNT	CURRENT	30 DAYS	60 DAYS	90 DAYS & OVER
				NEW BALANCE
				1103.60

PROLOGS

Received 8/8/90
Approved for payment [Signature]
Date of Approval 8/8/90
*Code * 01-4990-000-32*

(Leave on) We must pay Sales Tax on garbage removal

GALLAGHER'S SERVICE, INC. 1691 91st Ave. N.E. • Blaine, MN 55434

ACCT. NO.

**PAY THIS
AMOUNT**



6800 WEST BROADWAY
BROOKLYN PARK MN 55413
(612) 533-1680

RENTAL
DEPOSIT

DATE
NO. 0000000000
5

RECEIVED
7-30-90
22

CLOSED --- INVOICE

EMPLOYEE MICHAEL NEWMAN

IMPORTANT! - SEND YOUR PAYMENT TO: 6800 W. BROADWAY AVE., MINNEAPOLIS, MN 55428

ORDER #	0364000	P.O. #	49107	DATE OUT	07/27/90
ED TO:	CITY OF CRYSTAL 4141 DOUGLAS DRIVE CRYSTAL, MN 55422	PHONE NUMBER(S)	DAY (612) 537-8421 EVE. (612) 000-0000	TIME OUT	10:39am
EVENT PRESS	SAHE	DRIVER'S LICENSE #	D.O.B.	TERMINATION DATE	07/30/90
			NAME/DOB	TIME DUE	10:39am
				DATE IN	07/30/90
				TIME IN	10:42am
EQUIPMENT #	INTERVAL CHARGE	METER	RENTAL RATES (PER EACH ITEM)		
DESCRIPTION OF ITEM		OUT/IN	1 HOUR	MINIMUM	DAY WEEK 4 WEEKS ITEM AMOUNT

9028-4001

4 PLACE SNOWMOBILE TRAILER

8.25 25.00 36.00 144.00 432.00 108.00

214051

Received 7/30/90
Approved for payment
Date of Approval 7/30/90
Code* 21 4990 0005

Dealer agrees to waive certain damages and loss claims against Customer, which are provided for on the reverse side of this contract, in consideration of the following:

Customer shall pay a fee of 10.00 % of gross rental charges or \$ per day; or

A valid certificate of insurance is provided Dealer prior to the hire of equipment, whereby Dealer is named an additional insured on insurance policy, covering the risk of loss by damage, death or otherwise, of the subject equipment, and said insurance primary coverage as against any other insurance which may be provided by Dealer.

HAVER DECLINED / ACCEPTED

AND I AGREE TO THE CONTRACT TERMS ON THE BACK OF THIS DOCUMENT THOSE TERMS CONSIST OF THE AGREEMENT. NO ONE HAS ANY ORAL OR OTHER WRITTEN REPRESENTATIONS OR PROMISES NOT IN THIS CONTRACT. I HEREBY ACKNOWLEDGE RECEIPT OF A COPY OF THIS CONTRACT.

CUSTOMER SIGNATURE

X

CHARGED FOR THE TIME EQUIPMENT IS IN YOUR POSSESSION. NOT THE TIME IT IS USED.

SUB TOTAL 108.00

T.E.#000

GRAND TOTAL 108.00

BALANCE DUE 108.00

Net 10% Serv. Chg 1.5% /

IMPORTANT!
SEND YOUR PAYMENT TO
6800 West Broadway Ave.
Minneapolis, MN 55428

NOT LIABLE FOR BUMPER DAMAGE
IF YOU HAVE TROUBLE PHONE US

MON-FRI 10a-7pm

SAT 7:30-5:00

SUNDAY 9:00-4:00



TRAFFIC CONTROL SERVICES

MINNEAPOLIS, MN 55430
(612) 621-4200

REMIT TO:
**** REMIT TO ****
WARNING LITES QF MN
SDS 10-0480
MINNEAPOLIS, MN 55486

Invoice Date	Invoice No.
07/31/90	0099090

PAGE: 1

Bill To

CITY OF CRYSTAL
4141 DOUGLAS DR.
CRYSTAL, MN. 55422

Job Site

CITY OF CRYSTAL
6125 41ST AVE. NO.

07171059

CRYSTAL

Job Started

07/25/90

Customer No. 48982

TERMS: NET 30 DAYS

Area

09

Customer No.

01-001510

Date	Transaction	Qty.	On Hand	Description	No. Units	No. Days	Unit Price	Amount
07/25/90	63254 DEL.	4.		TYPE "A" FLASHER	4	6	.50	12.00
07/30/90	63285 P. U.	4.		TYPE "A" FLASHER				
07/25/90	63254 DEL.	2.		ROAD CLOSED	2	6	.65	7.80
07/30/90	63285 P. U.	2.		ROAD CLOSED				
07/25/90	63254 DEL.	1.		NO LEFT TURN	1	6	1.00	6.00
07/30/90	63285 P. U.	1.		NO LEFT TURN				
07/25/90	63254 DEL.	1.		48X48 SIGN W/STANDS	1	6	1.60	9.60
07/30/90	63285 P. U.	1.		48X48 SIGN W/STANDS				
07/27/90	63266 DEL.	59.		36" T1 FRAME	59	4	.25	59.00
07/30/90	63286 P. U.	59.		36" T1 FRAME				
07/25/90	63254 DEL.	2.		TYPE-3 8' BARRICADE	2	2	1.90	7.60
07/27/90	63266 DEL.	14.		TYPE-3 8' BARRICADE	16	4	1.90	121.60
07/30/90	63285 P. U.	2.		TYPE-3 8' BARRICADE				
		14.		TYPE-3 8' BARRICADE				

Warning Lites

of MN, INC.

TRAFFIC CONTROL SERVICES

MINNEAPOLIS, MN 55430
(612) 521-4200

REMIT TO:

**** REMIT TO ****
WARNING LITES OF MN
SDS 10-0480
MINNEAPOLIS, MN 55486

Invoice Date	Invoice No.
07/31/90	0099090

PAGE: 2

Bill To

CITY OF CRYSTAL
4141 DOUGLAS DR.
CRYSTAL, MN. 55422

Job Site

CITY OF CRYSTAL
6125 41ST AVE. NO.
CRYSTAL

07171059

Job Started	Customer No.	Area	Customer No.
07/25/90	48982	09	01-001510
TERMS: NET 30 DAYS			
Date	Transaction	Qty.	On Hand

INVOICE TOTAL:
JOB COMPLETE

265.60

Received
App'
Date

8/7/90
8/8/90
01-0992-000-32

Thank You!



CRYSTAL FROLICS COMMITTEE P.O. Box 28074 • Crystal, MN 55428

ED THONANDER, PRESIDENT

May 6, 1991

Crystal City Council
4141 Douglas Drive
Crystal, MN 55422

*Received 5-16-91
D.S.
cc: Police Dept.
cc: Engineering Dept.
cc: Fire Dept.*

Dear Mayor and Council Members;

The Crystal Frolics is drawing close. The committee has been meeting each month and the plans are moving along nicely and once again we hope to have a gala event.

I'm requesting that a permit be issued for us to hold the parade on Sunday, July 28, 1991 at 1:00P.M. The parade route will be the same as last year coming down West Broadway and turning on Bass Lake Road. The only difference will be that we reverse the starting line-up which will shorten the parade by about 3 blocks. We expect that the same co-operation will be shown by local police and Sheriffs department along with the county to close down the roads and do traffic control.

Enclosed is the application for the new carnival, Chucks Amusement, to be held in conjunction with the frolics. Once again it will be set up in the street behind the Crystal Gallery Shopping Mall. This has worked out well in the past with all concerned, and we expect it will again this year. This year the carnival will open at 6:00 P.M. on Thursday, July 25, 1991 and run through Sunday, July 28, 1991. This will be the only event open Thursday night with special priced tickets.

We ask that the city will co-operate in having barricades available to close down Sherburn Blvd. early Thursday morning.

We also plan to have fireworks on Friday night, July 26, 1991 and will co-ordinate with the Fire Department and get the necessary permits.

The Frolics Committee appreciates the support the City and Council

members have shown us in the past years. Again this year the committee feels it has the necessary money to support the Frolics without asking the City for any money, except to waive permit fees. The organizations have supported this event 100% and are to be commended for their financial support and working involvement. The Crystal Lions have been our major support.

We look forward to seeing all of you at the Frolics again this year. Bring lots of money. Thanking you in advance.

Sincerely,

CRYSTAL FROLICS COMMITTEE

A handwritten signature in dark ink, appearing to read 'Ed', followed by a long, sweeping horizontal line that extends to the right.

Ed Thonander
President

TO: Crystal City Council

FROM: Linda E. Museus, Human Relations Commission

DATE: May 21, 1991

It is with regret that I must resign from my position on the Human Relations Commission. This resignation is necessitated by my moving, in June, from the City of Crystal to the state of Washington.

I have enjoyed immensely my tenure on the commission. I appreciate the support that the Council has given to the commission and its activities and wish the City well in its continuing endeavors regarding human relations.

Linda E. Museus

Minnesota Lawful Gambling **Application for Exemption from** **Lawful Gambling License**

FOR BOARD USE ONLY	
FEE _____	CHK _____
INIT _____	DATE _____

Fill in the unshaded portions of this application for exemption and send it in **at least 45 days** before your gambling activity for processing.

Name and Address of Organization

Organization Name Church of St. Raphaels Crystal		Current/previous license number		Current/previous exempt number X-27016-03
Street 7301 Bass Lake Road	City Crystal	State MN	Zip code 55428	County Hennepin
Chief executive officer Msgr. Stanley J. Smec		Phone (612) 537-8401	Treasurer David M. Hoffmann	Phone (612) 537-1700

Type of Non-profit Organization

Check the box below which indicates your type of organization

☐ Fraternal ☒ Religious ☐ Veterans ☐ Other non-profit

Attach proof of nonprofit status which shows that your organization is nonprofit

☐ IRS designation
☐ Certification of good standing from the Minnesota Secretary of State's office
☐ Affiliate of parent nonprofit organization (charter)

Gambling Site

Name of site where activity will take place

Church grounds and parking lot

Street 7301 Bass Lake Road	City Crystal	Township	State MN	Zip code 55428	County Hennepin
--------------------------------------	------------------------	----------	--------------------	--------------------------	---------------------------

Date(s) of activity

August 2, 3, and 4, 1991

Types of Games

Game		Financial Report			
		Gross receipts	Expenses, including Cost of Prizes	Net profit	Market Value of Prizes
Bingo	<input checked="" type="checkbox"/>				
Raffles	<input checked="" type="checkbox"/>				
Paddlewheels	<input type="checkbox"/>				
Tipboards	<input type="checkbox"/>				
Pull-tabs	<input checked="" type="checkbox"/>				

I declare all information submitted to the Gambling Control Division is true, accurate, and complete.

X

Chief executive officer's signature

Date

Distributor from whom gambling equipment was purchased

Distributor's license number

I declare all information submitted to the Gambling Control is true, accurate, and complete.

Chief executive officer's signature

Date

Local Government Acknowledgement

I have received a copy of this application. This application will be reviewed by the Gambling Control Division and will become effective 30 days from the date of receipt by the city or county, unless the local government passes a resolution to specifically prohibit the activity. A copy of that resolution must be received by the Gambling Control Division within 30 days of the date filled in below. Cities of the first class have 60 days in which to disallow the activity.

City or County

Township

City or county name

City of Crystal

Township name

Signature of person receiving application

Signature of person receiving application

Title

Date received

Title

Date received

White — Board
Pink — Organization
Yellow — Board returns to Organization to complete shaded areas
Gold — City or County

Mail with \$25 permit fee and copy of proof of nonprofit status to:

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

CITY COUNCIL
CRYSTAL, MINNESOTA

Dear City Council Members ;

The Crystal Firefighters Relief Association is asking to be issued a license to operate a beerstand at Becker Park during this years Frolics. The beerstand will be operated by the members of the Fire Department Friday July 26th from 5:00 pm until 12:00 pm, Saturday July 27th from 10:00 am until 12:00 pm and Sunday July 27th from 12:00 pm untill 10:00pm. Attached you will find our application for liability insurance, the premium has been paid and will become effective with your issuing of the license. The Firefighters would also like to ask if their is a possibility the fee for the license could be waived.

Thank You
Crystal Firefighters

Crystal Police Association

4141 DOUGLAS DRIVE
CRYSTAL, MINN. 55422
PHONE 537-4571

JUNE 4, 1991

HONORABLE CITY COUNCIL MEMBERS
4141 DOUGLAS DRIVE
CRYSTAL, MN 55422

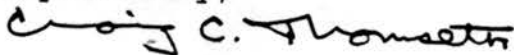
HONORABLE CITY COUNCIL MEMBERS:

The Crystal Police Association is a non-profit, charitable organization that helps sponsor many activities in the community. Proceeds from fund-raising events help us sponsor such activities as Little League and Babe Ruth Baseball, Crystal Park and Recreation Easter Egg Hunt, Crystal - New Hope Swim Club and support such organizations as NEAR Food Shelf, S.I.D.S Foundation, Potter House, Ronald McDonald House and Toys for Tots.

This year we are conducting a Police Softball Tournament in order to raise additional funds for our Police Association. In order to reduce our costs in sponsoring this event we are requesting that the normal fees for licensing be waived.

We would appreciate any assistance you could offer us in making this a successful fund-raising event.

Respectfully,



Craig C. Thomseth, for
The Crystal Police Association

**CITY OF CRYSTAL
POLICE DEPARTMENT
MEMORANDUM**

DATE: MAY 30, 1991

TO: JERRY DULGAR

FROM: TODD GUSTAFSON

SUBJECT: STATE LAW ENFORCEMENT SOFTBALL TOURNAMENT

The Crystal Police Assoc. is co-sponsoring the Minn. State Law Enforcement Softball Tournament. This is going to take place at Welcome Park on June 15-16 1991. The tournament attracts 300-500 players and spectators from all around the state.

We would like to have Welcome Ave. blocked at 46th and 47th Ave. to eliminate vehicle traffic between the two sides of the park. This would allow us to sell concessions at a central location. This would also allow for a much safer tournament for those attending.

Please let me know at your earliest convenience if this will work out. Thanks for your consideration.

CITY OF CRYSTAL

APPLICATION FOR APPOINTMENT TO THE
ENVIRONMENTAL QUALITY COMMISSION

Name Pamela L. Brooks Address 3510 Douglas Drive North Crystal 55422

Phone (home) 535-6203 (office) 927-3965

Resident of Crystal Since (year) 1990 (formerly 7 years in New Hope)

Occupation Director (management) Employer Park Nicollet Medical Center

Education: (please indicate highest grade completed or highest degree and major course of study) Presently a junior completing requirements for a degree in Business Administration.

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

Active member of Park Nicollet Medical Center's Corporate Volunteer Council, participating in:

- Adopt-a-High-Rise
- American Cancer Society Daffodil Days
- ARC Santa House
- Earth Day
- FAREShare
- Minnesota AIDS Project Walk-a-Thon
- Paint-a-Thon
- Toy/Food Drives

Financial contributor to Greenpeace

Actively participate through my church with Loaves and Fishes

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

While my qualifications and direct experience are limited, I am eager to learn and ready to work wherever I may be needed. I am anxious to become more directly involved with my community and am very committed to improving the quality of our environment in general.

I have always taken a keen interest in the earth on which we live--from the air we breathe, the water we drink and recreate on, to the plants and animals we share it with. I am most interested in preserving existing habitats as well as our natural resources and ensuring that our legacy to the future is one of enhancing the quality of all life.

Thank you for considering my application.

Pamela L. Brooks

Date Submitted: May 16, 1991

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

DATE: May 29, 1991
TO: Jerry Dulgar, City Manager
FROM: Bill Barber, Building Inspector
SUBJECT: 4403 Zane Ave. N.
Variance #91-11
Request of an 8' Variance to the Required 20' Side
Yard Side Street Setback

This property is located on the corner of 44th Ave. and Zane Ave. N. The property is 70' across the front which requires a 20' side street side yard setback. The applicant is requesting to build a 10' x 20' porch. This proposed addition will sit 8' into the required side yard. The back of the addition as you can see by the site plan would be even with the back of the house. The existing house is approximately 32' deep.

There is approximately 59'+ from the back of the house to the back property line. The screen porch could be built behind the house without needing a variance.

If you choose to recommend approval of this request, it would not affect the visibility on the corner, nor will it have any adverse effect on neighboring property since it will be on the side yard adjacent to the side street.

This is one of the requests that would be affected by the proposed setback change that I have proposed to have all side street side yard setbacks in an R-1 and R-2 district to be 10' regardless of the width of the lot.

Update from Planning Commission meeting on May 20, 1991

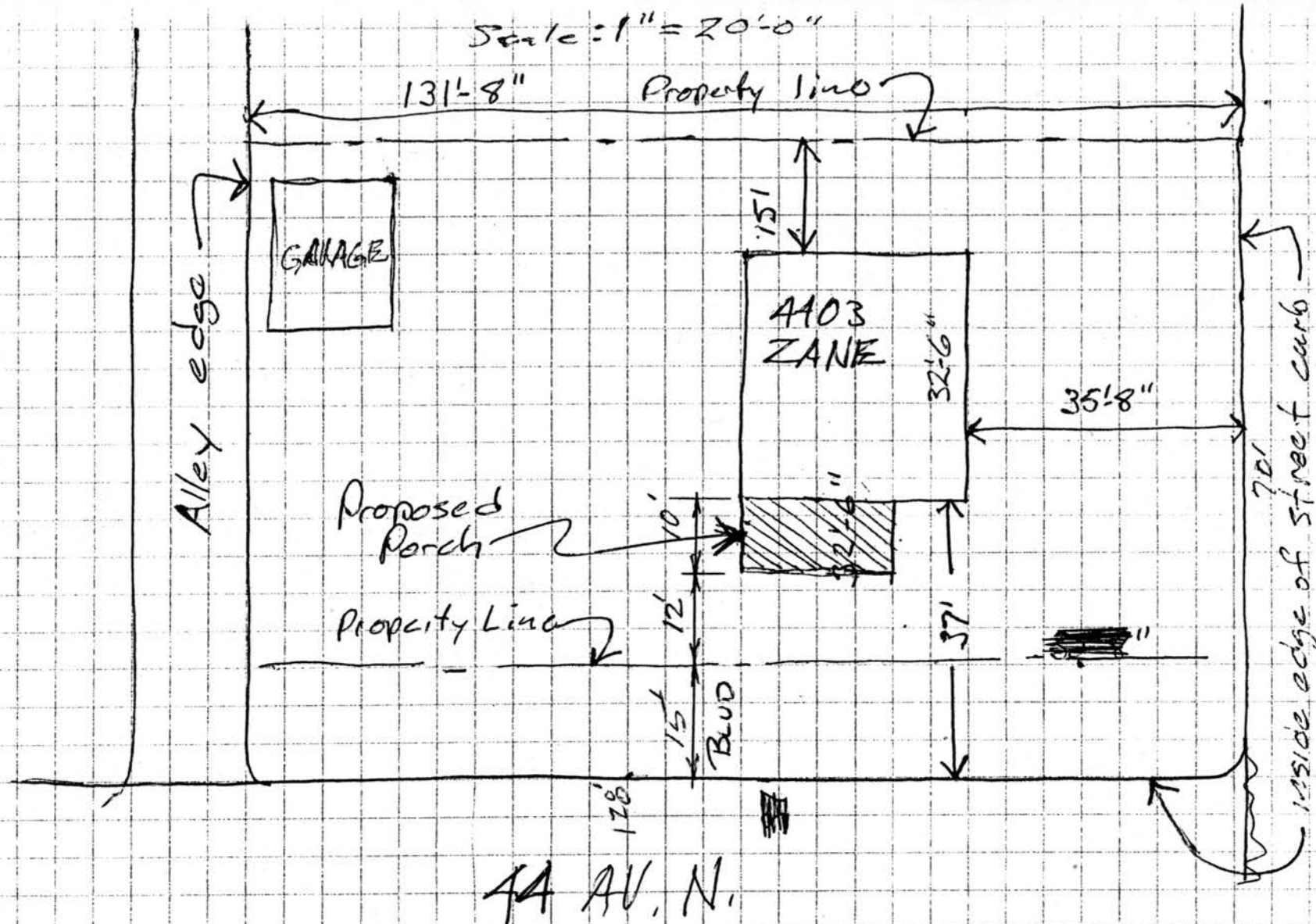
The Planning Commission considered the variance request of Judy Rice to build a 10'x20' porch to the south side of the house. The Planning Commission suggested building the porch out to the rear of the house with a wood walk along the south side back to the porch.

The Planning Commission recommended denial of the request based on the finding of facts that the applicant has not shown undue hardship as defined by State Statute and City Ordinance. They felt that there were alternatives. Passed on a 6-1 vote. Neither Judy Rice nor her contractor have been in contact with me regarding any alternative solutions.

kk 

N

Scale: 1" = 20'-0"



ZANE AV N.

DATE: May 29, 1991
TO: Jerry Dular, City Manager
FROM: Bill Barber, Building Inspector
SUBJECT: 4201 Kentucky Ave. N.
Variance #91-13
Requesting Permission to Install a 25' Ham Radio
Antenna in the Required 30' Front Yard Setback

This property is located on the corner of 42nd Ave. and Kentucky Ave. N. The front of the house faces 42nd Ave. but by definition of the Zoning Ordinance a lot front is the narrowest part of the lot facing a street. In this case the lot front is on Kentucky Ave. N. The house is currently located 30' off from Kentucky and 30' off of 42nd Ave. N. The applicant is requesting a 9' variance to install a Ham Radio antenna tower in the required front yard. As you can see by the enclosed drawing and at the time you visit the site that there are a number of large evergreen trees in the front yard. This will help to screen the antenna from the neighboring properties.

I have enclosed for your review a copy of a letter from Mary Stoffel of 4209 Kentucky Ave. N. which is the neighbor of Mr. and Mrs. Ron Mannix. She has been contacted by the Mannix's and has written this letter to inform you of her not having any objection to this installation.

I do not have a problem with this location due to the fact that it is well screened from adjacent neighbors and properties across the street and it should not have any adverse affect on neighboring properties. Mr. and Mrs. Mannix I'm sure will be present at the meeting to answer any questions. I also have drawings from them of the proposed tower should you have a need to review them.

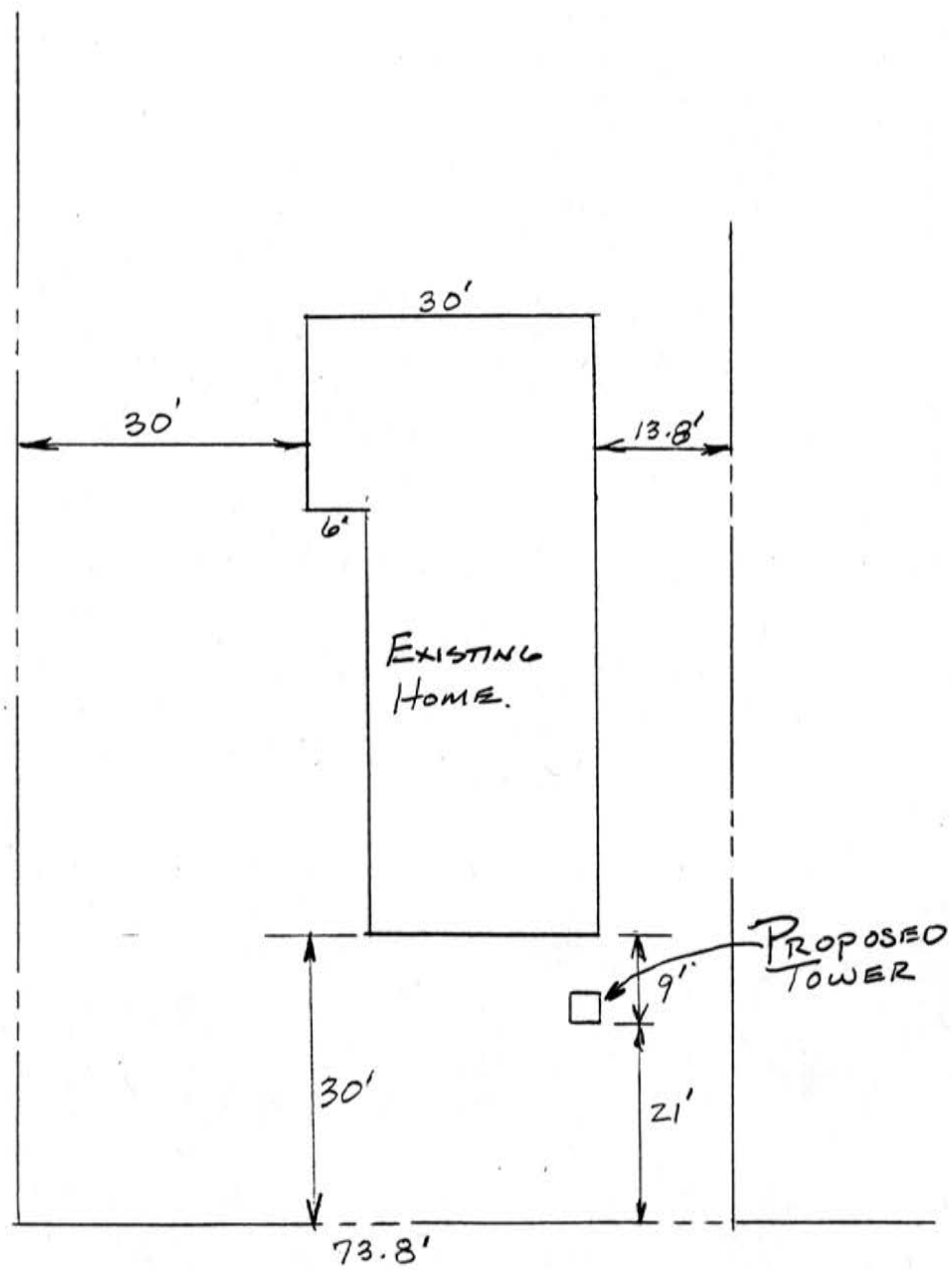
Update from Planning Commission meeting on 5/20/91

The Planning Commission considered the request of Ron and Mary Mannix to install a ham radio tower in the front yard. Their recommendation to approved was based on the fact that the tower is a structure which can be easily removed when the Mannix's no longer live there. They considered other possible locations but felt that the location proposed was the best.

The findings of fact were that the tower was well screened, free standing, and the tower could be considered temporary since it could be removed. The vote was 4-3 in favor.

kk





4209 Kentucky Ave.
Daphn, Tenn
April 22, 1991

City of Crystal
Building Inspector

Dear Sir,

I encourage & approve the
permit to Mr & Mrs Ron Mannix
to install the antenna on the
East side of their home. There
has been no interference to
any of my electrical appliances.

Sincerely
Mary F. Stoffel

April 18, 1991

City of Crystal
Building Inspector

Dear Sir:

Due to the position of our house on our property we inadvertently dug a hole for our Ham Radio antenna in what we thought to be our side yard. Our garage, main entrance, basically, the whole front of my house faces 42nd ave. For that reason I guess we wrongly assumed that that is the front of our house and, therefore, we dug the hole in what we thought is the side yard of the house.

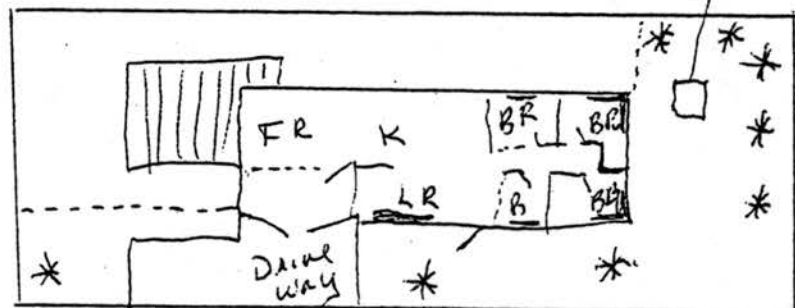
The reason we choose this spot was so the antenna would blend into the landscape and tree line and not be close to any overhead wires. It is not next to any house and in the least obtrusive place on our property.

For these reasons we are asking to be allowed to leave the antenna in the spot we have placed it.

Sincerely,

Ron Mannix
Mary Mannix

Ron & Mary Mannix
4201 Kentucky Av. N
Crystal, Mn 55428



* - Trees

H/533-0136

W/474-3264

DATE: May 31, 1991
TO: Jerry Dulgar, City Manager
FROM: William Monk, City Engineer
SUBJECT: Stop Sign Petition

A petition has been received (copy attached) from seven residents in the area of 47th and Louisiana Avenues requesting the existing 2-way stop in this intersection be changed to a 4-way stop. It is my understanding that the intent of the request is to slow traffic and increase safety for area school children.

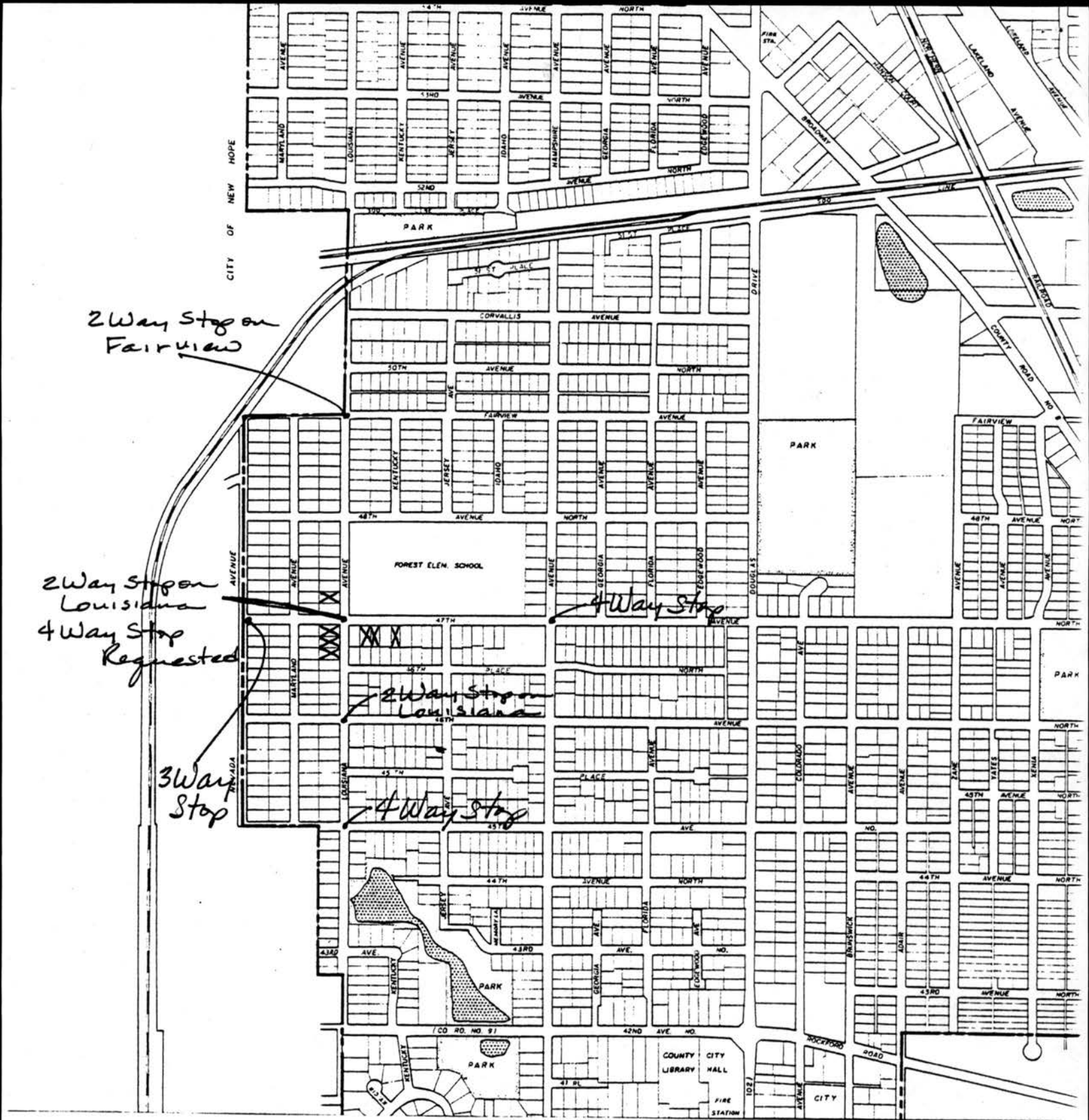
At this point I feel obligated to restate my position that stop signs are not a quick fix for speed control. There is no substitute for enforcement of the speed limit by police. Further, stop signs cannot substitute for physical pedestrian improvements such as sidewalk. These items were very thoroughly discussed as part of the recent MSA designation process during which 32 stop signs were removed.

This said, I can now report that a 4-way stop at the intersection of 47th and Louisiana Avenues is consistent with the traffic control map being prepared by the Engineering Department. Both streets are part of Crystal's MSA system and represent area collectors. Where collectors intersect and neither is considered the primary route, a 4-way stop is appropriate for traffic control.

While I do not agree with the reasons for the request, this office recommends a 4-way stop be installed at the intersection of 47th and Louisiana Avenues.


WM:mb

Encl.



* FORMAL PETITION FOR A STOP SIGN AND CRIME WATCH
SIGN ON THE CORNER OF LOUISIANA AND 47TH AVENUE

NAME

Douglas DeCarlo *

Molly Seilly

John Angel

Kim Knight

Hope Myhr

James Ruddy

Donald Roening

Wayne Ren

ADDRESS

4649 LOUISIANA AVE. N.

4641 Louisiana Ave N.

4657 Louisiana Ave N

7019 - 47th Ave N

7013 47 Ave N.

7001 - 47th Ave N.

4709 Louisiana Av N.

Principal - Forest School.



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

ADMINISTRATIVE OFFICE

May 21, 1991

Douglas DeCarlo
4649 Louisiana Avenue North
Crystal, Minnesota 55428

Dear Mr. DeCarlo:

I have received your petition for a stop sign at Louisiana and 47th Avenues. Presentation of the request to the City Council is scheduled for June 4, 1991. As the staff report is completed, it will be forwarded to you so you have all informational data in hand prior to the meeting. At this point, I am assuming your request involves changing the existing two-way stop sign on Louisiana to a four-way stop as the street intersects 47th Avenue.

Please note that your request for a crime watch sign has been referred to the Police Department. You will be contacted in the near future about the procedures involved in establishing a crime watch neighborhood.

Sincerely,

William Monk
Public Works Director

WM:js



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

ADMINISTRATIVE OFFICE

May 23, 1991

Mr. Wallace Kenneth
5101 Lincoln Drive
Edina, MN 55436

Dear Mr. Kenneth:

Because Hennepin County needs to be notified soon if the parking inset adjacent to your apartment complex is to be constructed, the Council reviewed the issue at its last meeting even though you were not in attendance. The Council acted to approve the parking inset if you, as abutting property owner, agree to pay 100% of the costs incurred by this additional construction. Should, instead, you wish to request a different financing arrangement, the item will be put on the June 4 agenda. A final decision must be made by early June if this item is to proceed to construction.

Please let me know how you wish to proceed.

Sincerely,

William Monk
City Engineer

WM:mb

DATE: May 13, 1991
TO: Jerry Dulgar, City Manager
FROM: William Monk, City Engineer
SUBJECT: Plan Modification on Medicine Lake Road

I have been approached by the owner of the Douglas Court Apartments about constructing a parking inset area on the north side of Medicine Lake Road adjacent to the multi-family complex. The owner's intent is to provide a limited number of parking spaces outside the flow of traffic given the prohibition of street parking when the County's reconstruction project is complete. The apartment office area is directly accessible from the proposed parking area.

The proposed plan modification does not appreciably change the lengths of curb & gutter or sidewalk already included in the project. However, some cost would be incurred in extra grading and street construction work. At present, the feasibility study calls for assessment of curb & gutter and sidewalk costs to abutting property owners. In discussing this matter with the owner, it is evident he does not think any assessments to this property are in order given the curb and sidewalk installed by the owner when the apartment buildings were constructed and taxes paid over the years.

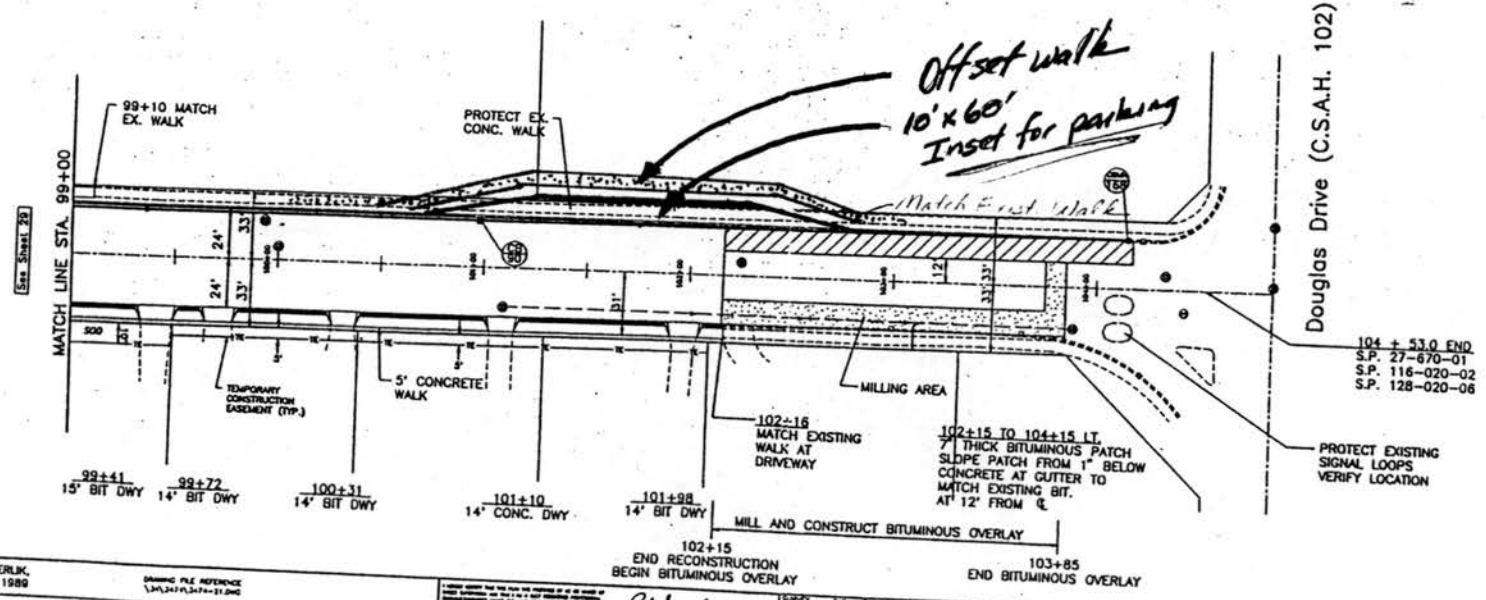
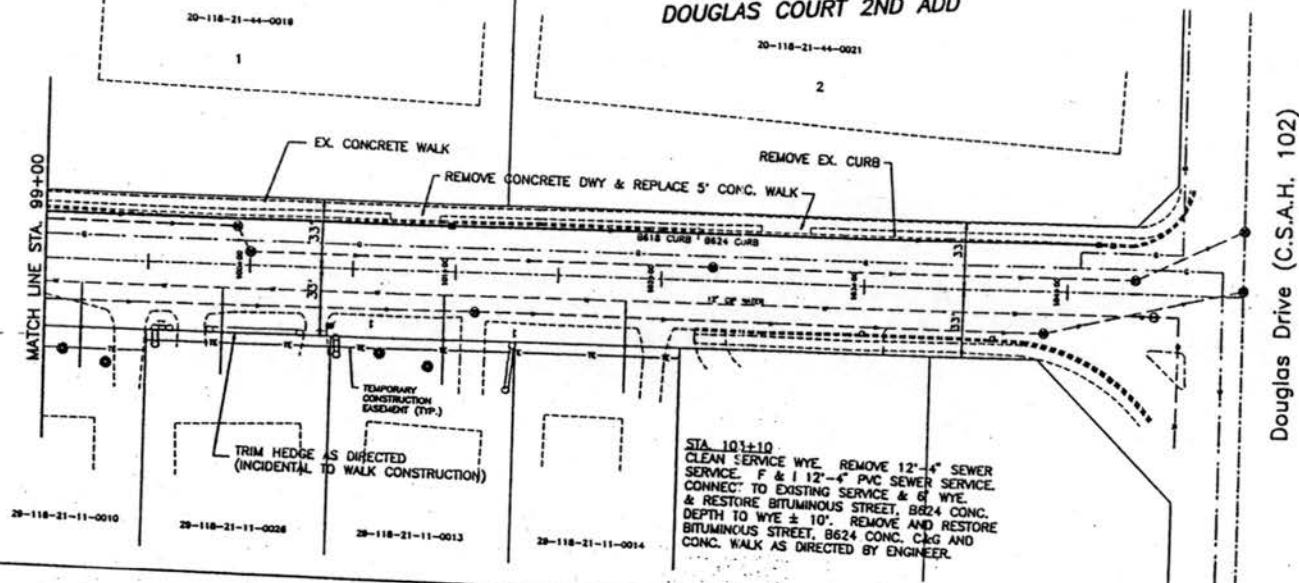
From an engineering viewpoint, the parking inset can be constructed rather simply. Hennepin County has given preliminary approval to this item as long as Crystal covers all additional cost items. Rough estimates of the work items involved total \$2,500. Before proceeding any further, the Council must consider a formal plan modification for the parking inset.

In making any motion on this item, a decision regarding the assessment of costs associated with this work must be addressed. In most instances, special project costs are assessed back to benefited property owners unless there is some overriding general purpose to the particular work item. In this case, the general purpose is questionable. If the Council proposes to assess the abutting property for the benefit of the parking lane, approval should be conditioned upon execution of an agreement to that effect being signed by the property owner. The property owner making the request has been invited to the Council meeting to allow a full discussion of this item.


WM:mb

DOUGLAS COURT ADD

DOUGLAS COURT 2ND ADD



BONESTROO, ROSENE, ANDERLIK,
AND ASSOCIATES, INC. 1989

GRAPHIC FILE REFERENCE
134,241,242,243-21 DWY



HOLMES & GRAVEN

CHARTERED

470 Pillsbury Center, Minneapolis, Minnesota 55402

Telephone (612) 337-9300

Facsimile (612) 337-9310

DAVID J. KENNEDY

Attorney at Law

Direct Dial (612) 337-9232

May 31, 1991

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

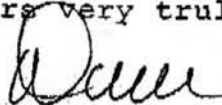
Re: Resolution for Denial of Variance Applications 91-7 and 91-8

Dear Darlene:

Enclosed find a draft resolution of denial for variance applications 91-7 and 91-8, together with Bill Barber's memo of April 30.

The Council should review this carefully to see that it accurately sets forth the judgments expressed by the members at the May 7 meeting. If any changes are necessary they can be made at the meeting on Tuesday.

Yours very truly,



David J. Kennedy

DJK:caw

Enclosure

cc: Jerry Dulgar

RESOLUTION NO. 91-_____

RESOLUTION DENYING VARIANCE
APPLICATION FOR PROPERTY AT 5231
DOUGLAS DRIVE IN THE CITY

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

Section 1. Background: Findings.

1.01. The City has received application for two variances at property located at 5231 Douglas Drive North. Application 91-7 requests the expansion of a non-conforming structure by permitting construction of an addition to an existing structure to be located within 6.4 feet from the side property line rather than the required 22 feet. Application 91-8 requests the construction of a curb cut 27 feet from a two-way street intersection rather than the required 50 feet.

1.02. The applications were reviewed by the Planning Commission which, after conducting a public hearing, approved the applications but without specific findings of fact for the approval.

1.03. The applications were considered by the City Council at a regular meeting on May 7, 1991. At that meeting the Council reviewed the recommendation of the Planning Commission, and the reports of the City Building Inspector, including the detailed proposals for the construction of an addition to the existing structure that contemplated the variances applied for. The Council also heard testimony from the applicant concerning the reasons for the application.

1.04. The City Council also recognizes and discussed at the May 7, 1991 meeting the fact that the Council had, on October 2, 1990, ordered the removal of the existing structure because of the hazardous conditions associated with the existing structure under the authority granted by Minnesota Statutes, Section 463.15 to 463.26.

1.05. The Council further recognizes that it is the policy of the City as expressed in Crystal City Code, Appendix I Zoning, Subsection 515.05 that non-conforming structures be brought into conformance and that non-conforming structures and uses not be expanded or intensified.

1.06. The Council after full consideration of all the facts presented to it by City staff, the Planning Commission and the applicant, finds and determines as follows:

- (i) the applicant's request for the variances are not based upon undue hardship within the meaning of the law or City ordinances;
- (ii) the requests for the variances are based on economic considerations alone and the property in question can be put to reasonable use if used under the conditions allowed by the zoning ordinance;
- (iii) there is no factual justification for the side yard variance requested or the curb cut variance and the granting of the variances would have an adverse effect on the public health, welfare and safety;
- (iv) the variances, if granted, would permit a level of intense use of the property out of keeping with the essential character of the surrounding property; and
- (v) the granting of the variances would not be in keeping with the spirit and intent of the zoning ordinance or the comprehensive municipal plan of the City.

Sec. 2. Orders: Miscellaneous.

2.01. Variance applications No. 91-7 and 91-8 are denied.

2.02. The City Clerk is authorized and directed to transmit a certified copy of the resolution to the applicant.

Mayor

Attest:

Clerk

Crys7:RES91-04.

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.

Post-It™ brand fax transmittal memo 7671		# of pages >
To: Dave Kennedy	From: Bill Barber	
Co.	Co. City of Crystal	
Dept.	Phone # 537-8421	
Fax # 337-4310	Fax # 537-3279	

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

MEMORANDUM

TO: DETECTIVE DAN DRAKE AND CHIEF JAMES MOSSEY

FROM: NANCY R. VANDERHEIDER *NRV*

DATE: May 14, 1991

SUBJECT: TRESPASSING ORDINANCE

Steve Tallen and I have discussed the trespassing ordinance at some length and basically agree on all the language. However, the period of time that the prohibition from entering the property is effective has been the subject matter of several discussions between Steve and myself. Our conclusion is that the determination of the length of time that the prohibition should be effective is a policy decision to be made by the City Council and not one to be made by either of us. Therefore, we submit the language to you and the Council for a decision regarding the period of time.

cc: Paul Rosenthal
Peter MacMillan

Subd. 1 On any premises privately owned but open to the use of the general public, no person shall remain on said premises after having been requested to leave by the owner of said premises, an authorized representative of the owner, or any other person or entity entitled to possession of the premises.

Subd. 2 On any property privately owned but open to the use of the general public, no person shall return to said property after receipt of a written notice of trespass from the owner, an authorized representative of the owner, any other person or entity entitled to possession of the premises, or law enforcement official, which notice prohibits them from returning to said premises. Such prohibition shall be effective for two years from the date the written notice was served.

The written notice under this Subd. 2 shall be personally served upon the party prohibited from entering the property and an affidavit of service shall be executed at the time of service. No prosecution shall be maintained under Subd. 2 of this section unless the property owner or other complaining party can produce a copy of the notice of trespass and a signed affidavit of service.

March 25, 1991

Dave Kennedy, City Attorney
Holmes & Graven, Chartered
470 Pillsbury Center
Minneapolis, Minnesota 55402

Re: Trespass Letter and Related City Ordinance

Dear Dave:

Attached is a copy of a letter our police department received from Rosenthal, Rondoni, MacMillan & Joyner, Ltd., regarding the City Ordinance relating to trespassing. Please review and prepare necessary ordinance amendment for council consideration. I spoke with Jim Mossey this morning and he asked that I forward this to you.

If you have any questions or need any further information, contact Mr. Mossey. When I receive information back from you I will place it on the council agenda.

Sincerely,

Darlene George, CMC
City of Crystal

DG/js

enclosure

cc: Jim Mossey, Police Chief

ROSENTHAL, RONDONI, MACMILLAN & JOYNER, LTD.

ATTORNEYS AT LAW

SUITE 120

7600 BASS LAKE ROAD

MINNEAPOLIS, MINNESOTA 55428-3891

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

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

March 19, 1991

Officer Daniel T. Drake
Crime Prevention Officer
Crystal Police Department
4141 Douglas Drive North
Crystal, Minnesota 55422-1696

Re: Trespass Letter and Related City Ordinance

Dear Dan:

After having reviewed the information submitted to us by you in your February 8, 1991, letter, we have drafted a proposed City Ordinance and have some suggested language to include in the trespass letter.

In the trespass letter we suggest that rather than prohibiting persons from returning to Shopping Center property who have been arrested for any reason, it would be more useful to limit that language to "prohibiting persons who have been arrested for suspicion of criminal activity occurring at the Shopping Center". This language accomplishes the purpose of the letter which is to prohibit shoplifters and other undesirables from returning to the Shopping Center and allows you to pursue suspects off the premises of the Shopping Center for an arrest and still be able to serve them with the letter. In addition, we would also suggest that the person being served with the letter either sign an acknowledgment of receipt of the letter or, if they refuse to sign the acknowledgment, have an affidavit of service showing that the letter was served on the person so that there will be no doubt that they did receive written notice prohibiting them from returning to the Shopping Center property. Another addition to the letter is a time limitation of five years.

Finally, we would suggest that you change the letter to read that the persons will be subject to arrest for trespassing under Crystal City Code Section 2005 which makes it a misdemeanor crime for any person receiving this written notice to return to the Shopping Center property. Attached you will find a copy of the letter incorporating these suggested changes.

In addition to the letter, we have also drafted a proposed Ordinance which could be included under Section 2005 of the

Officer Daniel T. Drake
March 19, 1991
Page Two

Crystal City Code for specific provisions regarding misdemeanors. The heading would be "Trespass" and incorporates the provisions of the letter. A draft of the proposed City Ordinance is attached along with the trespass letter for your information.

After you have had a chance to review both the trespass letter and the proposed City Ordinance, please feel free to call and discuss any problems or questions you may have with either proposal.

Sincerely yours,

ROSENTHAL, RONDONI, MacMILLAN & JOYNER, LTD.

Nancy R. Vanderheider
Nancy R. Vanderheider

NRV/kgp
Enclosures

_____, 19__

The merchants of the Crystal Shopping Center have established a joint policy of prohibiting persons from returning to the Shopping Center who have been arrested on suspicion of criminal activity occurring on the Shopping Center property. This prohibition will be enforced for five years from the date of conviction for the activity for which you were arrested.

----- you were arrested on
----- for the act of _____. This
letter will serve as notice that if you return to the Crystal Shopping Center you will be subject to arrest for trespassing under Crystal City Code Section 2005. which makes it a misdemeanor crime for any person receiving this written notice to return to the Shopping Center. The Shopping Center personnel will notify the Crystal Police and you will be arrested for trespassing.

A copy of this letter will be kept at the Crystal Police Department along with your picture. Please be advised that your return to the Crystal Shopping Center will constitute a trespass as set forth above. This area includes all stores and parking areas in the Crystal Shopping Center. The Crystal Police Department has been given permission to enforce these notices by all of the merchants in the Shopping Center.

(List of merchants in the Shopping Center.)

Acknowledgment of Receipt of This Written Notice

I, _____, who was arrested on
_____, for the act of _____
_____ have received the written notice
herein informing me that if I return to the Crystal Shopping Center within the next five years I will be arrested for trespass under the Crystal City Code.

Dated this _____ day of _____, 1991.

§2005 - Misdemeanors - Specific Provisions

TRESPASS - It is unlawful for any person to return to a business establishment who has received written notice from any merchant or group of merchants or from a law enforcement agency prohibiting them from returning to the premises of that business establishment after arrest on suspicion of criminal activity occurring at that business or on its premises. Such prohibition will be enforced for five years from the date of conviction for the activity for which such person was arrested. For purposes of this section, "premises" includes the interior and exterior of the business establishment, including all attached sidewalks and parking lots.

DATE: May 30, 1991
TO: Jerry Dulgar, City Manager
FROM: William Monk, City Engineer
SUBJECT: 1991 Curb & Gutter and Sidewalk Repair Program

For quite a number of years, Crystal has conducted a curb & gutter/sidewalk replacement program in conjunction with its annual seal coat project. This program is performed as a maintenance operation and financed within the Infrastructure Fund.

Bids for the 1991 Program were opened on May 28. The results are fully noted in the attached bid tabulation. The low bid was received from Advanced Concrete, Inc., in the amount of \$13,727.50. This contractor has worked in Crystal on a number of previous projects.

It is recommended that Advanced Concrete, Inc., be awarded the bid for Project 91-5 by approval of the attached resolution. I will be prepared to review this item further on Tuesday night.



WM:mb

Encl

RESOLUTION NO. 91-

RESOLUTION AWARDDING CONTRACT FOR
SIDEWALK AND CURB & GUTTER REPAIR NO. 91-5

WHEREAS, the City of Crystal did advertise for bids for the Sidewalk and Curb & Gutter Repair No. 91-5, and

WHEREAS, such bids were received and publicly opened on May 28, 1991, and tabulated as follows:

Advanced Concrete, Inc.	\$ 13,727.50
DNCON, Inc.	\$ 15,766.00
Gunderson Brothers	\$ 18,029.50
Curb Masters, Inc.	\$ 18,727.50
Victor Carlson & Sons	\$ 19,969.00
Advanced Contractors	\$ 23,245.00

NOW, THEREFORE, BE IT RESOLVED that the City of Crystal hereby awards the contract for the Sidewalk and Curb & Gutter Repair No. 91-5 to Advanced Concrete, Inc. in the amount of \$13,727.50, and

BE IT FURTHER RESOLVED that the Mayor and City Manager be authorized to sign such contract.

Adopted by the Crystal City Council this 4th day of June, 1991.

Mayor

ATTEST:

City Clerk

CITY OF CRYSTAL
 BID TABULATION SHEET
 SIDEWALK AND CURB & GUTTER REPAIR NO. 91-5
 BID OPENING MAY 28, 1991

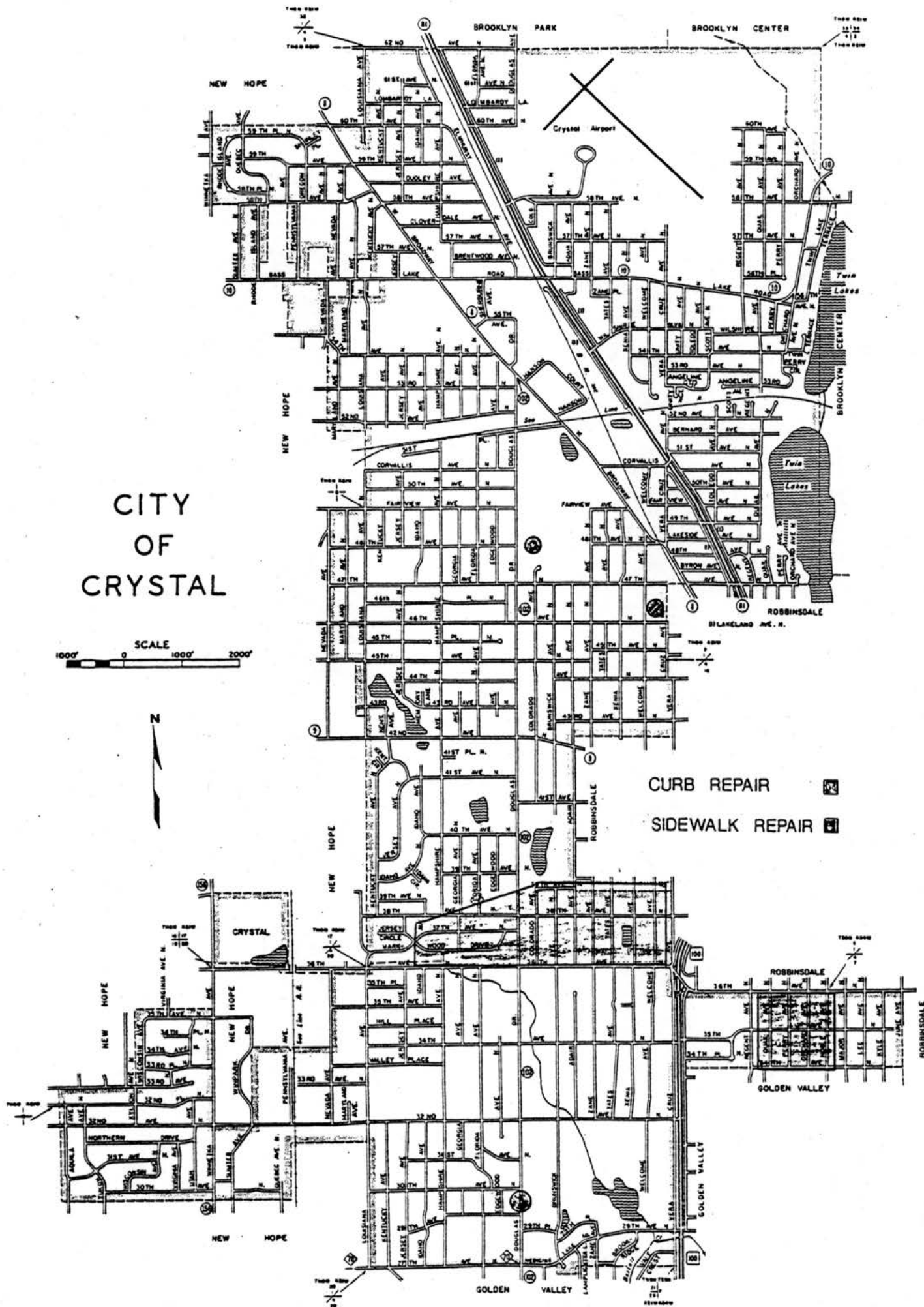
	ADVANCED CON- CRETE, INC.		DNCON, INC.		GUNDERSON BROTHERS		CURB MASTERS, INC.	
SIDEWALK REPAIR	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1 95 Sq.Ft. Remove Conc. SW	0.50	47.50	1.95	185.25	0.60	57.00	1.00	95.00
2 130 Sq.Ft. 4" Conc. SW	3.00	390.00	4.50	585.00	2.00	260.00	3.00	390.00
3 10 Sq.Yd. Bituminous Blvd.	10.00	100.00	41.00	410.00	20.00	200.00	20.00	200.00
CURB & GUTTER REPAIR								
1 1065 Lin.Ft. Remove Conc. C&G (incl. Root Removal)	3.00	3195.00	2.05	2183.25	4.00	4260.00	5.00	5325.00
2 10 Sq.Yd. Remove Concrete Driveway Pavement	5.50	55.00	10.00	100.00	4.50	45.00	10.00	100.00
3 10 Lin.Ft. Saw Concrete Curb 10 Lin.Ft.. Saw Concrete	5.00	50.00	3.00	30.00	5.00	50.00	5.00	50.00
4 Driveway Pavement	5.00	50.00	3.00	30.00	5.00	50.00	5.00	50.00
5 860 Lin.Ft. Concrete Curb & Gutter Design S512	9.00	7740.00	11.00	9460.00	12.00	10,320.00	11.50	9890.00
6 165 Lin. Ft. Concrete Curb & Gutter, Design B618	9.00	1485.00	11.50	1897.50	12.50	2062.50	11.50	1897.50
7 10 Lin. Ft. Concrete Curb & Gutter, Design B624	9.50	95.00	12.00	120.00	14.00	140.00	11.50	115.00
8 30 Lin. Ft. Concrete Curb & Gutter, Design B612	9.00	270.00	11.00	330.00	12.00	360.00	11.50	345.00
9 10 Sq.Yd. 6" Concrete Driveway Pavement	25.00	250.00	43.50	435.00	22.50	225.00	27.00	270.00
GRAND TOTALS		\$13,727.50		\$15,766.00		\$18,029.50		\$18,727.50

CITY OF CRYSTAL
 BID TABULATION SHEET
 SIDEWALK AND CURB & GUTTER REPAIR NO. 91-5
 BID OPENING MAY 28, 1991

		VICTOR CARLSON & SONS		ADVANCED CONTRACTORS	
SIDEWALK REPAIR		UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	95 Sq.Ft.Remove Conc.SW	0.85	80.75	3.00	285.00
2	130 Sq.Ft. 4" Conc.SW	2.90	377.00	4.00	520.00
3	10 Sq.Yd.Bituminous Blvd.	15.00	150.00	20.00	200.00
CURB & GUTTER REPAIR					
1	1065 Lin.Ft. Remove Conc. C&G (incl. Root Removal)	6.00	6390.00	9.00	9585.00
2	10 Sq.Yd. Remove Concrete Driveway Pavement	15.00	150.00	14.00	140.00
3	10 Lin.Ft. Saw Concrete Curb	7.00	70.00	6.00	60.00
4	10 Lin.Ft.. Saw Concrete Driveway Pavement	7.00	70.00	6.00	60.00
5	860 Lin.Ft. Concrete Curb & Gutter Design S512	11.50	9,890.00	11.00	9460.00
6	165 Lin. Ft. Concrete Curb & Gutter, Design B618	12.25	2021.25	13.00	2145.00
7	10 Lin. Ft. Concrete Curb & Gutter, Design B624	13.00	130.00	15.00	150.00
8	30 Lin. Ft. Concrete Curb & Gutter, Design B612	12.00	360.00	12.00	360.00
9	10 Sq.Yd. 6" Concrete Driveway Pavement	28.00	280.00	28.00	280.00
GRAND TOTALS			\$19,969.00		\$23,245.00

CITY OF CRYSTAL

SCALE
1000' 0 1000' 2000'



DATE: May 31, 1991
TO: Jerry Dulgar, City Manager
FROM: William Monk, City Engineer
SUBJECT: Storm Water Utility

While I am reluctant to propose a new user fee given the state of the economy and the tax situation, the recent rain has been a painful reminder of the serious need for work on our storm water system. This work does not include major extensions or enlargements of current systems, but instead, involves pond dredging, pipe and catch basin reconstruction, and miscellaneous projects to improve flow and minimize flooding. Preparation of the State mandated storm water management plan would also be funded by the utility fund. There is no question that existing City funds currently used to finance this type of work cannot support the necessary level of improvements.

The City Council approved the first reading of the attached ordinance on February 5. Since then, staff has been working on the details of implementation. Given current workloads and projects in progress, if approved, it is proposed to implement the utility effective January 1, 1992.

As directed in February, an article regarding this item was placed in the last City newsletter and elicited a limited number of responses from residents. It should be noted a number of area cities are considering adoption of a storm water utility. Robbinsdale, New Hope and Brooklyn Center already have this utility in place.

I will be prepared to review this item, including the funding mechanism, with the Council on Tuesday.



WM:mb

Encl

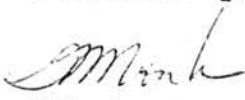
DATE: January 24, 1991
TO: Jerry Dulgar, City Manager
FROM: William Monk, City Engineer
SUBJECT: Storm Water Utility

In recent years, Crystal has financed drainage related operational and improvement projects using revenue from the Infrastructure Fund, Sanitary Sewer Enterprise Fund, General Fund and property assessments. This unstructured approach has caused the City to scramble for funds to cover storm water work items on a somewhat regular basis. Further, this practice has often caused problems with tracking storm sewer related costs and establishing any type of capital improvement program. With this in mind, I am recommending Crystal consider establishment of a storm water utility consistent with provisions of MN State Statute.

As outlined in the attached engineering article, a storm water utility operates identical to our existing sewer and water funds. For storm sewer, fees are based on land use as it relates to impervious surface and property size. In reviewing a number of cities that already operate a storm water utility, a base rate of \$13.00 per acre is recommended as the initial fee. This rate translates to a \$2.25 quarterly charge per single family residential lot. The full fee schedule is outlined in the attachment to the enclosed resolution.

It is anticipated the fee structure as proposed will generate between \$100,000 to \$150,000 per year. In 1992, a storm water budget would be prepared detailing operational expenses as well as capital expenditures. Such utility funds would give Crystal a funding source to cover major expenditure items that will include preparation of a storm water management plan (mandated by the State), dredging of water holding ponds, numerous storm water system improvements and watershed management commission annual fees. Additionally, Crystal will be able to build a reserve to handle system expansions and anticipated regulations on water quality issues without relying on project assessments.

In this time of tight budgets, municipalities must look to cover operational and capital costs with a revenue source that is both equitable and related to the work item. Utility charges represent the fairest method of handling sanitary sewer, water and storm sewer expenditures. I recommend adoption of the attached storm water utility ordinance and related resolution on the fee schedule. If approved, an article will be placed in the newsletter outlining the program in anticipation of resident/business questions regarding this new utility fee.


WM:mb
Encl

Newsletter Article

STORM WATER UTILITY

Crystal has long used a wide variety of funding sources to operate and upgrade its storm water collection system. As funding sources have become scarce, however, federal and state mandates regarding water quality, sediment control and wetland protection are becoming more stringent. This increase in regulations, along with everyday operations to maintain existing systems, is having a severe impact on city budgets state-wide. Many cities, including Crystal, are considering adoption of a storm water utility as the most equitable way of covering system costs. As with the existing sanitary sewer and water utilities, a service charge is billed quarterly based on a property owner's use of the system. Use, in this instance, would be based on contributing flow which is a factor of lot size and the amount of hard surface. The base rate being considered for initiation of the program is \$13 per acre, which translates to a quarterly charge of \$2.25 per single family residence. Revenue generated by this charge would be deposited in a separate utility fund and used as part of the approved annual budget for items related to the storm water system.

The City Council will be considering the storm water utility concept within the next 60 days. If adopted, charges would probably become effective the first of June or July. If you have questions regarding this proposal, feel free to contact the Engineering Department at 537-8421.

Utility provides creative surface water financing

Paying for storm water (drainage) projects has become more complex with increasing demands on city general funds and court challenges to special assessments.

While traditional funding sources are becoming less viable, the costs related to water quality management and wetland protection continue to rise. With increasing frequency, municipalities are turning to a utility or user charge to finance water management projects. *The utility approach is gaining recognition as the most equitable way to finance surface water projects.*

What is a utility?

A utility is a service charge based on a property's contribution of water to the drainage system. A surface water management utility is a method of financing water quantity and quality projects. The utility is based on the premise "users pay."

A quarterly fee is typically charged against all developed parcels within a city. The fee is based on how much rain runs off into streets, ditches, ponds and lakes rather than soaking into the ground.

This consistent and dependable revenue source provides the means to manage surface water drainage and water quality without increasing property taxes or using controversial assessments. The utility charge is not associated with property value or property taxes. All properties can be subject to the utility charge, including tax-exempt parcels and "city-owned" lands.

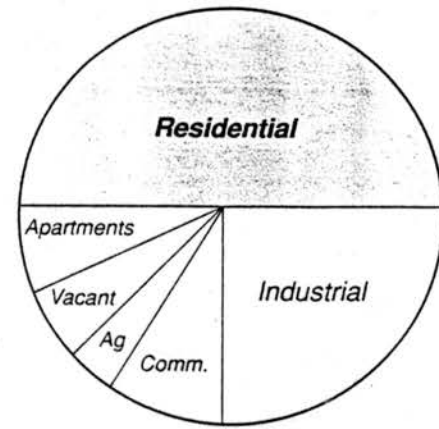
What are the benefits?

The utility benefits the community by providing a dedicated fund for surface water management activities, including planning and inventories, capital expenditures, personnel and equipment, and administration of the utility. *The utility provides a continuous source of revenue for surface water management without competing with the general fund.*

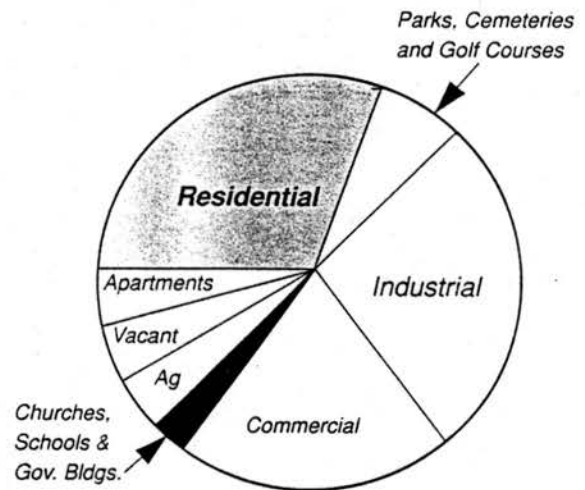
The benefits associated with surface water management include the following:

- Flood control
- Improved lake water quality
- Wetland protection
- Erosion and sediment control
- Enhanced recreational opportunities
- Drainage system maintenance
- Community education

Administration of the utility involves developing quarterly rates based on funding needs; determining the means of billing and collections, including software and



General Taxes



Utility Funding

The pie charts demonstrate the difference a utility can make in generating revenue.

equipment needs; determining responsible parties to monitor program implementation; and soliciting comments from legal and financial advisers.

How is a utility established?

The legal basis for the utility should be an ordinance. The ordinance establishes the utility and outlines calculation of storm drainage fees; credit system and appeals; exemptions; fee payment; city policy; and supporting computations.

The utility concept will succeed if it has public understanding and support. *It is important to recognize that development adds to existing drainage problems.* The property owner on a hill has, by converting natural ground cover into streets, concrete and rooftops, increased storm water runoff. This increase contributes to the drainage problem of neighbors in low-lying areas. Because the property owner on the hill has contributed to the drainage problem, he or she should also contribute to the cost of correcting the problem.

STORM DRAINAGE UTILITY
RATE STRUCTURE

CLASSI- FICATION	LAND USES	AVE. % IMPERVIOUS	RESIDENTIAL EQUIVALENT FACTOR	RATE/QTR
1	Cemeteries Golf Courses	4%	0.25	3.25/ac
2	Parks with Parking Facilities	15%	0.75	9.75/ac
3	Single Family and Duplex Residential	25%	1.00	13.00/ac or 2.25/lot
4	Public and Private Schools Community Center	30%	1.25	16.25/ac
5	Multiple Family Residential, Churches and Governmental Bldgs.	50%	2.50 3.00	32.50/ac
6	Commercial, Industrial Warehouse	85%	5.00	65.00/ac
7	Improved Vacant	Varies	As Assigned	

NOTE

\$13.00/acre basic charge

Use 7,500 SF lot size for 5.8/lots/acre computes \$2.25/lot/qtr.

Section 725 - Storm Sewer System

725.01. Storm Sewer System: Statutory Authority. Minnesota Statutes, Section 444.075, authorizes cities to impose just and reasonable charges for the use and availability of storm sewer facilities ("charges"). By this section, the City elects to exercise such authority.

725.03. Findings and Determinations. In providing for such charges, the findings and determinations set out in this subsection are made.

(a) In the exercise of its governmental authority and in order to promote the public health, safety, convenience and general welfare, the City has constructed, operated and maintained a storm sewer system ("the system"). This section is adopted in the further exercise of such authority and for the same purposes.

(b) The system, as constructed, heretofore has been financed and paid for through the imposition of special assessments and ad valorem taxes. Such financing methods were appropriate to the circumstances at the time they were used. It is now necessary and desirable to provide an alternative method of recovering some or all of the future costs of improving, maintaining and operating the system through the imposition of charges as provided in this section.

(c) In imposing charges, it is necessary to establish a methodology that undertakes to make them just and equitable. Taking into account the status of completion of the system, past methods of recovering system costs, the topography of the City and other relevant factors, it is determined that it would be just and equitable to assign responsibility for some or all of the future costs of operating, maintaining and improving the system on the basis of the expected storm water runoff from the various parcels of land within the City during a standard one-year rainfall event.

(d) Assigning costs and making charges based upon typical storm water runoff cannot be done with mathematical precision but can only be accomplished within reasonable and practical limits. The provisions of this section undertake to establish a reasonable and practical methodology for making such charges.

725.05. Rates and Charges. Subdivision 1. Residential Equivalent Factor. Rates and charges for the use and availability of the system shall be determined through the use of a "Residential Equivalent Factor" ("REF"). For the purposes of this section, one REF is defined as the ratio of the average volume of surface water runoff coming from one acre of land and subjected to a particular use, to the average volume of runoff coming from one acre of land subjected to typical single-family residential use within the city during a standard one-year rainfall event.

Subd. 2. Determination of REF's for Land Uses. The REF's for the following land uses within the City and the billing classifications for such land uses are as follows:

<u>Land Uses</u>	<u>REF</u>	<u>Classification</u>
Cemeteries, Vacant	.25	1
Parks and Railroads	.75	2
Two-family residential	1.00	3
Single-family residential	1.00	4
Public and private schools and institutional uses, Airport	1.25	5
Multiple-family residential uses and churches	3.00	6
Commercial, industrial and warehouse uses	5.00	7

Subd. 3. Other Land Uses. Other land uses not listed in the foregoing table shall be classified by the City Manager by assigning them to the classes most nearly like the listed uses, from the standpoint of probably hydrologic response. Appeals from the City Manager's determination of the proper classifications may be made to the City Council in the same manner as other appeals from administrative determinations.

725.07. Establishing Basic Rate. In determining charges, the Council shall from time to time, by resolution establish a basic system rate to be charged against one acre of land having an REF of one. The charge to be made against each parcel of land shall then be determined by multiplying the REF for the parcel's land use classification times the parcel's acreage times the basic system rate.

725.09. Standard Acreage. For the purpose of simplifying and equalizing charges against property used for single-family and two-family residential purposes, each of such properties shall be considered to have an acreage of one-fifth acre.

725.11. Adjustments of Charges. The City Council may by resolution, from time to time, adopt policies providing for the adjustment of charges for parcels or groups of parcels, based upon hydrologic data supplied by affected property owners, demonstrating an actual hydrologic response substantially different from the REF being used for the parcel or parcels.

Such adjustment shall be made only after receiving the recommendation of the City Manager and shall not be made effective retroactively. If the adjustment would have the effect of changing the REF for all or substantially all of the land uses in a particular classification, however, such adjustment shall be accomplished by amending the REF table in Subsection 725.05, Subdivision 2.

725.13 Excluded Lands. No charge for system availability or service shall be made against land which is either (i) public street right-of-way or (ii) vacant and unimproved with substantially all of its surface having vegetation as ground cover.

725.15. Supplying Information. The owner, occupant or person in charge of any premises shall supply the City with such information as the City may reasonably request related to the use, development and area of the premises. Willful failure to provide such information or to falsify it is a violation of this subsection.

725.17. Estimated Charges. If the owner, occupant or person in charge of any premises fails or refuses to provide the information requested, as provided in Subsection 725.15, the charge for such premises shall be estimated and billed in accordance with such estimate, based upon information then available to the City.

725.19. Billings and Collections. Bills for charges for the use and availability of the system shall be rendered by the finance department in accordance with usual and customary practice in rendering of water and sanitary sewer service bills. Bills shall be rendered quarterly, shall be payable at the office of the City Finance Department and may be rendered in conjunction with billings for water or sanitary sewer service, or both.

725.21. Penalties and Remedies for Delinquency or Default in Paying Billings. Penalties and remedies for late payments or non-payment of billings shall be the same as those applicable to billings rendered for water and sanitary sewer service.

725.23. Use of Revenues. Revenues received from charges shall be placed in a separate storm sewer system account and shall be used first to pay the normal, reasonable and current costs of operating and maintaining the system. Revenues from time to time received in excess of such costs may be used to finance improvements to and betterments of the system.

RESOLUTION NO. 91- 8

RESOLUTION ESTABLISHING BASIC RATE FOR IMPROVING,
MAINTAINING AND OPERATING THE STORM SEWER SYSTEM
OF THE CITY OF CRYSTAL

WHEREAS, the City of Crystal has by ordinance provided for the imposition of charges for the use and availability of storm use facilities within the City, and

WHEREAS, such ordinance provides for the establishment of a basic rate, from time to time, by resolution of the City Council, with such basic rate to be charged against one acre of land having a Residential Equivalent Factor of one (1).

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

The initial basic system rate to be charged against one acre of land having a Residential Equivalent Factor of one (1) is Thirteen Dollars (\$13.00).

Adopted by the Crystal City Council this 5th day of
February, 1991.

Betty Herbes
Mayor

ATTEST:

Darlene George
City Clerk



Crystal LIONS CLUB

P.O. Box 22318
Robbinsdale, Minnesota 55422

May 6, 1991

*cc: Police Dept.
cc: Engineering Dept.
cc: Fire Dept.*

City Council
4141 Douglas Drive
Crystal, MN 55422


Dear Mayor and Council Members:

The Crystal Lions are planning a 4th of July celebration for the residents of Crystal. We are planning on having the Crystal Queens sell food, and the Lions sell beer. There will be fireworks free to all that attend provided by the Crystal Lions.

We are asking that the permit fee be waived for the beer on Thursday, July 4, 1991 from 4:00 P.M. to midnight. We also ask the permit fee for the Frolics Queens food concession be waived, which will operate at the same time. We will contact the Fire Department for the necessary permits to do fireworks that evening. I hope that the City staff will co-operate in closing Bass Lake Road during the fireworks at the councils direction.

Thanking you in advance for your anticipated co-operation for the 4th of July celebration, hosted by the Crystal Lions.

Sincerely


Ed Thonander
President

Memorandum

DATE: May 29, 1991
TO: Jerry Dulgar, City Manager
FROM: Darlene George, City Clerk *Darlene*
SUBJECT: One-Day Off-Site Lawful Gambling License
Elks Lodge #44
Becker Park
July 27, 1991

On May 7, 1991 the City Council approved a one-day off-site lawful gambling license for July 27, 1991 at Becker Park for Elks Lodge #44.

Upon sending the license application to the State Gambling Control Division, they were advised that an approving resolution from the local governing body is required.

Attached is that resolution. I recommend it be placed on the June 4 Council Agenda for approval.

RESOLUTION NO. 91-

RESOLUTION RELATING TO LAWFUL GAMBLING:
APPROVING CERTAIN PREMISES PERMITS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL AS
FOLLOWS:

WHEREAS, Minnesota Statutes, Chapter 349, as amended by Laws 1990, Chapter 590, provides that organizations licensed by the Charitable Gambling Control Board (Board) must also obtain from the Board a premises permit for the conduct of lawful gambling at a specific location. The Statute also provides that the premises permit will not be issued by the Board unless the organization submits a resolution of the City Council approving the premises permit, and

WHEREAS, Elks Lodge #44, 5410 Lakeland Avenue North, has submitted a premises permit for a one-day off-site lawful gambling event to be held at Becker Park, 6225 - 56th Avenue North, Crystal, Minnesota, on July 27, 1991,

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Crystal hereby approves such premises permit,

AND FURTHER, that the City Clerk is authorized and directed to supply a certified copy of this resolution to the applicant listed above.

Adopted by the City Council this 4th day of June, 1991.

Mayor

ATTEST:

City Clerk



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

ADMINISTRATIVE OFFICE

RESOLUTION NO. 91-

RESOLUTION ESTABLISHING DATES
FOR THE 1991 MUNICIPAL ELECTION

WHEREAS, elections in the City of Crystal are conducted in accordance with the general laws of the State of Minnesota and Chapter 4 of the City Charter, and

WHEREAS, Primary Elections are held on the second Tuesday in September and General Elections are held on the first Tuesday after the first Monday in November, and

WHEREAS, affidavits of candidacy and nominating petitions shall be filed not more than 70 days nor less than 56 days before the Primary,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Crystal that in the event 3 or more candidates file for the same office, the Primary Election will be held on September 10, 1991 and the General Election will be held on November 5, 1991,

AND BE IT FURTHER RESOLVED that filing dates for candidacy will open on July 2, 1991 and close on July 16, 1991.

Adopted by the Crystal City Council this 4th day of June, 1991.

Mayor

ATTEST:

City Clerk

Memorandum

DATE: May 31, 1991
TO: Mayor and City Councilmembers
FROM: Jerry Dulgar, City Manager
SUBJECT: Local #44 LELS Contract

There are only minor changes in the contract between Local #44 and the City of Crystal. Those contract changes are as follows:

Section 7.7, Page 9, Second Paragraph: The words Personnel Rules and Regulations are substituted for Civil Service.

Page 14, Article 18, Insurance: Two hundred forty-five dollars is substituted for \$220.

Page 20, Article 29, Wage Rates: All of the wage rates are adjusted 4 percent with the exception of the Corporals and there is a slight reduction in that adjustment. In addition, the Investigators and Corporals are listed along with the rest of the wage rates instead of as separate paragraphs. However, in the future we do plan to negotiate on the Top Patrol rate or the 3131 as we have in the past and to continue to adjust the Corporals differential as they are overpaid compared to other Corporals in the metropolitan area.

Those are the only changes in the contract and I would recommend your approval.

JD/js

M E M O R A N D U M

DATE: May 30, 1991
TO: Mayor and Councilmembers
FROM: *MF* Mary Fandrey, Public Health Sanitarian
SUBJECT: Licensing of Non-profit Daycare Programs

Our department received a request for approval of a special needs (children at risk for abuse) daycare center. The proposed center would be located in Thorson Center and is called the REAL Program. The Center will be operated by a non-profit corporation (registered under 501c(3)) called Family Network.

Crystal's Public Health Code requires a food establishment license for the food service.

Under Section 610.63, Fee Exemptions and License Required, the specific situation of non-profit daycares is not addressed (pertinent section enclosed).

Currently, we have charged no fees to any non-profit groups, however, we have been striving to bring our fees in line with Hennepin County. Hennepin County currently exempts only schools and churches from payment of licensing fees.

The City Attorney is unclear as to whether this organization should be exempt. Therefore, staff is requesting an interpretation of Section 610.63 and into which category this organization should be placed.

MEF:jt
Encl.

610.63. Fee Exemptions, License Required. Food service in or operated by (i) governmental subdivision, (ii) charitable institutions, (iii) houses of worship, (iv) child-care homes, (v) schools, (vi) charitable and non-profit hospitals, (vii) itinerant food establishments operated by a social or service agency and (viii) employee coffee rooms must be licensed and are subject to all requirements of this ordinance, but are not charged a fee for the license.

610.65. License Fee. Fees for licenses are set by Chapter X.

610.67. Administration. Application for a license is made on forms furnished by the Clerk and must set forth the general nature of the business, the location of the business, and such other information as the Clerk may require.

610.69. Temporary Suspension of License. Subdivision 1. Public Health Hazard. The Health Authority with the approval of the City Manager shall immediately suspend the license of a food establishment for the violation of any terms of this Ordinance if the violation constitutes an imminent public health hazard. Upon notification by the Health Authority of a temporary suspension of license, the licensee must forthwith cease operation.

Subd. 2. Appeal. The licensee may appeal the temporary suspension in writing to the City Council.

Subd. 3. Corrections. Upon notification in writing by the licensee to the Health Authority that all violations have been corrected for which temporary suspension was invoked, the Health Authority shall reinspect the food establishment within a reasonable period of time. If all violations constituting the grounds for the temporary suspension have been corrected, the Health Authority shall immediately terminate the suspension.

Subd. 4. Embargo. The Health Authority and the City Manager may not suspend a license if the violation or violations which constitute an imminent public health hazard can be eliminated or removed by embargo or condemnation.

610.71. Transport or Sale, Noise Prohibited. No person licensed under this ordinance shall call attention to the licensed business or to goods, wares or merchandise, by crying them out, by blowing a horn or by any loud or unusual noise.

610.73. Food Sources. Food in a food establishment must be clean, wholesome, free from spoilage, adulteration, and misbranding, and must be prepared, processed, handled, packaged, transported and stored so as to be protected from contamination and spoilage and shall be safe for human consumption. No home-prepared foods shall be kept or used in a food establishment except that home-prepared foods other than readily-perishable foods may be kept or used in schools and houses of worship. Food received or used in a food establishment must be from sources approved by the Health Authority.

M E M O R A N D U M

DATE: May 29, 1991

TO: Jerry Dulgar, City Manager

FROM: Anne Norris, Community Development Director *an*
Bill Barber, Building Official

SUBJECT: Housing Maintenance Code

BACKGROUND

As you recall on May 21st, the Council adopted the first reading of an ordinance amending the existing Housing Maintenance Code to include requiring licensing of rental units and point-of-sale inspections for all residential structures. Staff is proposing the point-of-sale inspections and rental licensing will begin January 1, 1992. However, the rental licensing and inspections will be phased in over a two-year period of time. The exact phasing schedule will be prepared and presented in resolution form along with the fee structure for the program.

As you recall, the proposed fees for the point-of-sale inspections and rental licensing are:

Single family homes	\$65.00
Duplexes, Triplexes	80.00
Multi-family	90.00 per building + 5.00 per unit

Staff is currently pursuing contracting with an adjacent community for housing inspection services.

As discussed with the Council, informational meetings will be held in the community before the new portions of the Code are implemented. It is anticipated the meetings will be held beginning in September of this year. The purpose of these meetings is to explain the elements of the Code and try to answer any questions about requirements of the Code.

Attached is the final draft of the amended Housing Maintenance Code Ordinance.

RECOMMENDATION

Adopt the second reading of the ordinance amending the existing Housing Maintenance Code to include rental

licensing and requiring point-of-sale inspections for
residential units.

ALN:jt

Encl.

HOLMES & GRAVEN

CHARTERED

470 Pillsbury Center, Minneapolis, Minnesota 55402

Telephone (612) 337-9300

Facsimile (612) 337-9310

DAVID J. KENNEDY

Attorney at Law

Direct Dial (612) 337-9232

May 30, 1991

Ms. Ann Norris
Director of Community
Development
City of Crystal
4141 Douglas Drive North
Crystal, Minnesota 55422

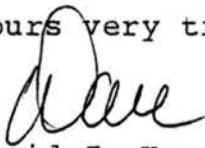
Re: Housing Maintenance Code

Dear Ann:

Enclosed find the final draft of the Housing Maintenance Code. The ordinance, if adopted, will be effective on July 15, 1991. The point of sale and rental licensing provision becomes effective January 1, 1992. The ordinance contemplates that all rental units will have been inspected and licensed by December 31, 1992.

Also enclosed is a resolution adopting the fee schedule for the ordinance. The schedule should be attached to the resolution as Attachment 1.

Yours very truly,



David J. Kennedy

DJK:caw

Enclosures

ORDINANCE NO. 91-_____

AN ORDINANCE
RELATING TO HOUSING: LICENSING RENTAL
HOUSING UNITS: REQUIRING DISCLOSURE AT
TIME OF SALE: AMENDING CRYSTAL
CODE, SECTION 425

THE CITY OF CRYSTAL ORDAINS:

Section 1. Crystal City Code, Section 425 is amended to read:

Section 425 - Housing Maintenance Code

425.01. Short Title. This section may be cited as "The City of Crystal Housing Maintenance Code", or the "Housing Code".

425.03. Policy: Purpose: Intent. Subdivision 1. Policy. It is the policy of the City of ~~Crystal~~ to enhance the supply of safe, sanitary and adequate housing for its citizens and to prevent the deterioration of existing housing in the City.

Subd. 2. Purpose. The purpose of the Housing ~~Maintenance~~ Code is to carry out the policy stated in Subdivision 1 by establishing minimum standards, and procedures for their enforcement consistent with the right to personal privacy, for the protection of life, limb, health, property, safety, and welfare of the general public and the owners and occupants of residential buildings.

Subd. 3. Objectives. The objectives of this Code include, but are not limited to, the following:

- (a) Protection and preservation of the stability and residential character of residential areas in the City.
- (b) The prevention and correction of housing conditions ~~which~~ that adversely affect the life, safety, health and general well being of persons occupying dwellings in the City.
- (c) The establishment of minimum standards for light, ventilation, cooling, heating and sanitary equipment necessary to insure the health and safety of occupants of dwellings.
- (d) The establishment of minimum standards for the maintenance of residential dwellings, both owner occupied and rental dwellings.
- (e) The prevention of the emergence of blighted and deteriorating housing in the City.
- (f) The prevention of overcrowding of rental dwellings.
- (f) (g) The preservation of the value of land and buildings in the City.

Subd. 4. Intent: Relation to the Provisions of City Code. The City Council intends that the Housing Maintenance Code be an integral part of the City's program of health, safety, building, and land use regulation. This Code is to be construed liberally in conjunction with other provisions of the City Code to give effect to the policy, purpose, and objectives of this section, but is not to be construed to modify, amend or otherwise alter the provisions of the City Code relating to health, safety, building or land use regulation.

425.05. Adoption of Uniform Housing Code by Reference. Subdivision 1. Code Adopted. Chapters 4, 5, 6, 7, 8, 9 and 10 of the Uniform Housing Code, ~~1976~~ 1988 Edition (the "Uniform Housing Code") published by the International Conference of Building Officials is, except as modified or amended herein, adopted by reference and is made a part of this Code as if fully set out at length.

Subd. 2. Copy on File. One copy of the Uniform Housing Code, together with a copy of this Code, each marked "Official Copy", ~~shall~~ must be kept on file in the office of the City Clerk and available for public inspection. The Clerk and the Building Inspector ~~shall~~ must keep a reasonable number of additional copies of the Uniform Housing Code and this Code available for use and inspection by the public at reasonable times.

425.07. Definitions. Subdivision 1. General. For purposes of this Code the terms defined in this section have the meanings given them.

Subd. 2. "Dwelling" means a building or a portion of a building designed for residential occupancy: the term includes single family, two family and multiple family dwellings but does not include hotels, motels and boarding houses.

Subd. 3. "Dwelling unit" means (i) a single family dwelling and (ii) a discrete portion of a dwelling designed for occupancy by one family.

Subd. 4. "Common Areas" means halls, corridors, passageways, utility rooms, recreational rooms and extensive landscaped areas, not under the exclusive control of one person or family, in or adjacent to a multiple dwelling.

Subd. 5. "Owner", "owner-operator", or "operator" means any person, firm or corporation who alone or jointly or severally with others is in actual possession of or has charge, care or control of ~~any~~ a dwelling or dwelling unit ~~within~~ in the City as owner, employee or agent of the owner or as trustee or guardian of the estate or the person of the title holder, and such person is bound by the provisions of this Code to the same extent as the owner.

Subd. 6. "Repair" means to restore to a sound acceptable state of operation, serviceability or appearance.

Subd. 7. "Replace" means to remove an existing item or portion of a system and to construct or install a new item of similar or new quality as an existing item when new when repair of the item is impractical.

Subd. 8. "Code" or "this Code" means the Housing Maintenance Code; "City Code" means the Crystal City Code of Ordinances; "Building Code" means Chapter IV of the City Code; "Zoning Code" means the City Code, Appendix I, Section 515.

Subd. 9. "Housing Official" means the City officer or officers in the Department of Protective Inspection and other City departments designated by the City Manager to administer this Code.

Subd. 10. The terms "compliance official" and "corporation counsel" where those terms are used in the Uniform Housing Code mean the City Manager and the City Attorney, respectively.

Subd. 11. Relation to Other Code Definitions. Except as expressly provided in this Code, words, terms, and phrases used in this Code have the meanings given them by the City Code. In cases where conflicting definitions of a word, term, or phrase make its precise meaning unclear in its application to particular facts, the City Manager is authorized to resolve the conflict subject to the provisions of Subsection 425.27 relating to appeals.

425.09. Application. Subdivision 1. General. This Code applies to buildings, their premises, accessory structures thereto, and dwelling units therein, used or designed to be used for human habitation.

Subd. 2. Existing Buildings. A building lawfully existing under the Building Code ~~shall~~ must conform to this Code. A building need not be altered or changed to exceed the requirements of the Building Code in effect at the time of its construction, except in the following cases:

- (a) if the building is altered or enlarged pursuant to the Building Code;
- (b) if the building is moved or relocated; or
- (c) if the building is determined to be unsafe or hazardous by the Building Inspector pursuant to the Building Code or State Law.

Occupancy in buildings lawfully existing under the Building Code may be continued under this Code.

425.11. Duties of Owners and Occupants. Subdivision 1. Sanitation. The occupant of a dwelling or dwelling unit ~~shall~~ must maintain in a clean and sanitary condition that part of the dwelling, dwelling unit and yard ~~which he~~ that the occupant occupies and controls; and ~~shall be~~ is responsible for ~~his~~ the occupant's own misuse of areas and facilities available in common. The owner or operator of a two-family dwelling or multiple dwelling ~~shall~~ must maintain in a clean and sanitary condition the shared or public areas of the dwelling and yard. The occupant of a dwelling unit ~~shall~~ must keep all supplied facilities, including plumbing fixtures and cooking equipment, in a clean and sanitary condition and is responsible for the exercise of reasonable care in their proper use and operation.

Subd. 2. Removal of Waste Matter. The occupant of a dwelling unit ~~shall~~ must dispose of ~~all~~ rubbish, ashes, garbage and other organic waste in a clean and sanitary manner as provided by Section 605 of the City Code. The owner or operator of a multiple dwelling is responsible for the clean and sanitary maintenance of common storage or disposal facilities and ~~shall~~ must dispose of rubbish in a clean and sanitary manner as provided in Section 605 of the City Code.

Subd. 3. Pest Extermination. The occupant of a single dwelling unit is responsible for the extermination of vermin infestations or rodents on the premises. The occupant of a dwelling unit in a building containing more than one dwelling unit is responsible for such

extermination when the dwelling unit is infested. When infestation is caused by the failure of the owner or occupant to maintain a building containing dwelling units in a reasonably rodent-resistant or reasonably vermin-resistant condition, pest extermination is the responsibility of the owner or operator. After extermination, it is the responsibility of the owner or occupant, as the case may be, to correct such maintenance or other problems as designated by appropriate City officials to eliminate the source of the infestation. If infestation exists in two or more dwelling units in any dwelling, or in the shared or public parts of any dwelling containing two or more dwelling units, pest extermination is the responsibility of the owner or operator.

Subd. 4. Heat. The owner or operator of ~~every~~ a building containing two or more dwelling units ~~shall~~ must supply facilities capable of providing adequate heat to every habitable room therein; for purposes of this subdivision "adequate heat" means heat sufficient to maintain a temperature of ~~65~~ 70° Fahrenheit at a height of three feet above the floor in all habitable rooms, bathrooms, and water closet compartments.

Subd. 5. Utilities. Except as otherwise provided by law, ~~no~~ an owner, operator or occupant ~~shall~~ may not cause any service equipment or utility service ~~which that~~ that is required ~~pursuant to by~~ by this Code to be removed, shut off or discontinued for any occupied dwelling let or occupied by ~~him~~ that person, except for such temporary interruption as may be necessary while actual repairs or alterations are in process or during temporary emergencies.

Subd. 6. Transfer of Responsibility. A contract between owner and operator, operator and occupant, or owner and occupant, with regard to compliance with this Code, does not relieve the owner or operator of ~~any~~ a duty imposed by this Code.

Subd. 7. Notice of Maximum Occupancy. An owner or operator ~~shall~~ must advise the occupant, in writing, by insertion in the lease between the parties or otherwise, of the maximum number of occupants permitted in occupied premises subject to this Code.

425.12. Sale of Property: Certificate of Inspection. Subdivision 1. Application. The owner of a structure containing one or two dwelling units must, prior to the execution of a document providing for the conveyance of the structure, furnish to the prospective buyer thereof, and obtain from the buyer a signed receipt therefor, a copy of a Certificate of Compliance issued by the Housing Official within one year preceding the date of the execution of the document of conveyance.

Subd. 2. Form of Certificate. The Housing Official must issue a Certificate of Compliance to the owner within 15 days after gaining access to the interior of all structures on the subject property when:

- (a) the owner or the owner's authorized agent has applied in writing to the Housing Official, giving consent to such inspection, and the owner or agent has agreed to a time during normal City working hours at which the subject property will be available for inspection, and has paid the inspection fee set forth in Appendix IV; and
- (b) the Housing Official has inspected the structure and grounds and has noted any conditions found during the inspection which are in violation of the City Code.

Subd. 3. Compliance. The Certificate of Compliance must contain a Compliance Order if the Housing Official has determined that the issuance of an order is required. The owner is responsible for the corrections required by the Compliance Order.

Subd. 4. Alternative Procedure; Disclosure. As an alternative to the Certificate of Compliance described in Subdivision 1, the owner of a single or two-family dwelling may provide to a prospective buyer at the date of execution of any document providing for the conveyance of such a building a written disclosure statement on a form provided and completed by the Housing Official, setting forth those conditions in the building which, if not corrected, will constitute a major structural defect or an immediate danger to the health and safety of the occupant, or which if not corrected will constitute a violation of this Code. In such a case, the buyer is presumed to have purchased with notice of such condition and is responsible for the corrective action required by a Compliance Order.

Subd. 5. Certificates: Disclosure Statements: Filing. A copy of the Certificate of Compliance or disclosure statement must be filed with the Housing Official. A prospective buyer may not occupy a dwelling unit that is the subject of a Compliance Order until the filing has been made. If the owner or buyer files an affidavit with the Housing Official setting forth the date by which the corrective action directed by the Compliance Order will be completed, occupancy is permitted pending completion of the corrective action specified in the Compliance Order unless the dwelling unit has been declared unfit for human habitation pursuant to Subsection 425.25.

Subd. 6. Effect of Certificate or Statement. Nothing in the Certificate of Compliance or the disclosure statement described in Subdivision 4 is to be construed as a representation by the City or the Housing Official that the dwelling meets minimum housing and building standards of the City.

Subd. 7. Prohibition. It is unlawful for an owner to convey a dwelling without providing to the buyer a Certificate of Compliance or a disclosure statement as required by this section. This section does not apply to conveyances to a public body, conveyances by a public or court officer in the performance of the officer's duties, or conveyances by a person acting under the direction of court order, except for conveyances ordered by a probate court.

425.13. Administration, Enforcement; Inspection. Subdivision 1. Administration and Enforcement. The City Manager is responsible for the administration and enforcement of this Code and the supervision of the Housing Official.

Subd. 2. Compliance. When the Housing Official determines that there exists in a building or any a portion thereof conditions which that constitute a violation of this Code, he may issue a compliance order setting forth the nature of the violations and ordering the owner or occupant as the case may be to correct the conditions. A compliance order shall:

- (a) be in writing;
- (b) be served personally or by certified mail, or if the address of the owner or occupant cannot be determined, posted in a conspicuous place in or about the building involved;
- (c) describe in specific terms the location and nature of condition in need of correction and the nature of corrective action needed; and
- (d) state that the condition is to be corrected within a reasonable time as set forth in the notice.

~~If upon the expiration of the time for compliance set forth in the notice the required corrective action has not been taken, the Housing Official shall may enforce the order as in the case of violations of the Building Code.~~

the Housing Official may begin enforcement procedures under Subsection 425.25.

425.15. (Repealed: Ord. No. 79-4, Sec. 1)

425.16. Licensing of Rental Units. Subdivision 1. General Rule. It is unlawful to operate a rental dwelling without first having obtained a license. The license is issued each year and expires on the anniversary date of issuance. An application for license renewal must be filed at least 90 days prior to license expiration date.

Subd. 2. Application. This subsection establishes minimum standards for maintaining rental dwellings, dwelling units, accessory structures and related premises. A building and its premises used in whole or in part as a home or residence, or as an accessory structure thereto, for a single family or person, and a building used in whole or in part as a home or residence of two or more persons or families living in separate units must conform to the requirements of this section without regard to when the building may have been constructed, altered, or repaired. This subsection is intended to provide standards for licensed rental housing and to provide standards to allow resolution of complaints regarding licensed rental housing.

Subd. 3. License. Subdivision 1. Fees. License fees are due 60 days prior to the license expiration date. In the cases of new unlicensed dwellings, license fees are due upon issuance of the certificate of occupancy. In the cases of licensing periods of less than two years, license fees are prorated monthly. License fees are set in Appendix IV.

Subd. 4. Conditions. A license is nontransferable. The license fee is not refundable upon revocation or suspension. The license fee is refundable, prorated monthly, upon proof of transfer of legal control or ownership.

Subd. 5. Licensing Phase-In Policy. Commencing on January 1, 1992, initial licensing inspections will begin according to inspection areas established by the Housing Official. Rental properties will receive initial inspections to receive licensing no later than December 31, 1993.

Subd. 6. Application. Subdivision 1. Information. Applications for a license or renewal of a license must be made by the owner of a rental unit. Application forms are filed with the Housing Official. The applicant must supply:

- (a) name, address, and telephone number of dwelling owner, owning partners if a partnership, corporate officers if a corporation;
- (b) name, address and telephone number of designated resident agent, if any;
- (c) name, address and telephone number of vendee, if the dwelling is being sold through a contract for deed;
- (d) legal address of the dwelling;

- (e) number of dwelling units within the dwelling; and
- (f) description of procedure by which tenant inquiries and complaints are to be processed.

Subd. 7. Notice of Change. The licensee must give notice in writing to the Housing Official within five business days after any change of the information in the application. Notice of transfer of ownership is governed by Subdivision 12.

Subd. 8. Resident Agent Required. An operating license will not be issued or renewed for a nonresident owner of rental dwelling units (an owner who does not reside in any of the following Minnesota Counties: Hennepin, Ramsey, Anoka, Carver, Dakota, Scott, or Washington) unless the owner designates in writing the name of a resident agent (an agent who does reside in any of the following Minnesota Counties: Hennepin, Ramsey, Anoka, Carver, Dakota, Scott, or Washington) who is (i) responsible for maintenance and upkeep, (ii) legally constituted and empowered to receive service of notice of violation of the provisions of the City ordinances, to receive orders and to institute remedial action to effect such orders, and (iii) to accept service or process pursuant to law. The Housing Official must be notified in writing by the owner of a change of resident agent.

Subd. 9. Conformance to Laws. An operating license will not be issued or renewed unless the rental dwelling unit and its premises conform to this section, the ordinances of the City and the laws of the State of Minnesota.

Subd. 10. Inspection Condition. An operating license will not be issued or renewed unless the owner of the rental unit agrees in the application to permit inspections pursuant to Subdivision 16.

Subd. 11. Posting of License. The licensee of a building containing three or more dwelling units must conspicuously post the current license in the main entry way or other conspicuous location in a frame with a glass or plastic cover.

Subd. 12. Transfer. The licensee must give notice in writing to the Housing Official within five business days after having legally transferred or otherwise disposed of the effective control of licensed rental dwelling. The notice must include the name and address of the person succeeding to the ownership or control of the rental dwelling or dwellings. For purposes of this subsection the term "effective control" means that control exercised over property by a business proprietor, whether as owner or lessee or by an owner or lessee of other property.

Subd. 13. Occupancy Register Required. The owner of a licensed rental dwelling containing one or more dwelling units must keep a current register of occupancy for each dwelling unit. The register must provide the following information:

- (a) dwelling unit address;
- (b) number of bedrooms in dwelling unit;
- (c) names of adult occupants and number of adults and children (under 18 years of age) currently occupying the dwelling units;
- (d) dates renters occupied and vacated dwelling units;

- (e) a chronological list of complaints and requests for repair by dwelling unit occupants, which complaints and requests are related to the provisions of this section; and
- (f) a similar chronological list of corrections made in response to requests and complaints.

The register must be available for viewing or copying by the Housing Official at reasonable times.

Subd. 14. License Suspension or Revocation. An operating license is subject to suspension or revocation by the Council if the licensed owner fails to operate or maintain licensed rental dwellings and units therein consistent with this section and the law. If an operating license is suspended or revoked by the Council, it is unlawful for the owner to permit new occupancy of vacant rental units until a valid operating license is issued by the Council.

Subd. 15. Enforcement: Inspection Authority. The Housing Official administers and enforces the provisions of this subsection. The Housing Official may inspect on complaint, change in ownership, or otherwise when reason exists to believe that a violation of this subsection has been or is being committed. Inspections must be conducted during reasonable daylight hours. The Housing Official must present evidence of official authority to the occupant in charge of a licensed dwelling unit.

Subd. 16. Inspection Access. If an owner, occupant, or other person in charge of a dwelling unit licensed under this section fails or refuses to permit free access and entry for inspection purposes, the Housing Official may, upon a showing of probable cause, obtain orders from a court of competent jurisdiction for the inspection.

425.17. Minimum Requirements; Implementation Standards; Policies. Subdivision 1. Minimum Requirements. The minimum requirements imposed by this Code include those standards or requirements in effect on the date of the construction of a building subject to this Code. and It is not the intention of this Code to require all buildings to be upgraded to meet all requirements of the present Building Code.

Subd. 2. Implementation Standards. In administering this Code, the Housing Official shall will treat the following as conditions constituting an immediate hazard to health and safety:

- (a) heating systems that are unsafe due to: burned out or rusted out heat ~~exchanges~~ exchangers (fire box); burned out or plugged flues; not being vented; being connected with unsafe gas supplies; or being incapable of adequately heating the living space;
- (b) water heaters that are unsafe due to: burned out or rusted out heat ~~exchanges~~ exchangers (fire box); burned out, rusted out, or plugged flues; not being vented; being connected with unsafe gas supplies; or lack of temperature and pressure relief valves;
- (c) electrical systems that are unsafe due to: dangerous overloading; damaged or deteriorated equipment; improperly tapped or spliced wiring; exposed uninsulated wires; distribution systems of extension cords or other temporary methods; ungrounded systems; ungrounded appliances in contact with earth;

- (d) plumbing systems that are unsanitary due to: leaking waste systems fixtures and traps; lack of a water closet; lack of washing and bathing facilities; or cross connection of pure water supply with fixtures or sewage lines;
- (e) structural systems, walls, chimneys, ceilings, roofs, foundations, and floor systems, that will not safely carry imposed loads;
- (f) refuse, garbage, human waste, decaying vermin or other dead animals, animal waste, other materials rendering it unsanitary for human occupancy, including lack of light and air;
- (g) infestation of rats, insects, and other vermin.

Subd. 3. Implementation Policies. The City Council ~~shall~~ will, upon recommendation of the City Manager, adopt by resolution policies and guidelines for the implementation and administration of this Code. These policies and guidelines ~~shall~~ must include, but are not limited to, standards and guidelines relating to:

- (a) procedures for housing inspections;
- (b) proper disposition of information gathered in connection with housing inspections;
- (c) conditional occupancy of housing during periods needed for compliance;
- (d) methods of encouraging the correction of deficiencies by cooperation between owner and proposed and current occupants.

425.19. Reporting: Forms: Records. The Housing Official ~~shall~~ must prepare ~~such~~ forms and certificates ~~as are~~ necessary to carry out the provisions of this Code. ~~He shall~~ The Housing Official must, in cooperation with the City and the Crystal Economic Development Housing and Redevelopment Authority (EDA) staffs, design appropriate systems of accumulating or organizing and cataloging data relating to the condition, adequacy, and availability of residential housing in the City and ~~shall~~ must report on these matters from time to time to the ~~Authority~~ EDA and at its request. The Official's report ~~shall~~ must also contain ~~his~~ recommendations for modifications in the provisions of this Code and its administration.

425.21. Hazardous Conditions: Built-In Deficiencies: Procedure. Subdivision 1. Procedure. ~~When~~ If the Housing Official determines that there exists in ~~any~~ a building a condition ~~which~~ that constitutes an immediate hazard to the health and safety of its occupants, ~~he~~ the official may:

- (a) issue a compliance order requiring immediate compliance if the condition can reasonably be corrected;
- (b) proceed against the building pursuant to applicable state laws relating to hazardous or unsafe structures; or
- (c) recommend that the City Council proceed to correct the condition by abating it as a nuisance under Minnesota Statutes, Section 429.101, and this ~~section shall~~ clause is to be construed as authorizing the imposition and billing of charges for the cost thereof and the assessment of ~~any such~~ unpaid charges against the property on which the building is located in the manner provided by Minnesota Statutes, Section 429.101.

Subd. 2. Built-In Deficiencies. It is hereby determined that certain conditions within existing buildings, lawful at the time of the construction of the building, may not comply with the minimum requirements of this Code. Such conditions are herein referred to as "built-in deficiencies", and the Housing Official, in administering this Code, shall must consider the following built-in deficiencies as being beyond reasonable correction:

- (a) Ceiling Heights: An existing habitable room with less than a 7 seven foot 6 six inch ceiling height.
- (b) Superficial Floor Area: An existing habitable room of less than 90 square feet.
- (c) Natural Light and Ventilation: An existing habitable room with window area less than 10% of the floor area; provided, however, that in no case may the required area of light and ventilation be less than 5% of the floor area.

~~425.23. Appeals: Stay of Compliance Order. Subdivision 1. Procedure. Any A person aggrieved by a compliance order issued pursuant to this Code may appeal the order to the Board of Adjustments and Appeals established by Section 305 _____ of the City this Code pursuant to rules and procedures established by the Board pursuant to that section. Except in cases where the compliance order requires immediate compliance, the appeal shall stay the effect of the order until determination of the appeal.~~

~~Subd. 2. Action on Appeal. The Board of Adjustments and Appeals may affirm the compliance order or it may modify the order in any particular way and attach such conditions to the order as it deems necessary and reasonable to carry out the policy, purpose and objectives of this Code. The Board may consider evidence as to financial hardship, the availability of governmental grants or loans to the appellant for compliance, or any other mitigating facts presented to it.~~

425.25. Inspections. Subdivision 1. Records. Inspections must be conducted during reasonable hours. The Housing Official must present evidence of authority to the owner or occupant in charge of a dwelling unit. Subject to the provisions of law, the Housing Official must keep evidence, exclusive of the inspection records, discovered or obtained in the course of an inspection confidential.

Subd. 2. Unfit for Human Habitation. A dwelling, dwelling unit or rooming unit or portion thereof that is damaged, decayed, dilapidated, unsanitary, unsafe, vermin or rodent infested or which lacks provision for basic illumination, ventilation or sanitary facilities to the extent that the defects create a hazard to the health, safety or welfare of the occupants or of the public may be declared unfit for human habitation. If a dwelling, dwelling unit or rooming unit has been declared unfit for human habitation, the Housing Official must order the same vacated within a reasonable time and post a placard on same indicating that it is unfit for human habitation. A operating license previously issued for such dwelling will be revoked pursuant to law.

Subd. 3. Correction. It is unlawful for a dwelling, dwelling unit or rooming unit or portion thereof to be used for human habitation until the defective conditions have been corrected and written approval has been issued by the Housing Official. It is unlawful to deface or remove the declaration placard from a dwelling, dwelling unit or rooming unit.

Subd. 4. Secure Unfit and Vacated Dwellings. The owner of a dwelling, dwelling unit, or rooming unit that has been declared unfit for human habitation or that is otherwise vacant for a period of 60 days or more must make the same safe and secure so that it is not

hazardous to the health, safety and welfare of the public and does not constitute a public nuisance. A vacant dwelling open at doors, windows, or wall opening, if unguarded, is deemed to be a hazard to the health, safety and welfare of the public and a public nuisance within the meaning of this Section.

Subd. 5. Hazardous Building Declaration. If a dwelling has been declared unfit for human habitation and the owner has not remedied the defects within a prescribed reasonable time, the dwelling may be declared a hazardous building and may be removed, razed or corrected pursuant to the provisions of Minnesota Statutes, Sections 463.15 to 463.26.

Subd. 6. Compliance Procedure. Subdivision 1. Order. If the Housing Official determines that a rental dwelling, rental dwelling unit or rooming unit or portion thereof is in violation of an order or this Code, the Housing Official may issue a Compliance Order setting forth the violations of such and ordering the owner occupant, operator or agent to correct such violation. The Compliance Order must:

- (a) be in writing;
- (b) describe the location and nature of the violations of this section;
- (c) establish a reasonable time for the correction of the violation and notify the owner of appeal procedures;
- (d) be served upon the owner, the owner's agent, or the occupant, as the case may be: the notice is deemed to be properly served upon owner or agent, or upon any such occupant, if a copy thereof is:
 - (i) served upon the owner or agent; or
 - (ii) sent by registered mail to the owner or agent's last known address; or
 - (iii) upon failure to effect notice through (a) or (b) as set out in this section, service may be made pursuant to Minnesota Statutes, Section 463.17, Subd. 2, which reads as follows:

"Service. This order shall be served upon the owner of record, or his agent if an agent is in charge of the building, and upon the occupying tenant, if there is one, and upon all lien holders of record, in the manner provided for service of a summons in a civil action. If the owner cannot be found, the order shall be served upon them by posting it at the main entrance to the building and by four weeks' publication in the official newspaper of the municipality if it has one, otherwise in a legal newspaper in the county"; or
 - (iv) pursuant to Minnesota Statutes, Section 145A.04.

425.27. Appeals. Right of Appeal. When it is alleged by a person to whom a Compliance Order is directed that the Compliance Order is based upon erroneous interpretation of this Section or upon a misstatement or mistake of fact, that person may appeal the Compliance Order to the City Manager. The Manager must forward the recommendation to the City Council within 30 days after receipt of this appeal. The appeal (i) must be in writing, (ii) must specify the grounds for the appeal, and (iii) must be filed with the Housing Official within five business days after service of the Compliance Order. The filing of an appeal stays proceedings in furtherance of the action appealed from unless such a stay in the judgment of the Housing Official would cause imminent peril to life, health or property.

The City Council must act promptly on the Manager's recommendation and the Manager's recommendation may be reversed, modified or affirmed in whole or in part by the Council. The Council's disposition of the appeal is final.

425.29. Restrictions on Transfer of Ownership. It is unlawful for the owner of a dwelling, dwelling unit or rooming unit upon whom a Compliance Order has been served to sell, transfer, mortgage or lease or otherwise dispose the dwelling, dwelling unit or rooming unit to another person until the Compliance Order has been complied with, unless the owner furnishes to the grantee, lessee or mortgagee a true copy of any notice of violation or Compliance Order and obtains and possess a receipt of acknowledgement. A person obtaining an interest in the dwelling, dwelling unit or rooming unit who has received notice of the existence of a Compliance Order is bound by the order without further notice and is subject to the penalties and procedures provided by this section.

425.31. Execution of Compliance Orders. Upon failure to comply with a compliance order within the time set therein, and no appeal having been taken, or upon failure to comply with a modified compliance order within the time set therein, the criminal penalty established hereunder notwithstanding, the City Council after due notice to the owner may by resolution cause the cited deficiency to be remedied as set forth in the Compliance Order. The cost of such remedy is a lien against the subject real estate and may be levied and collected as a special assessment in the manner provided by Minnesota Statutes, Chapter 429, for any of the reasons set forth in Section 429.101, Subdivision 1, and specifically for the removal or elimination of public health or safety hazards from private property. The assessment will be payable in a single installment. It is the intent of this section to authorize the City to utilize all of the provisions of Section 429.101 to promote the public's health, safety and general welfare.

425.29. 425.33. Violations: Penalties. Subdivision 1. General. ~~No person may~~ It is unlawful to erect, construct, enlarge, alter, repair, move, improve, equip, use, occupy or maintain any building or structure within the City contrary to the provisions of this Code.

Subd. 2. Non-Compliance. Failure to comply with a lawfully issued compliance order is a violation of this Code.

Sec. 2. The fees for the various licenses and permits required by this ordinance are embodied in Resolution 91-_____. The Clerk is authorized and directed to include those fees in Appendix IV to the City Code.

Sec. 3. This ordinance is effective on July 15, 1991. Subsections 425.12 (Point of Sale) and (Licensing) are effective on January 1, 1992.

Mayor

Attest:

City Clerk

RESOLUTION NO. 91-_____

RESOLUTION RELATING TO FEES
FOR RENTAL HOUSING AND POINT
OF SALE INSPECTION

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

Section 1. Resolution 90-72 as amended sets fees for various licenses and permits in the City. The Resolution is embodied in Appendix IV of the Crystal City Code.

Sec. 2. The fees to be charged for various licenses, inspections and permits under Ordinance No. 91-_____ are set forth in Attachment 1 to this Resolution.

Sec. 3. Resolution 90-72 is amended to include the fees set forth in Attachment 1.

Mayor

Attest:

Clerk

Crys7:Res91-3.

POINT OF SALE INSPECTIONS & RENTAL LICENSING/INSPECTIONS

FEEs

Single Family Homes	\$65.00
Duplexes, Triplexes	80.00
Multiples	90.00 per building plus \$5 per unit.



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

ADMINISTRATIVE OFFICE

RESOLUTION NO. 91-

In support of
RESOLUTION URGING HENNEPIN COUNTY
ADOPTION OF LOCAL OPTIONS SALES TAX

WHEREAS, the adoption of the one-half percent local options sales tax by Hennepin County would maintain aids to the county and the cities and townships within the county, and

WHEREAS, failure of Hennepin County to adopt the local options sales tax would result in a loss of all county, city, and township aids within the county, amounting to an aid loss of about 2.4 times as much as the county revenues from the one-half percent sales tax, and

WHEREAS, the failure of Hennepin County to adopt the tax would result in the aids currently being received by the local governments in county instead being re-distributed as a windfall to the counties which adopt the tax, and

WHEREAS, failure to adopt the tax would greatly increase property taxes in Hennepin County,

Support NOW, THEREFORE BE IT RESOLVED, that the Crystal City Council ~~urges~~ the Hennepin County Board of Commissioners to adopt the one-half percent local options sales tax prior to the July 1 deadline for such adoption.

Adopted by the Crystal City Council this 4th day of June, 1991.

Mayor

ATTEST:

City Clerk

*From the City Council of
(fill in name)*

A Resolution

Whereas, the 1991 Legislature established a one-half cent optional sales tax that may be adopted by counties or cities within counties to augment local government property tax relief and create a dedicated two-cent revenue stream called the Local Government Trust Fund; and,

Whereas, if counties fail to adopt the optional sales tax, the sales tax for that county will remain at 6 percent, and the county's 1.5-cent share of the revenue stream will be distributed to other cities and counties; and,

Whereas, counties and cities within counties failing to adopt the optional tax lose all of their Local Government Aid and Homestead and Agricultural Credit Aid; and,

Whereas, counties and cities within counties may make up for the lost LGA and HACA funds by raising property taxes or cutting services, or a combination of both,

Be it therefore resolved that

The City Council of the City of (fill in name) does support and request that the county board of commissioners of (fill in name) County do adopt the optional one-half cent sales tax by July 1, 1991, as stipulated in Session Laws Chapter 291.

IMPACT OF NOT APPROVING THE LOCAL OPTION SALES TAX
UPON PROPERTY TAX RATES OF A.M.M. MEMBER CITIES

The omnibus tax bill recently passed by the state legislature gives county boards the option of adopting an additional one-half cent sales tax. The decision of a county board to adopt (or not to adopt) the local option sales tax can be reversed by the governing bodies of cities and townships representing half of the population of the county.

If the local option sales tax is not adopted within a county, the county and all cities and special taxing districts within that county will lose all of the following state aids: LGA, HACA (homestead and agricultural credit aid), equalization aid, and disparity reduction aid. The attached table summarizes the impact that the loss of this aid would have upon the cities that are members of the Association of Metropolitan Municipalities.

The first column contains an estimate of the amount of state aid that would be lost by cities in 1992 if the local option sales tax is not adopted. This amount does not include county and special taxing district aid that would also be lost.

Local governments will have the option of levying to replace aid that was lost by not approving the local option sales tax. The second and third columns list the estimated 1992 city and total tax rate increases needed to replace all aid that would be lost by not approving the local option sales tax.

Similar information for taxes payable in 1993 is presented in columns four through six. In 1993 there is no scheduled aid cut. However, there should be an increase in HACA received by local governments (assuming the local option sales tax is approved) because of the continuing buy-downs associated with further class rate reductions. There is a very little data for 1993 currently available; consequently, the estimated impact of not approving the local option sales tax is determined by applying the class rates and HACA formula for taxes payable in 1993 to preliminary 1992 data. The 1993 aid amount is assumed to be equal to the 1992 aid amount (after cuts) plus new HACA amounts associated with the 1993 class rate reductions.

EXAMPLE: MINNEAPOLIS (1992)

If the local option sales tax is not adopted in Hennepin County, the City of Minneapolis would lose an estimated \$85,514,648 in state aid (from column one) for taxes payable in 1992. The city tax rate in Minneapolis would increase by an estimated 32.484% (from column two) and the total tax rate would increase by an estimated 36.663% (from column three). For example, if the city tax rate in Minneapolis was 33.000% before the loss of state aid, it would have to increase to 65.484% ($33.000\% + 32.484\%$) after the loss of state aid in order to maintain the same amount of revenue. Similarly, if the total tax rate in Minneapolis before the loss of state aid was 126.000%, it would have to increase to 162.663% ($126.000\% + 36.663\%$) after the loss of state aid in order to maintain the same amount of revenue.

IMPACT OF NOT APPROVING THE LOCAL OPTION SALES TAX -- 1992 & 1993

A.M.M. Cities	1992			1993		
	Estimated state aid to city that is lost if local option sales tax is not approved	Estimated increase in tax rates that would occur if local option sales tax is not approved		Estimated state aid to city that is lost if local option sales tax is not approved	Estimated increase in tax rates that would occur if local option sales tax is not approved	
		City Tax Rate Increase	Total Tax Rate Increase		City Tax Rate Increase	Total Tax Rate Increase
ANOKA	\$1,667,947	19.922	29.437	\$1,690,453	20.616	30.699
APPLE VALLEY	\$2,401,085	10.410	15.352	\$2,592,416	11.717	17.313
ARDEN HILLS	\$23,463	0.224	4.540	\$69,986	0.690	5.977
BAYPORT	\$140,552	5.079	10.659	\$152,171	5.622	12.094
BLAINE	\$2,466,977	15.445	25.512	\$2,496,456	15.890	26.543
BLOOMINGTON	\$2,915,821	3.086	7.482	\$3,361,853	3.652	9.254
BROOKLYN CENTER	\$2,837,809	14.175	18.340	\$2,879,662	14.583	19.840
BROOKLYN PARK	\$3,914,437	12.790	16.766	\$3,996,536	13.317	18.411
BURNSVILLE	\$2,777,645	5.949	11.044	\$2,939,015	6.441	12.137
CHAMPLIN	\$1,186,248	15.540	19.241	\$1,206,888	16.143	20.960
CHANHASSEN	\$725,860	7.911	18.463	\$825,395	9.453	21.231
CHASKA	\$504,868	7.982	18.159	\$522,391	8.482	19.794
CIRCLE PINES	\$424,391	22.882	32.325	\$431,157	23.706	33.770
COLUMBIA HEIGHTS	\$2,815,726	35.279	44.820	\$2,837,482	36.317	46.429
COON RAPIDS	\$4,208,764	18.691	28.653	\$4,268,201	19.334	29.870
COTTAGE GROVE	\$2,053,815	18.842	24.533	\$2,083,846	19.369	25.925
CRYSTAL	\$2,663,226	26.210	30.168	\$2,689,267	26.906	31.969
DAYTON	\$186,257	9.811	12.956	\$197,235	10.708	14.990
DEEPAVEN	\$123,397	2.196	6.984	\$210,160	4.231	10.915
EAGAN	\$1,205,080	2.313	7.387	\$1,365,675	2.685	8.361
EDEN PRAIRIE	\$51,992	0.091	4.373	\$464,502	0.848	6.382
EDINA	\$242,548	0.318	4.741	\$844,076	1.184	7.101
FALCON HEIGHTS	\$319,615	12.675	15.404	\$329,286	13.415	17.098
FRIDLEY	\$2,404,543	12.214	21.917	\$2,452,339	12.682	22.964
GOLDEN VALLEY	\$1,508,449	6.466	10.723	\$1,653,912	7.302	12.816
HASTINGS	\$2,003,713	27.258	31.399	\$2,038,377	28.341	33.048
HOPKINS	\$1,577,262	11.022	15.228	\$1,657,865	11.973	17.379
INVER GROVE HEIGHTS	\$1,173,830	7.595	12.156	\$1,245,557	8.269	13.452
MAHTOMEDI	\$350,988	9.973	15.860	\$385,375	11.549	18.458
MAPLE GROVE	\$1,859,890	7.462	11.386	\$1,979,917	8.162	13.250
MAPLEWOOD	\$2,012,537	7.437	11.660	\$2,086,242	7.836	12.958
MENDOTA HEIGHTS	\$277,892	2.368	7.412	\$401,263	3.646	9.464
MINNEAPOLIS	\$85,514,648	32.484	36.663	\$87,484,783	34.285	39.658
MINNETONKA	\$1,377,371	2.330	6.703	\$1,801,660	3.177	8.883
MOUND	\$705,408	11.996	16.137	\$743,469	13.253	18.698
MOUNDS VIEW	\$886,822	18.863	23.222	\$897,575	19.503	24.776
NEW BRIGHTON	\$1,378,912	10.058	14.200	\$1,422,620	10.662	15.779
NEW HOPE	\$1,771,394	12.612	16.671	\$1,802,503	13.053	18.219
NEWPORT	\$389,241	16.239	21.965	\$400,525	17.081	23.701
NORTH ST PAUL	\$888,795	16.796	21.016	\$896,129	17.190	22.296
OAKDALE	\$1,328,679	14.840	20.995	\$1,350,157	15.355	22.418
ORONO	\$91,460	0.708	5.465	\$249,553	2.174	8.812
OSSEO	\$171,137	9.367	13.370	\$173,994	9.695	14.788
PLYMOUTH	\$1,389,526	2.816	7.153	\$1,696,737	3.584	9.215
PRIOR LAKE	\$735,926	11.989	24.466	\$779,284	13.114	26.428
RAMSEY	\$734,957	16.605	25.133	\$745,914	17.167	26.218
RICHFIELD	\$4,768,701	25.969	30.268	\$4,813,642	26.667	32.067
ROBBINSDALE	\$2,282,382	37.918	41.893	\$2,296,821	38.941	44.034
ROSEMOUNT	\$797,771	11.165	16.141	\$831,179	11.896	17.465
ROSEVILLE	\$1,568,696	4.922	9.177	\$1,660,527	5.325	10.502
SAINT ANTHONY	\$425,405	7.683	11.778	\$447,633	8.277	13.447
SAINT FRANCIS	\$99,971	10.920	19.441	\$102,787	11.399	20.434
SAINT LOUIS PARK	\$4,419,256	11.624	15.822	\$4,555,675	12.258	17.612
SAINT PAUL	\$56,585,103	39.659	43.288	\$57,460,695	41.216	45.779
SAINT PAUL PARK	\$600,773	33.978	39.595	\$603,696	34.672	41.150
SAVAGE	\$475,898	9.336	21.250	\$493,585	9.828	22.486
SHAKOPEE	\$521,894	6.263	18.175	\$546,086	6.643	19.305
SHOREVIEW	\$826,374	5.065	9.362	\$925,592	5.881	11.184
SHOREWOOD	\$253,771	3.358	7.874	\$381,928	5.567	11.736
SOUTH ST PAUL	\$3,345,133	38.007	43.042	\$3,367,387	38.874	44.492
SPRING LAKE PARK	\$369,859	11.468	20.995	\$375,542	11.810	21.911
SPRING PARK	\$83,877	5.114	9.281	\$91,739	5.783	11.139
STILLWATER	\$1,559,817	19.382	25.128	\$1,611,892	20.574	27.246
WAYZATA	\$138,078	1.673	6.170	\$249,248	3.312	9.473
WEST ST PAUL	\$1,932,789	14.955	20.048	\$1,974,673	15.614	21.316
WOODBURY	\$1,010,669	5.584	11.371	\$1,127,730	6.484	13.230
WOODLAND	\$12,413	0.637	5.583	\$30,199	1.838	8.925

JOHN E. DERUS
CHAIRMAN



PHONE
348-3086

BOARD OF HENNEPIN COUNTY COMMISSIONERS

2400 GOVERNMENT CENTER
MINNEAPOLIS, MINNESOTA 55487

May 28, 1991

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

Dear Mr. Dulgar:

Governor Carlson is expected to approve an "optional" one-half cent sales tax to be implemented at the county level to partially offset reductions in state aids to local governments. This optional sales tax is to be implemented on a county-wide basis, depending on the wishes of cities whose residents constitute a majority of the county's population. No city will be eligible to receive local government aids (LGA) if the county or the majority of the cities within the county fail to implement the local option sales tax.

Within Hennepin County, cities are the primary beneficiaries of the local government and property tax relief aids. Of the local government aid originally scheduled to be paid during 1991, cities were to receive \$84.2 million, and the County was to receive \$33,500. Of the original Homestead and Agricultural Credit Aids (HACA) scheduled to be paid in 1991, cities within Hennepin County would have received \$46 million and the County \$29.2 million. Approximately 80 percent of the LGA and HACA distributed to non-school local governments in Hennepin County goes to its cities. Should Hennepin County and/or a majority of its cities fail to enact the local option sales tax, those aids would have to be replaced with an increased property tax levy.

Enclosed is Resolution 91-5-501, which was adopted by the Hennepin County Board of Commissioners on May 21, 1991. In this resolution, we request that city councils express their preference on the local option sales tax and forward a resolution to the County Board by June 11, 1991. The County must approve or reject the one-half cent sales tax by July 1, 1991, in order for it to take effect on January 1, 1992. If the city councils of cities in Hennepin County representing a majority of the population of the County disagree with the County's position, they may, by August 1, 1991, overturn that decision. In order for the County's initial decision to reflect the wishes of the majority of its cities, please inform us by resolution as to the wishes of your city by June 11.

We look forward to working with you as efficiently as possible to resolve this issue in the best interests of the majority of our residents.

Sincerely,

A handwritten signature in black ink that reads "John E. Derus".

John E. Derus, Chair
Hennepin County Board of Commissioners

Enclosure

RESOLUTION NO. 91-5-501

The following resolution was offered by Commissioner Derus, seconded by Commissioner Andrew:

WHEREAS, Governor Carlson is expected to sign a tax bill providing that county boards may vote to enact a 1/2 cent sales tax; and that counties not levying such a tax will lose a significant amount of state funding that helps pay for state mandated programs; and

WHEREAS, Cities within Hennepin County and cities and counties outside of Hennepin County will be recipients of funding as a result of the 1/2 cent sales tax levied within Hennepin County.

BE IT RESOLVED, That the Hennepin County Board of Commissioners requests that the city councils vote by resolution by June 11, 1991 requesting that the County Board enact or reject this 1/2 cent sales tax.

BE IT FURTHER RESOLVED, That the city councils also be requested to express whether it would be their intent to ask for the local option if the County decided not to.

Commissioner Andrew moved a substitute motion that the County Board vote to reject implementation of the 1/2 cent sales tax. The motion was seconded by Commissioner Keefe. Chairman Derus called for a vote on the motion to substitute and there being a voice vote, ruled the motion failed.

The question was on the adoption of the resolution and there were Seven YEAS and No NAYS as follows:

COUNTY OF HENNEPIN
BOARD OF COUNTY COMMISSIONERS

	<u>YEA</u>	<u>NAY</u>	<u>OTHER</u>
Peter McLaughlin	<u>X</u>	—	—
Randy Johnson	<u>X</u>	—	—
John Keefe	<u>X</u>	—	—
Tad Jude	<u>X</u>	—	—
Judy Makowske	<u>X</u>	—	—
Mark Andrew	<u>X</u>	—	—
John E. Derus, Chairman	<u>X</u>	—	—

RESOLUTION ADOPTED.

ATTEST:

Kay Mitchell
Clerk of the County Board

MAY 21 1991

MEMORANDUM

DATE: June 4, 1991
TO: Jerry Dulgar, City Manager
FROM: Anne L. Norris, Community Development Director *aln*
RE: Subdivision of Nicklow's parcel - 5400 35th Ave N.

BACKGROUND:

As you recall, the Crystal EDA acquired the parcel at 5400 - 35th Avenue N., in Tax Increment Financing District No. 2. The EDA acquired only the eastern portion of the parcel, as the western portion of the parcel is needed by the Seller for future redevelopment of the shopping center site to the north. Attached is a map showing the proposed subdivision.

Prior to filing the deed for the eastern portion of the parcel, the City must waive the requirements for recording subdivisions and approve the subdivision.

For your consideration, attached is a resolution waiving the recording requirements and authorizing subdivision of the parcel.

RECOMMENDATION:

Move the adoption of the resolution waiving compliance with recording requirements under Minnesota Statutes in connection with conveyance of a certain parcel in Tax Increment Financing District No. 2.

Highway Number 100 L₁₀₀

lay of Belt Line Highway -

NOT

INC.

FAX

TRACT E

 $N \uparrow$

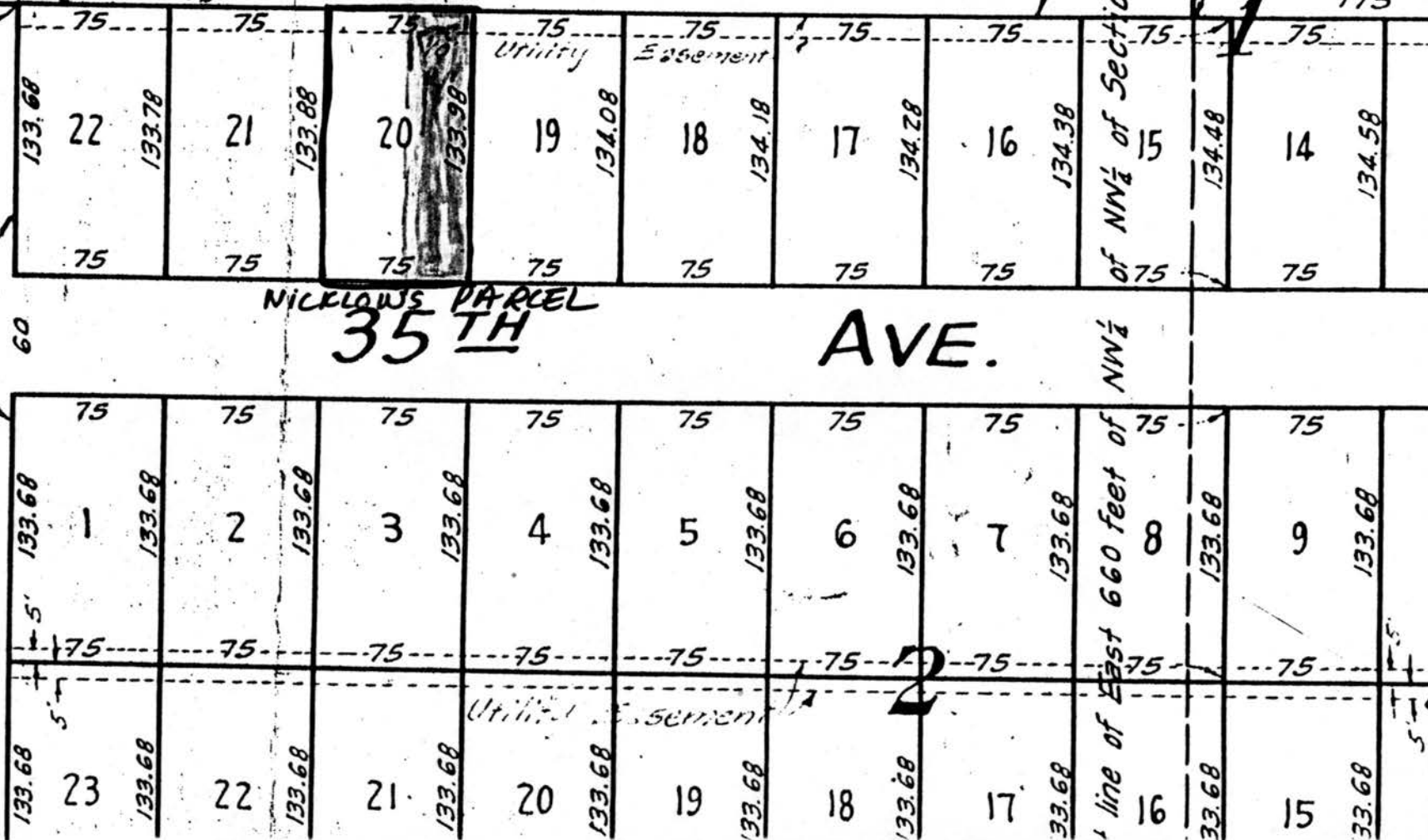
North

North line of $S\frac{1}{2}$ of $NW\frac{1}{4}$ of $NW\frac{1}{4}$ of Section 7, Township 29, Range 24

NICKLOW'S PARCEL
35 TH

AVE.

NW $\frac{1}{4}$ of Section 7, Township 29, Range 24



CITY OF CRYSTAL

RESOLUTION NO. _____

RESOLUTION WAIVING COMPLIANCE WITH RECORDING
REQUIREMENTS UNDER MINNESOTA STATUTES,
SECTION 462.358, SUBDIVISION 4b IN CONNECTION WITH
CONVEYANCE OF A CERTAIN PARCEL WITHIN TAX INCREMENT
FINANCING DISTRICT NO. 2-1

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

Section 1. Recitals.

1.01. The Economic Development Authority in and for the City of Crystal, Minnesota (the "Authority") has properly created and is administering its Redevelopment Project No. 2 ("Project") and its Tax Increment Financing District No. 2-1 ("TIF District") pursuant to Minnesota Statutes, Sections 469.090 to 469.108, 469.001 to 469.047, and 469.174 to 469.178.

1.02. The City and the Authority have entered a certain Contract for Private Redevelopment with Super Valu Stores, Inc., dated May 31, 1991 (the "Agreement"), under which the Authority agreed to acquire the parcel described in Exhibit A hereto, which parcel is defined in the Agreement as the Nicklow's Parcel, and agreed subsequently to convey that parcel to Super Valu Stores, Inc. subject to certain conditions.

1.03. The Authority acquired the Nicklow's parcel by deed dated May 30, 1991, and desires to record that deed as well as a deed conveying the Nicklow's Parcel to Super Valu Stores, Inc. if such conveyance occurs pursuant to the Agreement.

1.04. The Nicklow's Parcel is described as a fractional part of an existing lot of record in the City, which description fails to comply with requirements for recording of a conveyance under Minnesota Statutes, Section 462.358, Subdivision 4b and City Code, Section 506.05, Subdivision 1.

1.05. The City has determined that compliance with the aforementioned recording requirements will create an unnecessary hardship and failure to comply does not interfere with the purpose of the City's subdivision regulations, because timely conveyance of the Nicklow's Parcel pursuant to the Agreement is essential to carry out the goals and objectives of the Redevelopment Plan and the TIF Plan.

Section 2. Compliance Waived.

2.01. As authorized by Minn. Stat., Section 462.358, Subd. 4b, the Council hereby waives compliance with the restrictions set forth in Minnesota Statutes, Section 462.358, subdivision 4b and City Code, Section 506.05, Subdivision 1, as applied to conveyance of the Nicklow's Parcel.

2.02. The proper Authority officials are hereby authorized to record the deed conveying the Nicklow's Parcel from Anthony's Shopping Center Partnership to the Authority, and, if applicable, the deed conveying the Nicklow's Parcel from the Authority to Super Valu Stores, Inc.

Approved by the City Council of the City of Crystal, Minnesota, this ____ day of June, 1991.

Betty Herbes, Mayor

ATTEST:

Darlene George, City Clerk

CR150-10

EXHIBIT A

Nicklow's Parcel: Lot 20, Block 1, Crystal Heights View Second Addition, according to the recorded plat thereof, Hennepin County, Minnesota, except that portion of Lot 20 lying westerly of a line drawn perpendicular to and extended in a Southerly direction from the North line of Tract E, Registered Land Survey No. 860, files of Registrar of Titles, Hennepin County, Minnesota, and intersecting said North line at a point distant 177.63 feet Easterly from the Northwest corner of Tract E.



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

ADMINISTRATIVE OFFICE

May 30, 1991

The Honorable
Roberta K. Levy
Chief Judge
Hennepin County Government
Center
C-1251
Minneapolis, Minnesota 55487

Re: Crystal Charter Commission

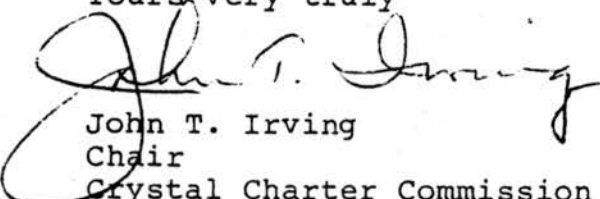
Dear Judge Levy:

You recently reappointed Mr. Harold E. Homan for a second four year term on the Crystal Charter Commission.

Mr. Homan has informed me that to his regret a health condition has affected him to the point that he feels unable to accept the reappointment. Mr. Homan will, therefore, not be returning the acceptance and oath of office accompanying your letter of May 1, 1991.

I will be bringing the matter to the attention of the Crystal City Council with a request that it forward the name or names of other persons for your consideration in filling the vacancy.

Yours very truly


John T. Irving
Chair
Crystal Charter Commission

cc: Mayor Betty Herbes
David J. Kennedy
Darlene George

CRYSTAL PARK AND RECREATION ADVISORY COMMISSION

Agenda

June 5, 1991

Becker Park (6225 - 56th Avenue N.)

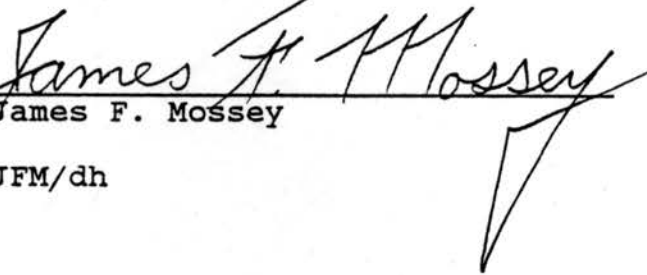
1. Call meeting to order 7:00 p.m. - Becker Park
2. Approval of minutes
3. Review monthly report
4. Hear comments from the Becker Park area residents
5. Review Frolics Committee meeting - Liz
6. Discuss Honored Seniors Program - Liz
7. Update on Frisbee course at Bassett Creek Park
8. Discussion regarding: Recreation Day at Crystal Shopping Center July 10
9. Discussion regarding Trailway plan for the City of Crystal
10. Discuss presentation to City Council on Twin Lake trailway system
11. Other business
 - a. June 8th Birthday Party - Pool/CC (Need Workers)!

**CITY OF CRYSTAL
POLICE DEPARTMENT
MEMORANDUM**

DATE: May 30, 1991
TO: Jerry Dulgar, City Manager
FROM: James F. Mossey, Chief of Police
SUBJECT: TRAFFIC/SPEED SURVEY

Attached is a copy of a report from Sgt. Harty submitted to Lt. Thomseth with results of the traffic volume and speed survey report you requested. This survey was conducted roughly over a two-week period, which culminated on May 24. Although not mentioned in the report, Lt. Thomseth advised me that both marked and unmarked vehicles were used to gather the information.

If you need more information or if you have any questions, please let me know.


James F. Mossey

JFM/dh

CITY OF CRYSTAL
POLICE DEPARTMENT

MEMORANDUM

DATE: May 27, 1991

TO: Lt. Craig C. Thomseth

FROM: Sgt. Michael C. Harty

SUBJECT: Traffic Survey

When manpower and call load allowed, an officer on day and middle shift was assigned to work radar in 20 specific locations. These areas were chosen due to both stop sign removal and citizen complaints. Following are the results of that survey:

- Twenty locations were used.
- 882 vehicles were clocked.
- 19.716 hours were spent from 5-10-91 to 5-24-91.
- Average speed of vehicles clocked: 24.43 m.p.h.
- 38th & Xenia and 35th & Welcome have been the areas with the most vocal residents. 2 hrs. & 10 minutes were spent at 35th & Welcome and 1 hr. & 46 minutes were spent at 38th & Xenia.


Following are the areas, number of vehicles clocked, and average speeds of those vehicles:

- Wilshire & Scott/Twin Oak Park: 47 cars were clocked, average speed of 26.2 m.p.h.
- Wilshire & Vera Cruz: 86 vehicles, average speed of 25.95 m.p.h.
- 6700 block of 53rd/Hampshire Avenue: average speed - 143 vehicles, 28.48 m.p.h.
- 46th & Hampshire: 40 vehicles, 25.46 m.p.h.
- 30th & Hampshire: 44 vehicles, 26.89 m.p.h.
- 39th & Hampshire: 3 vehicles, 27.5 m.p.h.
- 49th & Hampshire: 27 vehicles, 24.5 m.p.h.
- 49th & Vera Cruz: 24 vehicles, 27.58 m.p.h.
- 46th & Adair: 20 vehicles, 28.15 m.p.h.
- 44th & Adair: 7 vehicles, 26.78 m.p.h.

-	39th & Adair:	49 vehicles, 26.21 m.p.h.
-	35th & Welcome	95 vehicles, 26.2 m.p.h.
-	5900 bl./34th-Adair	43 vehicles, 24.68 m.p.h.
-	Brookridge/Med.Lk.Rd.:	21 vehicles, 26.56 m.p.h.
-	6500 bl./38th-Florida:	9 vehicles, 27.94 m.p.h.
-	5700 bl./38th-Xenia:	25 vehicles, 25.48 m.p.h.
-	6800 bl./36th-Idaho:	14 vehicles, 32.64 m.p.h.
-	31st & Louisiana:	148 vehicles, 25.33 m.p.h.

As you can see by the survey we do not seem to have a speeding problem in these areas, contrary to what the residents have been saying. The area with the fastest moving vehicles is 36th Avenue North which is logical due to the amount of traffic on this roadway. The other problem area may be 31st and Louisiana, due to the closure of County Road 70 for reconstruction. This area may possibly need to be looked at for heavier enforcement.

I assume the data in this memorandum will assist you with any questions which may arise about traffic enforcement in the areas where the stop signs have been removed and we have received citizen complaints about the speeders.


 Sgt. Michael C. Harty

/la



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

ADMINISTRATIVE OFFICE

May 30, 1991

Mr. Kirk McDonald
City of New Hope
4401 Xylon Avenue North
New Hope, MN 55428

Dear Mr. McDonald:

When the Crystal City Council approved the curb opening permit on Louisiana Avenue for the bank proposal at 7001-56th Avenue, a number of residential property owners objected due to perceived traffic problems. In response, a condition of approval included establishing a no parking zone on Louisiana Avenue adjacent to the commercial uses.

Crystal has already acted to prohibit parking on the east side of Louisiana next to the bank property. For some reason I thought New Hope had already taken the same action for the west side of the street. It is now evident New Hope has not taken any action on this item.

At this point I am requesting New Hope review Crystal's action in approving the bank permit (copy attached) and prohibit parking on the west side of Louisiana Avenue south from 56th Avenue adjacent to the property(s) zoned commercial. Your assistance in processing this matter is appreciated. Should further information or involvement be required, please let me know.

Sincerely,

William Monk
City Engineer

WM:mb

Encl



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

ADMINISTRATIVE OFFICE

May 23, 1991

LMHRC

ATTN: Bob Techam
6707 Corvallis Avenue North
Crystal, Minnesota 55428

Dear Bob:

The Crystal Human Relations Commission at their meeting of May 20, 1991 voted unanimously to nominate Donn McCoy to be the recipient of the Minnesota Human Rights Award.

I. Information on Nominee

Name: **Donn McCoy**
Address: **3455 Georgia Avenue North**
Phone: **533-2814**

Brief sketch of activities relevant to the award: **see attached letter that was submitted when he was nominated for the Crystal Human Rights Award.**

If the League should need any further information, please feel free to contact me.

Sincerely,

Joan Schmidt, Staff Liaison
Crystal Human Relations Commission

enclosure

✓cc: Jerry Dulgar, City Manager

September 18, 1990

Crystal Human Relations Commission
City of Crystal
4141 Douglas Drive
Crystal, MN 55422

Re: Crystal Human Rights Award

Dear Members:

I would like to nominate Crystal resident Donn McCoy, 3455 Georgia Avenue N., Crystal, MN 55427, for the 1990 Crystal Human Rights Award. This nomination is based on the following:

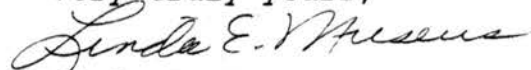
Mr. McCoy has been involved with the Native American movement for the past six or seven years. He first worked with the Big Mountain group which worked with legislative bodies to implement change regarding displacement of the Navajo people in Arizona. This involvement then led to the White Earth Native American struggle which is similar to that of the Navajo's.

About four years ago he was invited, by local Native Americans, to join the American Indian Patrol. This was a reactivation of a group which had been formed in the 1960's in response to complaints at the American Indian Center of brutality toward American Indians. The patrol sees itself as a de-victimization of violence force. It looks for people who look like they could be victims of violence in the inner-city areas of Minneapolis. People who have problems with alcohol very often are victims of violence, as are women who are alone. The patrol will often break up fights, provide support just by listening, give rides home to people who need them, stay around after bars close to insure there is no violence.

Mr. McCoy spends one night a week, from about 9:00 p.m. until 2 or 3:00 a.m. (sometimes even later) with the patrol. His reasons for getting involved are simple. One can have more of a positive affect on society by becoming involved at the local level and, if you are not part of the solution, you are part of the problem.

I believe Mr. McCoy's contribution to human rights in this area should be recognized. Recognition of his commitment to human rights would, I hope, inspire others in this community to also work for human rights.

Very truly yours,


Linda E. Museus

M E M O R A N D U M

DATE: May 15, 1991
TO: Jerry Dulgar, City Manager
FROM: *MEF* Mary Fandrey, Public Health Sanitarian
SUBJECT: Crystal Dairy Queen

On May 14, 1991, I performed an inspection of Crystal Dairy Queen. They scored 80 out of 100 possible points.

There was basis in fact to the complaints we have received in regard to general cleanliness and overall appearance of the customer area.

The kitchen area, however, is reasonably clean and only minor violations were noted.

I discussed the complaints we have received with Delores, the restaurant manager, and with Caroline Carringer the owner.

They expressed concern and worry when I informed them that people wonder at conditions in the back of the restaurant if the front of the restaurant looks the way it does. Confronting them with customers' concerns and disapproval and subsequent non-patronage seems to be a larger motivating force than the Health Department's disapproval. Overall, violations present in the establishment were relatively minor.

MEF:jt

HUMAN RELATIONS COMMISSION
April 22, 1991

The Human Relations Commission meeting was called to order at 7:07 p.m. by Vice Chair Renee Werner. Members present were: James Brown, Bill Johnson, Bob Techam, Tony Kamp, Renee Werner, John Luzaich, and Jackie Gustafson. Also present were guest Bill O'Reilly from the Park & Recreation Advisory Commission, Elmer Carlson, Councilmember Liaison, and Joan Schmidt, Staff Liaison.

Absent were Linda Museus (excused), Kathryn Huston, (unexcused) and Arlene West (excused).

1. Moved by Commission member Brown and seconded by Commission member Luzaich to approve the minutes of the March 25, 1991 Regular Human Relations Commission meeting.

Motion Carried.

2. The Commission discussed plans for having a float in the Crystal Frolics Parade. Jim Brown reported that Crystal Marine will allow us to use an open bow style, 17' - 20' boat with trailer. He will call a month ahead to verify and draft a letter of acknowledgement. He will also arrange for a truck to haul the boat.

We received a donation of \$100 from Knights of Columbus and have not heard from the other groups that letters were sent to. Jackie will hand deliver a memo to businesses asking for donations.

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

Bill O'Reilly and Renee Werner have been in contact with Dr. Kerry Mildon from Courage Center who was unable to make this meeting. He will attend in May to learn what we have planned and to make suggestions.

It was decided that an appropriate term for our theme was needed since some object to disabled, handicapped, and "Special People".

Moved by Commission member Luzaich and seconded by Commission member Brown that, "We're all differently abled. Let's celebrate our abilities and different abilities."

Moved by Commission member Techam and seconded by Commission member Brown to amend the original motion to, **"Celebrating our different abilities."**

Motion Carried.

Other groups to be contacted by the following Commission members:
Jackie will call World Institute on Disabilities;
Jim will call the Association for Mentally Retarded;
Jackie will check on the Nu Age Deaf Dance Group;

Bob will call former Viking Carl Kasaulki; and John will check with the School District to see if we can still do posters this Spring.

Jim has arranged with Crystal Glory Club Choir from Crystal Free Church to perform.

Further discussion followed on having the Human Rights Award presented on that day and the possibility of having buttons for the Frolics and Human Rights Day. Tony will check on the cost factor.

It was decided that at the May meeting the final agenda for Human Rights Day would be decided on.

4. Old Business.

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 14th instead of September 7th.

5. New Business.

Moved by Commissioner Luzaich and seconded by Commissioner Kamp that due to the holiday following on May 27th to have next month's meeting on May 20th.

Motion Carried.

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

Motion Carried.

Meeting adjourned at 9:00 p.m.

CRYSTAL PLANNING COMMISSION MINUTES

May 24, 1991

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

Moved by Commissioner Nystrom and seconded by Commissioner Anderson to approve the minutes of the April 8 and April 15, 1991, meetings.

Motion carried.

1. Chairperson Magnuson declared that nominations were open for Vice-Chairperson of the Planning Commission for the year ending December 31, 1991.

Commissioner Nystrom nominated and Commissioner Guertin seconded the nomination of Jane Elsen as Vice-Chairperson of the Planning Commission for the year ending December 31, 1991.

Moved by Commissioner Kamp and seconded by Commissioner Anderson to elect Jane Elsen as Vice-Chairperson of the Planning Commission for the year ending December 31, 1991.
Motion carried.

2. Chairperson Magnuson declared this was the time and the place as advertised for a public hearing at which time the Planning Commission will sit as a Board of Adjustments and Appeals to consider Variance Application #91-11 for a porch which will encroach in the required 20' side street side yard setback at 4403 Zane Ave. N., as requested by Contempra Remodeling for Judy Rice. The proponents presented the following: Judy Rice stated they want to build an open porch off the living room on the side not off the bedrooms and bathroom to the rear as it would be more functional and aesthetic. Charles Simons of Contempra Remodeling stated they plan to extend the hip roof and turn it into a gable roof.

The following were heard: No one appeared in opposition.

Moved by Commissioner Anderson and seconded by Commissioner Nystrom to close the public hearing.
Motion carried.

Moved by Commissioner Anderson and seconded by Commissioner Lundeen that pursuant to Section 515.55 of the Crystal City Code to recommend to the City Council to deny

May 20, 1991 - Continued

a variance of 8' in the required 20' side street side yard setback to build a 10' x 20' porch on the existing house at 4403 Zane Ave. N., P.I.D. #16-118-21-22-0058, as requested in Application #91-11 of Contempra Remodeling for Judy Rice.

The findings of fact are: Applicant has not shown undue hardship as defined by State Law and our own ordinance.

The following voted aye: Anderson, Guertin, Kamp, Lundeen, Magnuson and Nystrom. The following voted no: Smith.

Motion carried 6 to 1.

3. At the April 15, 1991, Planning Commission Meeting a public hearing was set for May 13, 1991, to consider Variance Application #91-12 for an addition to the existing attached garage which will encroach 1' 4" in the required 5' side yard setback at 4813 Yates Ave. N., as requested by Sandra J. Green.

Applicant Sandra J. Green requested the public hearing be continued to June 10, 1991.

Moved by Commissioner Anderson and seconded by Commissioner Nystrom that pursuant to Section 515.55 of the Crystal City Code to continue until June 10, 1991, the discussion of Variance Application #91-12 to grant a variance of 1' 4" in the required 5' side yard setback for an addition to the existing attached garage at 4813 Yates Ave. N., P.I.D. #09-118-21-31-0060, as requested by Sandra J. Green.

Motion carried.

4. Chairperson Magnuson declared this was the time and the place as advertised for a public hearing to consider Variance Application #91-13 to erect a ham radio antenna tower which will encroach in the required 30' front yard setback at 4201 Kentucky Ave. N. as requested by Ron and Mary Mannix. The proponents Ron and Mary Mannix presented the following: Four large evergreen trees will screen the tower. The ham radio was used as a community service to send messages to military families in Saudi Arabia.

The following were heard: No one appeared in opposition.

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

Motion carried.

Moved by Commissioner Smith and seconded by Commissioner Guertin that pursuant to Section 515.55 of the Crystal

May 20, 1991 - Continued

City Code to recommend to the City Council to vary or modify the strict application of Section 515.13, Subd. 2 a) to grant a variance of 9' in the required 30' front yard setback to erect a 25' ham radio antenna tower at 4201 Kentucky Ave. N., P.I.D. #17-118-21-12-0092, as requested in Application # 91-13 of Ron and Mary Mannix.

The findings of fact are: Tower is well screened from neighbors, free standing and is a temporary structure.

Motion carried.

5. Consideration of Variance Application #91-14 for a privacy fence in the front yard which exceeds the 4' high limit at 5420 Fairview Ave. N. as requested by Michael and Sandra Partlow.

Moved by Commissioner Kamp and seconded by Commissioner Guertin to set 8:00 p.m., or as soon thereafter as the matter may be heard, Monday, June 10, 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 #91-14 to grant a variance of 2' in the allowed 4' high fence in the front yard (Section 515.07, Subd. 8 b) to erect a 6' privacy fence at 5420 Fairview Ave. N., P.I.D. #09-118-21-13-0003 as requested by Michael and Sandra Partlow.

Motion carried.

6. Consideration of Variance Application #91-15 for an addition to the existing attached garage which will encroach in the required 30' side street side yard setback at 4740 Regent Ave. N. as requested by Minnesota Construction Corporation for Kiki Tirokomos.

Moved by Commissioner Guertin and seconded by Commissioner Kamp to set 8:00 p.m., or as soon thereafter as the matter may be heard, Monday, June 10, 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 #91-15 to grant a variance of 12' in the required 30' side street side yard setback (Section 515.13, Subd. 3 a) 2 ii) to build a 12' x 24' addition on the existing 11' x 24' attached garage at 4740 Regent Ave. N., P.I.D. #09-118-21-41-0044 as requested by Minnesota Construction Corporation for Kiki Tirokomos.

Motion carried.

7. Consideration of Application #91-16 of Wendy's International for a conditional use permit (and if necessary a parking variance) to allow a convenience food establishment in a B-4 District at 5440 West Broadway (formerly First Minnesota Savings).

May 20, 1991 - Continued

Moved by Commissioner Smith and seconded by Commissioner Guertin to set a public hearing before the Planning Commission at 8:00 p.m., or as soon thereafter as the matter may be heard, Monday, June 10, 1991, to consider the request of Wendy's International in Application #91-16 for a conditional use permit (and if necessary a parking variance) to allow a convenience food establishment in a B-4 (Community Commercial) District at 5440 West Broadway, P.I.D. #05-118-21-44-0006.

Motion carried.

8. As the City Council is to receive a report and recommendations from Jim Lasher, LSA Design Inc., on the image component of the Comprehensive Plan, the Planning Commission requested a joint work session with the City Council on Monday, June 10, 1991, at 6:30 p.m. with the public hearings to be held at 8:00 p.m.
9. Consideration of proposed ordinance revision regarding a change for rear yard and side street side yard setbacks on corner lots.

Moved by Commissioner Anderson and seconded by Commissioner Kamp to set a public hearing before the Planning Commission at 8:00 p.m., or as soon thereafter as the matter may be heard, Monday, June 10, 1991 to consider a proposed ordinance revision regarding a change for rear yard and side street side yard setbacks on corner lots.

Motion carried.

10. Consideration of memo from City Attorney regarding granting variances in a very occasional situation rather than a routine occurrence.
11. Discussion items:
 - a. Comments on Comprehensive Plan Policies--Planning Commission feels must state opposition to airport expansion at this time for possible future use of airport property.
 - b. Discussion of May 29 presentation, "Constitutional Issues in Land Use and Zoning: Due Process, Equal Protection, and the Taking Issue"--Commissioners may either call the City or make their own reservations if able to attend.
 - c. There will be a Light Rail Transit meeting 7:30 to 9:30 a.m., May 28, 1991, at Golden Valley City Hall.
 - d. Discussion of "Share a Home" concept whereby non-relatives may share a home with an elderly person and have separate living and cooking facilities in an R-1 (Single Family) District.

May 20, 1991 - Continued

12. Consideration of the preliminary plat of Twin Lake Shores 2nd Addition which is a re-plat of Lots 8 and 9, Block 2, Twin Lake Shores, property is located at 5105 and 5109 - 50th Ave. N. as submitted by the City of Crystal.

Moved by Commissioner Kamp and seconded by Commissioner Guertin to set a public hearing before the Planning Commission at 8:00 p.m., or as soon thereafter as the matter may be heard, Monday, June 10, 1991, to consider approval of the preliminary plat of Twin Lake Shores 2nd Addition which is a re-plat of Lots 8 and 9, Block 2, Twin Lake Shores, property is located at 5105 and 5109 - 50th Ave. N. as submitted by the City of Crystal.

Motion carried.

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

Motion carried.

The meeting adjourned at 8:58 p.m.

Chairperson Magnuson

Secretary Anderson

HENNEPIN RECYCLING GROUP MEETING MINUTES

April 18, 1991
3:00 P.M.

Crystal City Hall
4141 Douglas Drive North

CALL TO ORDER

The Hennepin Recycling Group meeting was called to order by Chairman Dulgar at 3:06 P.M.

ROLL CALL

Present: Chairman Dulgar, Director Dan Donahue and Director Gerald Splinter.

Absent: None

Staff members present were Julie Jones, HRG Administrator, and Mike Barone, HRG Administrative Intern.

APPROVAL OF MINUTES

It was approved by Director Splinter and seconded by Director Donahue to approve the March 21, 1991, meeting minutes as submitted. Motion Carried.

DIVISION OF 1991 COUNTY FUNDING REIMBURSEMENT

Julie Jones presented and explained her recommendation that each HRG city be reimbursed for 80% of their curbside recycling contract expenses for the second half of 1990 with the remaining balance of the funding reimbursement being placed into the HRG fund. Director Splinter moved to approve the division of the 1990 Hennepin County Funding Reimbursement with 80% of the funds for each city being placed back into their City Recycling Enterprise Funds and 20% of their reimbursement being placed into the HRG account. Director Donahue seconded the motion. Motion Carried.

MARCH ADMINISTRATIVE EXPENSES

Julie Jones presented a revised version of the March HRG Administrative expenses for Board's consideration. Director Splinter moved to approve payment of the March Administrative Expenses as submitted on the revised memorandum. Director Donahue seconded the motion. Motion Carried.

\$50.00 CASH DRAWING

Julie Jones explained that it appears possible to begin the \$50 cash drawing concept by July 1, 1991. The Board members agreed with her suggestion to select utility account numbers for the weekly drawings at the monthly HRG meetings. The Board members further decided to announce the winners at their City Council meetings but not to require winners to be present to accept their check unless they requested to be present.

PUBLICITY UPDATE

The Board members reviewed a copy of a brochure that is scheduled to be enclosed in the next issue of the Crystal City Newsletter. Mike Barone explained that the insert will also be given to New Hope and Brooklyn Center for inclusion in their next City Newsletter issues. Director Donahue requested that the flyer be modified to be generic for all three cities. Julie Jones explained that the purpose of the newsletter insert was to clarify and repeat the plastics recycling information, as well as, give directions to the yardwaste drop-off site in Maple Grove.

The Board members discussed potential means of distributing more information about the yardwaste drop-off site. Director Splinter suggested doing another flyer insert in the Brooklyn Center City Newsletter. Chairman Dulgar suggested contacting the refuse haulers regarding the possibility of distribution of a self-stick reminder note about the yardwaste drop-off site.

5-8 PLEX RECYCLING

Mike Barone explained that property owners of all 5-8 plex apartment units in the HRG area have been notified that they will be included in the curbside recycling program beginning May 1, 1991. He also explained that he is planning on distributing recycling containers to these units over the next two weeks with the assistance of staff people from each of the HRG cities staff.

1990 AND 1991 YARDWASTE EXPENSE AND FUNDING SUMMARY

Julie Jones explained that County staff is requiring each city to complete a Yardwaste Expense and Funding Summary. She explained that the copy of the form included in the packet shows that HRG will be using excess rebate funds from 1990 for anticipated excess expenses in 1991.

Director Donahue moved to approve the form as submitted and to authorize the Chair to sign the form on HRG's behalf. Director Splinter seconded the motion. Motion Carried.

OTHER BUSINESS

Julie Jones explained the purpose of a recent Recycling Coordinators meeting where new recycling contract language required in the 1991 County contract was discussed. She explained that there are several legal questions about some of the requirements, such as, recycling materials designation. Ms. Jones said that the recycling coordinators are currently attempting to find out who at Hennepin County is requesting these contract changes in order to determine how the disagreement with the requirements should be approached.

The Board members indicated that they would clearly object to amending the existing contract which does not terminate until the end of 1993. However, they would be willing to consider the changes when the contract is renegotiated in 1993. Julie Jones said she would keep the Board members abreast of progress in debating these contract language changes with Hennepin County.

Chairman Dulgar inquired about the other Board member's interest in bidding for municipal facilities garbage collection through a joint HRG effort. All Board members were in agreement with a joint garbage contract concept. Staff was requested to investigate the garbage collection needs of each HRG city-owned and operated facility in order to develop bids specifications.

Director Donahue informed the other Board members that New Hope will be holding its Annual Spring Clean-up (for New Hope residents only) on April 27, 1991.

ADJOURNMENT

Since there was no other business, Director Donahue moved to adjourn the meeting. Director Splinter seconded the motion. The meeting adjourned at 3:39 P.M.

**MINUTES OF THE ENVIRONMENTAL QUALITY COMMISSION
OF CRYSTAL, MINNESOTA
APRIL 18, 1991
7:30 P. M.**

The Chair called the regular meeting of the Environmental Quality Commission to order at 7:48 P.M., recognizing a quorum.

Those members present were: Beth Jarvis, Mary Pat Hanauska, Bill Leonard, Gail Gove, Gary Joselyn (Council Liaison), Julie Jones (Staff Liaison), Pauline Langsdorf (Council Member), Mike Culhane (arrived 7:48 P.M.), and Lerry Teslow (arrived 7:59 P.M.).

Those members absent were: Diane Christopher, Phyllis Isaacson, Jerry Farrell, and Larry Lemanski.

Since Pauline Langsdorf needed to leave the meeting early, she asked to explain a new Selecta-flush toilet retrofit, which she thought would be a good demonstration at the Commission's Environmental Awareness Day. Pauline explained how the system works.

The Chair asked Pauline Langsdorf to give the Commission members an update on current activities of the Environmental Cities Coalition (ECO). Pauline explained that the next ECO meeting will be a meeting with US West regarding telephone book recycling.

Chair Jarvis reported on findings that phosphorus pollution is produced by leaves and grass naturally. Pauline Langsdorf explained the Metro Waste Control Commission's current study of the phosphorus pollution issue in the Mississippi River. She explained that too much phosphorus causes abnormal growth in rivers which takes oxygen from the water.

Chair Jarvis also reported that she had erred in her information at the last Community Forum regarding the use of pesticides on golf courses. She explained that pesticide residue is absorbed by thatch and the grass itself, therefore, diminishing pollution problems in water run-off.

Pauline Langsdorf also announced an Environmental Educational Seminar at the Stillwater High School on April 26 and 27, 1991.

The Chair asked the Commission members to consider the March 21st meeting minutes. Bill Leonard noted spelling corrections in the seventh paragraph. Mary Pat Hanauska moved to approve the March 21 meeting minutes, as corrected. Lerry Teslow seconded the motion. Motion Carried.

The Commission members then continued their discussion of plans for an Environmental Awareness Day. Lerry Teslow reported on the Human Relations Commission plans for their October 19 Human Relations Day, saying that they reacted positively to holding a joint event with the Environmental Quality Commission. Their only concern was that there be adequate space for both events at the Community Center.

The Commission members then divided the following responsibilities for planning certain event activities:

- Reusable/recyclable craft contest - Phyllis Isaacson and Lerry Teslow
- Bulb/plant exchange - Mary Pat Hanauska and Bill Leonard
- MPCA Computer Activated Questionnaire - Bill Leonard
- American Lung Association Activated Questionnaire - Mary Pat Hanauska
- Rain Forest Video Segment (Colleen Needles) - Jerry Farrell
- Skip Humphrey as a speaker - Gary Joselyn
- Mobius Character - Mary Pat Hanauska
- Audubon Society, Sierra Club, and Nature Conservancy - Gail Gove
- Soil Testing Drop-off - Beth Jarvis
- Dried Flower Arrangements - Mary Pat Hanauska
- Goodwill/Easter Seals - Larry Lemanski
- Department of Natural Resources - Lerry Teslow
- Hennepin County Hazardous Waste Division - Bill Leonard
- Kids For Saving Earth - Jerry Farrell
- Minnesota Rideshare - Jerry Farrell
- Minnesota Conservation Federation - Lerry Teslow
- Minnesota Department of Agriculture - Beth Jarvis
- Entomology Club - Beth Jarvis
- Minnesota Extension Service - Beth Jarvis
- Minnesota State Horticultural Society - Beth Jarvis
- St. Paul District Army Corp of Engineers - Jerry Farrell
- West Hennepin Human Services - Larry Lemanski
- City Water Department - Mike Culhane
- Minnesota Zoo - Phyllis Isaacson
- Raptor Society - Phyllis Isaacson
- Senior Group Regarding Using Television - Bill Leonard
- Climb Theater "Trash" play - Julie Jones

The Commission members then considered a reply letter from the Minnesota Department of Health regarding investigation of asbestos violations. The Commission did not take any action and decided to concentrate efforts on a municipal level regarding asbestos education. It was decided to place this item on the next agenda.

The Commission members then discussed future City Newsletter articles. It was recommended to add an article on asbestos to the list of future Newsletter articles.

Under Other Business, the Chair announced that Diane Christopher has decided to resign from the Commission, so the Commission now has an opening.

Julie Jones briefly summarized a Community Energy Program report, explaining the results for the City of Crystal.

Julie Jones distributed a Humpty Dumpty magazine article about a marsh restoration by Crystal resident, Donn McCoy. The Human Relations Commission suggested that Mr. McCoy be given some recognition for his efforts by the Environmental Quality Commission.

Since there was no other business, Lerry Teslow moved to adjourn the meeting. Mary Pat Hanauska seconded the motion. The meeting adjourned at 10:20 P.M.

JJ:jt

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

APRIL 24, 1991

Pursuant to due call and notice thereof a regular meeting of the Charter Commission of the City of Crystal, Minnesota, was held on Wednesday, April 24, 1991 in the Community Room of the Crystal City Hall, 4141 Douglas Drive North, Crystal, Minnesota.

The Chair called the meeting to order at 7:05 p.m. Upon roll call the following members were present: Cook, Elsen, Garber, Nemer, Anderson, Joselyn, Meintsma, Hawk, Homan and Irving. The following members were absent: Schaaf, Feyereisen, Magnuson, Dunham and Rood. Also present, David J. Kennedy, Commission Attorney. The Chair noted that members Schaaf, Feyereisen, and Magnuson had notified the Secretary that they would not be in attendance and that the absences of those members would be deemed excused absences. Moved by Cook, seconded by Elsen that the minutes of the September 26, 1990 regular meeting of the Commission be approved, motion carried.

The Commission Attorney reported on the status of implementation of the recent Charter amendment eliminating the Civil Service Commission and providing for an Employee Review Board and personnel rules and regulations. The Attorney stated that a comprehensive set of personnel rules and regulations had been adopted by the City Council and that the Employee Review Board had been established and appointments to it made. The Attorney was instructed to supply Commission members with the names and background information on the Employee Review Board members.

The Commission Attorney then reported on the status of terms of Commission members, pointing out that all present terms expire May 15, 1991, that all members had expressed interest in being reappointed, that the City Council had recommended to the District Court the reappointment of all members, and that the reappointments should be made in the near future. A discussion ensued about absences, and the Attorney pointed out that both the governing law and the Commission's by-laws provide that the office of Commission members becomes vacant upon three consecutive unexcused absences. It was agreed by consensus that a letter from the Chair should accompany the notice of the next meeting (assuming all present members are reappointed) calling attention to the rule and the importance of regular attendance at Commission meetings.

The next order of business was an extended discussion of various proposals, including a letter from Crystal Mayor Betty Herbes (which was placed on file), for changing the City regular election date to November in even numbered years, the related adjustment of terms of Council members, and the possible change-over to a system of one Council member for each ward as opposed to the present ward-section system now set up by the Charter. Members discussed in detail the arguments for and against each of these proposals in the context of the following issues:

- comparative voter turnout at off-year and general election year elections;

- the fact that Crystal's system results in annual elections both in off-year and general election years;
- the quality of voter information about issues and candidates at high turn-out election;
- the possibility and probability of voters not completing ballots when faced with extensive ballot choices;
- the need or lack thereof for uniformity in election days for all local government units including school districts;
- the practice of other cities in this matter;
- the mechanics of a shift to biennial election, either odd or even, with particular reference to adjustment of terms of Council members;
- the advantages and disadvantages of Crystal's present ward-section scheme of area representation.

The Chair also pointed out that the Commission had previously considered these matters and had decided that no changes in the Charter were needed. Following the discussion it was agreed by consensus that the issues should be considered again at the next meeting with the intent of making some final decision at that time. The attorney was directed to collect any available data on voter turn-out for municipal offices at off-year and general election year municipal elections and to circulate that data prior to the next meeting.

There being no further business to come before the Commission, the meeting adjourned at 8:30 p.m.

Respectfully submitted,

By



David J. Kennedy
Acting Secretary

Jerry

MEMORANDUM

TO: All Division and Department Heads
FROM: Jessie Hart, Assistant Finance Director
DATE: May 28, 1991
SUBJECT: 1992 BUDGET WORKSHEETS

BUDGET INFORMATION

Attached are the 1992 BUDGET WORKSHEETS. These worksheets should be completed and returned to me, with all justifications and the diskette containing the detail information, no later than Friday, June 28, 1991. A copy of the preliminary schedule is attached so that you can keep in mind the timing of the budget process for 1992.

I have not yet provided your division/department with diskettes containing the budget information. These will be provided in the near future. It will be necessary for me to go over the input of information with each person responsible for entering the data. Due to the program version of LOTUS 123 that I utilize, you will not be able to print copies of what is submitted to me. I will print the completed worksheets and forward a copy to each division/department head prior to July 15, 1991.

If additional copies of the justification sheet are required in order to complete the 1992 BUDGET WORKSHEETS, please see me and I will provide you with additional copies.

BUDGET COMPLETION

The attached worksheets include the 1991 Adopted Budgets as well as the 1991 Revised Working Budgets. With the cuts at the state level that we are experiencing, and the levy limits imposed, it is recommended that you submit your budgets at or below the 1991 Revised Working Budget levels.

We will keep you informed as to what the bottom line effect of the most recent legislative effect has on the City.

As always, if you have any questions regarding the completion of the attached information, please feel free to come and see me. Thank you in advance for your cooperation and timeliness in submitting your 1992 BUDGET WORKSHEETS.

1992 BUDGET SCHEDULE

THE FOLLOWING IS A PRELIMINARY SCHEDULE FOR THE 1992 BUDGET PROCESS. THIS SCHEDULE INCLUDES PRELIMINARY MEETING DATES AS WELL AS THOSE DEADLINES MANDATED BY STATE LAW.

MAY 31, 1991

Worksheets distributed to departments.

JUNE 28, 1991

Completed worksheets and justifications to be returned to the Jessie in the Finance Department.

JULY 15, 1991

Preliminary review of departmental requests by City Manager and Finance.

JULY 16 - JULY 31, 1991

Review of departmental requests by the City Manager, Finance and each department head.

AUGUST 1, 1991

State issues 1992 levy limits to Cities.

AUGUST 13, 1991

Initial budget worksession with Council.

SEPTEMBER 1, 1991

Deadline for certification of proposed levy to the county. (Levy can go down from this proposed certification, but no increase.)

NOVEMBER 10, 1991

County Auditor to mail notice of proposed property taxes to each parcel, based on the proposed certifications from each taxing district.

NOVEMBER 15 - DECEMBER 28, 1991

Cities required to hold public hearings with alternate date for continuation if necessary. Can not coincide with the public hearings for the County or local School District.

DECEMBER 28, 1991

Deadline for certification of final levy to the county. (This amount must be equal to or less than the proposed amount certified on September 1.)



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

ADMINISTRATIVE OFFICE

May 31, 1991

Dear Crystal Resident:

My timing is poor, to say the least, but I just received New Hope's plan for a ponding area along the east edge of Fred Sims Park. The layout involves a 10 acre-foot dry pond with pipe extensions and landscaping. I would like to review the plan with abutting property owners before I forward it to the City Council for consideration.

I have reserved the Council Chambers on Wednesday, June 12, at 7:30 p.m. to discuss the plan. I hope to see you there. If you cannot attend, let me know and we will make arrangements to review the plan at the office.

Sincerely,

William Monk
City Engineer

WM:mb

cc: Mayor & City Council

CRYSTAL CITY COUNCIL AND PLANNING COMMISSION

JUNE 10, 1991

6:30 P.M.

Crystal City Council and Planning Commission will hold a joint work session Monday, June 10, 1991, at 6:30 p.m. in the Council Chambers regarding the Image Component of the Comprehensive Plan. The regular Planning Commission Meeting will begin at 8:00 p.m.