

Crystal (Minn.).
City Council Minutes and Agenda Packets.

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Darlene

857

COUNCIL AGENDA

December 3, 1991

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on December 3, 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	<u>Staff</u>
	P Dulgar
P_ Grimes	_P_ Norris
	Kennedy
P Irving	_P Monk
Joselyn	P Barber
Langsdorf	P George
Moravec	L Brandeen

The Mayor recognized a donation in the amount of \$1,300 from the Crystal Fire Relief Association to the Crystal Fire Department.

The Mayor recognized a donation in the amount of \$2,000 from the Crystal Knights of Columbus to the Crystal Fire Department.

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

 The City Council considered the minutes of the Special Budget Meeting of November 18, 1991 and the Regular Council Meeting of November 19, 1991.

Moved by Councilmember and seconded by Councilmember (approve) (approve, making the following exceptions:						to					
to)	the	minutes	of	the	Special	Budget	Meeting	of	November	1.0	1001

and the Regular Council Meeting of November 19, 1991.

Motion Carried.

CONSENT AGENDA

- The City Council considered of authorization for the Fire 1. Department to use donated gambling funds for the purchase of a semi-automatic defibrillator with associated emergency medical equipment in the amount
- The City Cou Joan: O-year Lawful Gambling Premises

Permit applic that a for the Eldercare, Inc. at Knights of

Y. Resolution to 91-89

Seconded by Cour thanks become approve the Court thanks seconded by Councilmember C to

approve the (

Motion Carried.

REGULAR AGENDA

The City Council considered authorization to issue a building permit to build a structure to enclose the recovery equipment used to remove contaminants, as requested by Target, 5539 West Broadway. Jim Bakke of Twin City Testing appeared and was heard,

Moved by Councilmember _____ and seconded by Councilmember ____ to (approve) (deny) (continue until _____ \lambda_{ee.18,1991} the discussion of) the authorization to issue a building permit to build a structure to enclose the recovery equipment used to remove contaminants as requested by Target, 5539 West Broadway and direct stoff to solicit input from Target and MPCA. Motion Carried.

CONSENT AGENDA

2

- The City Council considered of authorization for the Fire 1. Department to use donated gambling funds for the purchase of a semi-automatic defibrillator with associated emergency medical equipment in the amount of \$4,400.
- The City Council considered a two-year Lawful Gambling Premises Permit application for Catholic Eldercare, Inc. at Knights of Moved by Councilmember _ m and seconded by Councilmember _ to

approve the Consent Agenda.

Motion Carried.

REGULAR AGENDA

The City Council considered authorization to issue a building permit to build a structure to enclose the recovery equipment used to remove contaminants, as requested by Target, 5539 West Broadway. Jim Bakke of Twin City Testing appeared and was heard.

Moved by Councilmember _____ and seconded by Councilmember ____ to (approve) (deny) ____ continue until _____ leg. 18, 1991 ____ the discussion of) the authorization to issue a building permit to build a structure to enclose the recovery equipment used to remove contaminants as requested by Target, 5539 West Broadway and direct stoff to solicit input from Target and MPCA. (Motion Carried)

 The City Council considered authorization to issue a building permit to erect a sign at 6122 - 42nd Avenue North as requested by Brunswick United Methodist Church.

Moved by Councilmember ____ and seconded by Councilmember ____ to (approve) (deny) (continue until _____ the discussion of) a building permit to upgrade a free standing sign from 35.4 square feet to 51.2 square feet at 6122 - 42nd Avenue North as requested by Brunswick United Methodist Church.

Motion Carried.

3. The City Council considered recommendations from the Park & Recreation Advisory Commission to (1) appoint a Citizen Advisory Committee to explore feasibility of a par-3 golf course in Crystal; (2) fund the Becker Park concert programming at the 1991 level.

Bill Sentry of the Park + Recreation Advisory Commission appeared and was heard.

Moved by Councilmember ____ and seconded by Councilmember ____ to (approve) (deny) (continue until _____ the discussion of) recommendations from the Park and Recreation Advisory Commission to _____ appoint a citizen advisory committee to explore the feasibility of a par-3 golf course in Crystal (2) fund the Becker Park concert programming at the 1991 level.

Motion Carried.

4.	Association Bylaws relating to disability benefits
	Association Bylaws relating to disability benefits. Those appearing and heard were:
	A
	Don Toams, Crystal Line Relief Association. art Quady, Retwie of the Crystal Fire Dept.
	ton the Crystal Fire Relief association Bylanes to include.
	After discussion, the City Courcil directed stoff to dreft lange to the Crystal Fire Relief association Bylanes to include. retired firefighters and bring back to the Council.
	Moved by Councilmember and seconded by Councilmember to
	(approve) (deny) (continue until
it this pr	int the mayor maned to Open Josum due to a number of people The City Council. The City Council change to the Personnel
3.	Rules and Regulations regarding inclement weather.
	Staff was directed to rewrite the policy using the
	"make up time" option.
	Moved by Councilmember and seconded by Councilmember to adopt the following resolution, the reading of which was dispensed with by unanimous consent:
	RESOLUTION NO. 91-
	RESOLUTION AMENDING THE PERSONNEL RULES AND REGULATIONS REGARDING INCLEMENT WEATHER
	By roll call and voting aye:,,,
	voting:; voting no:,; absent, not
.*	Motion carried, resolution declared adopted.

6. The City Council reconsidered an early retirement policy for the City of Crystal. To action was taken.

moved by Councilmember and seconded by Councilmember to
adopt the following resolution, the reading of which was dispensed
with by unanimous consent:
RESOLUTION NO. 91-
RESOLUTION RELATING TO PERSONNEL ADMINISTRATION:
ADDITION ADMINISTRATION:
EARLY RETIREMENT INCENTIVE PROGRAM
By roll call and voting aye:
; voting no:,,; absent, not
voting:,
Motion carried, resolution declared adopted.
acciated adopted.

7. The City Council considered the Second Reading of an Ordinance to change side street side yard setback on certain properties.

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

ORDINANCE NO. 91-22

AN ORDINANCE RELATING TO ZONING: SIDE STREET SIDE YARD SETBACK: AMENDING CRYSTAL CITY CODE APPENDIX I - (ZONING) SUBSECTION 515.13, SUBD. 3, CLAUSE a) SUB PARAGRAPH i) AND ii): AMENDING SUBSECTION 515.03 BY ADDING A SUBDIVISION

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

Motion Carried.

 The City Council considered a resolution approving local reconstruction of three relocation projects as part of Corps of Engineers Bassett Creek Flood Control Program.

Moved by Councilmember $\underline{\mathcal{J}}$ and seconded by Councilmember $\underline{\mathcal{L}}$ to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 91-90

RESOLUTION OF THE CITY OF CRYSTAL RELATING TO THE BASSETT CREEK FLOOD CONTROL PROJECT AND AUTHORIZING THE BASSETT CREEK WATER MANAGEMENT COMMISSION TO CONTRACT WITH THE CITIES OF GOLDEN VALLEY, MINNEAPOLIS, AND PLYMOUTH TO CONSTRUCT CERTAIN RELOCATION PROJECTS

By roll call and voting aye: __G__, __H__, __I__, ____, ____, _____, _____; absent, not voting: ____, ____, _____, _____; absent, not Motion carried, resolution declared adopted.

9. The City Council considered scheduling a work session to discuss State Aid street construction schedule and related issues. a work session was set for 7:00 p.m on January 13, 1992.

Moved by Councilmember ____ and seconded by Councilmember ____ to set _____, 1991 as the date and time for a work session of the Crystal City Council to discuss State Aid Street Construction Schedule and related issues.

Motion Carried.

10.	The City Council continued consideration of the 1992 City of Crystal Budget. Councilmenter Grines recommended the City Council increases be cancelled.
	G/I to adopt the following ordinance:
	Ordinance No. 91- an Ordinance Relating to Salaries Of Members of the City Council; Repealing Crystal City Code, Subsection 210.09, Subdivision!
	clause (d) and Subsection 210.09, Subdivision 2,
	Clause (d)
	december 18, 1991. Solion carried.
	December 18, 1991. mation carried.
Α.	Moved by Councilmember $\underline{\mathcal{T}}$ and seconded by Councilmember $\underline{\mathcal{M}}$ to adopt the following resolution, the reading of which was dispensed with by unanimous consent:
	RESOLUTION NO. 91-91
	RESOLUTION ADOPTING 1992 BUDGETS
	By roll call and voting aye: #, I, J, L, M,
В.	Moved by Councilmember $_\bot$ and seconded by Councilmember $_\bot$ to adopt the following resolution, the reading of which was dispensed with by unanimous consent:
	RESOLUTION NO. 91- 92
	RESOLUTION ADOPTING 1992 BUDGETS FOR THE ENTERPRISE FUNDS
	By roll call and voting aye: <u>I</u> , <u>J</u> , <u>L</u> , <u>M</u> , <u>C</u> , <u>C</u> , <u>Voting</u> : <u>-</u> , <u>-</u> , <u>-</u> , <u>-</u> ; absent, not
	Motion carried, resolution declared adopted.

11.	The City Council considered a resolution scheduling a public
	hearing to consider expanding and modifying Bass Lake Road
	Development District and Tax Increment Financing District #1 with
	authorization to prepare appropriate documents.

Moved by Councilmember $\underline{\hspace{0.1cm}}$ and seconded by Councilmember $\underline{\hspace{0.1cm}}$ to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 91-93

RESOLUTION CALLING FOR A PUBLIC HEARING ON THE EXPANSION OF THE BASS LAKE ROAD/BECKER PARK REDEVELOPMENT PROJECT AREA, MODIFICATION OF THE REDEVELOPMENT PLAN THEREFORE AND MODIFICATION OF THE TAX INCREMENT FINANCING PLAN FOR THE BASS LAKE ROAD/BECKER PARK TAX INCREMENT FINANCING DISTRICT

By roll call and voting aye:	<u>t</u> ,	L.,_	m.,_	C, G	,
H, I; voting no:	<u>-,</u>		,	; absent,	not
Motion carried, resoluti	ion declar	red adopt	ted.		

12. The City Council considered a request for assistance from Paster Enterprises relating to expenses in resurfacing the parking lot at the Crystal Shopping Center. The Council accepted the recommendation of the Community Development Director to assist Paster Enterprises relating to the expenses, not to exceed #175,000 and of which should include structurage along Base Lake Road and West Broadway.

Moved by/Councilmember	and seconde	d by Council	member	to
(approve) (deny) (continu	e until	/	the	
discussion of) assistance	to Paster Ente	rprises with	landscaping	
and a portion of the sigh	t preparation c	osts for par	king lot	
resurfacing project in an	amount not to			
		Motion	Carried.	

13.	The City Council considered first reading of an ordinance and resolutions relating to utility rate increases for 1992.
A.	Moved by Councilmember $_$ and seconded by Councilmember $_$ to adopt the following ordinance:
	ORDINANCE NO. 91-
	AN ORDINANCE RELATING TO SEWER, WATER AND STREET LIGHTING RATES AND CHARGES: AMENDING CRYSTAL CITY CODE SUBSECTION 710.05 AND SUBSECTION 715.13, SUBD. 1 & 4
	and further, that the second and final reading be held on December 18, 1991. Motion Carried.
В.	Moved by Councilmember $_ \angle $ and seconded by Councilmember $_ \underline{\mathcal{M}} $ to adopt the following resolution, the reading of which was dispensed with by unanimous consent:
	RESOLUTION NO. 91-94
	RESOLUTION ADJUSTING SEWER AND WATER RATES FOR SENIOR CITIZENS
	By roll call and voting aye:,,,,,,; absent, not voting:,,,; absent, not Motion carried, resolution declared adopted.
c.	Moved by Councilmember \angle and seconded by Councilmember $\underline{\mathcal{M}}$ to adopt the following resolution, the reading of which was dispensed with by unanimous consent:
	RESOLUTION NO. 91-95
	RESOLUTION SETTING RATES FOR STREET LIGHTING
	By roll call and voting aye: M, C, G, H, I, voting: -, -, -, -; absent, not Motion carried, resolution declared adopted.

Open Forum

1. The following appeared before the City Council to express concerns regarding proposed shift rotations in the Police Department:

- Greg Bastien, Business agent for Law Enforcement Labou Services, Inc.

- Dan Gustafson, 2932 Jersey aux. 71.

- Dane Bordwell, Crystal Palice Dept.

- Mike Harty, "

- Todd Dustofson, " "

- Phillip Jahnson, Lacal #44 Steward

- Lucian Fitzer, Retired emplayee of Crystal Police Rept.

- Charles My gaard, Crystal Police Dept.

- Frank Roth, Crystal resident and Police Officer in neighboring ity

- Ken Varnald, Crystal Police Dept.

- Dan Drake,

- Daug Wagner, "

Recess 9:15 p.m - Reconvened 9:35 p.m.

- 2. Residents from the Angeline Avenue Culhesac appeared before the City Council to express concerns regarding snow-plowing the culdesac.
- 3. Raymond Northfield, 3418 Florida aus. No. appeared before the City Council to express concern regarding:

 Sanding in area of 34 th and Douglas Druie

- Crasswalk at 32 md and Dauglas Drive

- Drainage problem from neighbors property

#5 Next

Informal Discussion and Announcements

 The City Council recognized the Employee of the Month for October (Don Buechele) and Employee of the Month for November (Doug Strande).

- reminder - Christmas Party - Dec. 6

2. The City Council descussed changing City Councilmember terms from 3-yr. to 4-yr., halding elections on even numbered years.

C/G to direct staff to prepare the required ordinance for consideration by the City Council.

mation Carried.

Councilmenter Maranec requested that consideration of the November 19,1991 City Council meeting minutes he revisited and that I tem #16 he corrected as follows: the word "refused" Changed to "objected to the". Consensus of the Council was unanimously in favor of the Correction.

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

Motion Carried.

Moved by Councilmember _____ and seconded by Councilmember _____ to adjourn the meeting.

Motion Carried.

Meeting adjourned at 11:05p.m.

APPLICATIONS FOR LICENSE December 3, 1991

GAS FITTERS LICENSE RENEWALS - \$30.25

Standard Heating & Air Conditioning, 410 W. Lake St., Minneapolis, MN 55408

Superior Contractors, 6121 42nd Ave. N., Crystal, MN 55422 Home Energy Center, 14505 21st Ave. N., Plymouth, MN 55447

PLUMBERS LICENSE - \$30.25

Robert Schaaf Plumbing, 12555 92nd Pl. N., Maple Grove, MN 55369

FOOD ESTABLISHMENT - Itinerant (\$30.00 lst day + \$12.00 each addnl day)

Carousel Shows, at Community Center, December 7 & 8, 1991 for Craft Show

FOOD ESTABLISHMENT - Retail (\$190.00)

Holiday Stationstores, 5521 Lakeland Ave. No. (4) Walgreens, 6918 56th Ave. No.

FOOD ESTABLISHMENT - Retail (Exempt)

N.E.A.R., 4801 Welcome Avenue North

FOOD ESTABLISHMENT - Special Food Handling (\$35.00)

Chalet Liquors, Inc. 5301 36th Ave. No. Shinders, 5570 West Broadway United Liquors #3, 3530 Douglas Drive

FOOD ESTABLISHMENT - Exempt

Welcome Park Concession, 47th & Welcome Ave. No.

FOOD ESTABLISHMENT - Churches (exempt)

Crystal Assemblies of God, 4110 Douglas Drive No. St. James Lutheran Church, 6700 46th Place No. Trinity Covenant Church, 3733 Vera Cruz No.

FOOD ESTABLISHMENT - Schools and/or Day Care (exempt)

Family Networks for "Real Program", 7323 58th Ave. No.
Robbinsdale School Dist. #281 for "Even Start" 7323 58th Ave.
Robbinsdale School Dist. #281 for Cavanagh School, 5400 Corvallis
Robbinsdale School Dist. #281 for Neill School, 6600 27th Ave.
Robbinsdale School Dist. #281 for Forest School, 6800 47th Ave.
Robbinsdale School Dist. #281 for Fair School, 3915 Adair No.

LODGING - \$90 lic & \$2.50 per unit, 33 units

Suburban Motel, 5454 Lakeland Ave. No.

NONPERISHABLE FOOD VEHICLE (\$30.00)

Joe Reitmeier, J.R. Vending, 5312 Perry Ave. No., Crystal, MN

KENNEL - Private & Commercial (\$50.00)

Beltline Pet Hospital, 3443 Vera Cruz Ave. No. Sharon Buscher, 5817 Elmhurst Ave. No.

<u>VENDING</u> - Perishable (\$15.00 ea. machine)

Apple Automatic Foods at Crystal Care Center Apple Automatic Foods at Norcostco Bro-Midwest Vending at Modern Tool

<u>VENDING</u> - Nonperishable (\$10.00 lst mach. + \$5.00 ea. addnl machine in same location)

Apple Automatic Foods at Crystal Care Center Apple Automatic Foods at Norcostco Bills Vending at Norwest Bank, 7000 56th Ave. Bills Vending at Octopus Car Wash Bro-Midwest Vending at Modern Tool

MECHANICAL AMUSEMENTS - \$104.50 each machine

B & K Music & Sales for Doyle's Bowling & Lounge, 5000 West Broadway

MUSIC BOXES - \$20.00 each box

B & K Music & Sales for Doyle's Bowling & Lounge, 5000 West Broadway

POOL TABLE - \$30.00 per table

Richard Risvold for Knights of Columbus, 4947 West Broadway

PRIVATE GAS DISPENSING DEVICES - \$14.25 1st hose + \$7.25 ea. addn'l. hose

Timesavers, Inc., 5270 Hanson Court

GASOLINE STATIONS - \$50.00 station + \$7.25 ea. hose connection

Holiday Companies for Holiday Stationstores, 5521 Lakeland Ave. N.

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

Holiday Companies for Holiday Stationstores, 5521 Lakeland Ave. N. United Liquors, 3530 Douglas Dr. N.

Bill's Vending dba Eggie's Cafe, 6418 Bass Lake Road

Bill's Vending dba V.F.W. Post #494, 5222 - 56th Ave. N.

Bill's Vending dba Octopus Car Wash, 5301 Douglas Dr. N.

Walgreen's, 6918 56th Ave. N.

Bro-Midwest Vending dba Modern Tool Co., 5217 Hanson Ct.

Chanhdara Souksavanh, dba Chanhdara's Market, 5600 Bass Lake Rd. E (1991) Chanhdara Souksavanh, dba Chanhdara's Market, 5600 Bass Lake Rd. E (1992) NAME

ADDRESS

Regional Morthelol"	34184- Cariala Due N.

included with Council packet of 11-27-91:

- Memo from Fire Chief dated 11-22-91 re: Donation to Fire Department from Fire Relief Association.
- Memo from Fire Chief dated 11-22-91 re: Donation to Fire Department from K of C's.
- Minutes of the Special Council mtg. of 11-18-91 and regular Council mtg. of 11-19-91.
- Memo from Fire Chief dated 11-22-91 re: Authorization of use of Charitable Gambling Funds for defibrillator.
- Memo from Det. Russ McFarlane dated 11-19-91 re: Lawful Gambling Premises Permit for Catholic Eldercare, Inc.; application and pertinent papers.
- Memo from Bldg. Inspector dated 11-26-91 re: Bldg. permit to build structure for recovery system at 5539 W. Broadway (Target).
- Memo from Bldg. Inspector dated 11-26-91 re: 6122 42nd Avenue North.
- Memo from Park & Rec. Director dated 11-18-91 re: recommendations from the Park & Rec. Advisory Comm. re: golf course and Becker Park Concerts.
- Bylaws of the Crystal Firefighters Relief Assoc.
- Memo from Asst. Mgr. dated 11-22-91 re: Policy Inclement Weather.
- Memo from City Manager dated 11-25-91 re: Early Retirement. Policy.
- Ordinance relating to side yard setbacks.
- Memo from City Engr. dated 11-21-91 re: Bassett Creek Flood Control.
- Memo from City Engr. dated 11-25-91 re: Work Session on State-Aid Street Projects.
- Memo from City Mgr., Finance Director, Asst. Finance Director dated 11-25-91 re: Revisions to 1992 proposed operating budget.
- Memo from Comm. Dev. Director dated 11-26-91 re: ?A Amending Bass Lake Road Development District & Tax Increment District.
- Memo from Comm. Dev. Director dated 11-26-91 re: Paster Enterprises Request for Assistance on parking lot resurfacing.
- Memo from City Engr. dated 11-26-91 re: Utility rates; ordinance; resolution.
- Park & Rec. Advisory Comm. Agenda for 12-6-91.
- Action Needed Memo from the November 19, 1991 Council meeting.

News article "Successful War On Crime Needs Community-Based Policing.

Human Relations Commission minutes of October 28, 1991.

North Metro Mayors Association Board Meeting Reminder (Dec. 4 from 6:30-8:00 p.m.)

Letter from Paul Wellstone dated 11-19-91 re: Police Officers' Bill of Rights.

Hennepin REcycling Group Meeting Minutes of 10-17-91. Crystal Environmental Quality Comm. minutes of 10-17-91 meeting.

Memo from Park & Rec. Director dated 11-18-91 re: Damaged trees at the Community Center.

Memo from Park & Rec. Director dated 11-19-91 re: Damaged Trees at Welcome Park.

Letter from Hennepin County Dept. of Environmental Management dated 11-15-91 re: reestablishment of Solid Waste Management Advisory Committee; Henn. Ctv. resolution.

Dave Durenberger News dated 11-26-91 re: Highway Bill.

Resolution re: Inclement Weather policy.

Resolution relating to early retirement.

Information re: LELS and Locals #44 and #56 v. City of Crystal.

Letter from Michael Goodwin, businessman from 6616 Bass Lake Road to the Mayor dated October 21, 1991 re: treatment by City staff.

Letter from District 281 Superintendent dated
November 26, 1991 re: Mielke Field. (Put in & DA Packet)

Ariginal to Julie }

Darlene

Memorandum

DATE: November 27, 1991

TO: Mayor and Council

FROM: Jerry Dulgar, City Manager

SUBJECT: Preliminary Agenda for the December 3, 1991 Council

Meeting

Regular Agenda:

Item 1. Consideration of authorization to issue a building permit requested by Target, 5539 West Broadway, to build a structure to enclose the recovery equipment used to remove contaminants. This item has come up on very short notice. There are some issues that should be raised with Target about trying to lessen the impact of this ugly large tower or structure on our busiest commercial street. Therefore, I've asked that representatives of Target and Twin City Testing both be at the meeting.

Item 3. Consideration of recommendations from the Park & Recreation Advisory Commission. Two recommendations are that we appoint a Citizens Committee to study a golf course and that we restore money taken from the Park budget in order to restore the concerts at Becker Park. The loss of the concerts is strictly the Park Department's decision. Rather than try to find other ways of reducing the budget like cutting some other minor programs and reducing staffing, etc., they chose to eliminate the concerts. I think we ought to turn down the request to restore the concerts and tell them to redo their budget to restore them if they want to. I really question the advisability of appointing a Citizens Committee to study the feasibility of a golf course until the Council reviews preliminary data and decides the project merits more study. Additionally, I think the Park Commission is appointed to advise the Council and should conduct the study if a decision is made to proceed.

Item 5: Reconsideration of policy change to the Personnel Rules and Regulations regarding inclement weather. We've listed some of the various options that the Council could consider if we are going to redo the policy. No one policy, regardless of the number of options it includes, will cover every situation or satisfy all the individuals involved. I will be prepared to review the full range of options with the Council on Tuesday night.

Item 6: Reconsideration of an early retirement policy for the City of Crystal. Attached please find a memo from myself and memos and information from Nancy relative to the early retirement issue. If you have additional questions, please call.

Item 8: Consideration of a resolution approving local reconstruction of three relocation projects as part of the Army Corps of Engineers' Bassett Creek Flood Control Program. Bill Monk has included some written information in the packet and will be prepared to discuss it further with you at the meeting.

Item 9: Consideration of scheduling work session to discuss State Aid street construction schedule and related issues. Bill wants to discuss a wide range of State Aid street improvement issues with the City Council. This could very well tie in with a number of issues related to the redevelopment of the Anthony Shopping Center and the 36th/Highway 100 interchange. In addition, I'd like to talk about scheduling some work sessions in January or February with the Council to bring the new members up to speed on some of the things that are going on and to refresh everyone's memory.

Item 9: Continue consideration of the 1992 City of Crystal Budget. Attached please find resolutions and information relative to this. I'd recommend that the Council approve the budget.

Item 11: Consideration of a resolution scheduling a public hearing to consider expanding and modifying Bass Lake Road Development District and Tax Increment Financing District. The purpose or effect of this will be to expand the boundaries of the development district to allow us to incorporate the storm sewer project and other improvements outside the area of the present district limits. I'd recommend that we set the public hearing and move ahead with the process.

Item 12: Consideration of a request for assistance from Paster Enterprises. You'll find a letter of request from Paster Enterprises and a recommendation from the Community Development Director relative to this. She and I have spent a lot of time discussing this and working on it with the City attorneys and we think that there is room for some assistance for Paster Enterprises. Maybe not everything they have requested but we think our recommendation is reasonable and would like to have the Council consider it.

Item 13: Consideration of approval of ordinance and resolutions related to utility rate increases for 1992. In order to keep our utility funds solvent we need to raise water, sewer, and the street lighting rates. These ordinances and resolutions will do that.

Under Informal Discussions and Announcements, I'd like to have the Council recognize Don Buechele and Doug Strande who are the Employee of the Month for October and November respectively.

Have a happy and joyous Thanksgiving. See you in December.

COUNCIL AGENDA - SUMMARY

COUNCIL MEETING OF December 3, 1991

Call to order

Roll call

Pledge of Allegiance to the Flag

Recognition of \$1,300 donation from the Crystal Fire Department Relief Association to the Crystal Fire Department.

Recognition of \$2,000 donation from the Crystal Knights of Columbus to the Crystal Fire Department.

Approval of the minutes of the Special Budget Meeting of November 18, 1991 and the Regular Meeting of November 19, 1991.

Consent Agenda

- Consideration of authorization for the Fire Department to use donated gambling funds for the purchase of emergency medical equipment.
- Consideration of a two-year Lawful Gambling Premise Permit application for Catholic Eldercare, Inc. at Knights of Columbus Hall, 4947 West Broadway.

Regular Agenda Items

- Consideration of authorization to issue a building permit requested by Target, 5539 West Broadway, to build a structure to enclose the recovery equipment used to remove contaminants.
- Consideration of authorization to issue a building permit requested by Brunswick United Methodist Church, 6122 - 42nd Avenue North, to erect a sign.
- 3. Consideration of recommendations from the Park & Recreation Advisory Commission (1) to appoint a Citizen Advisory Committee to explore feasibility of a par-3 golf course in Crystal; (2) fund the Becker Park concert programming at the 1991 levels.
- Consideration of an amendment to the Crystal Fire Relief Association Bylaws relating to disability benefits.

Reconsideration of policy change to the Personnel Rules and Regulations regarding inclement weather. Reconsideration of an early retirement policy for the City of Crystal. Consideration of Second Reading of an Ordinance to change side street side yard setback on certain properties. Consideration of a resolution approving local reconstruction of three relocation projects as part of Corps of Engineers Bassett Creek Flood Control Program. Consideration of scheduling work session to discuss State Aid street construction schedule and related issues. 10. Continue consideration of the 1992 City of Crystal Budget. Consideration of a resolution scheduling a public 11. hearing to consider expanding and modifying Bass Lake Road Development District and Tax Increment Financing District #1 with authorization to prepare appropriate documents. 12. Consideration of a request for assistance from Paster Enterprises. Consideration of approval of ordinance and resolutions related to utility rate increases for 1992. (1 ordinance, 2 resolutions) Open Forum Informal Discussion and Announcements 1. Employee of the Month for October (Don Buechele) and Employee of the Month for November (Doug Strande) . Licenses Adjournment

APPLICATIONS FOR LICENSE December 3, 1991

GAS FITTERS LICENSE RENEWALS - \$30.25

Standard Heating & Air Conditioning, 410 W. Lake St., Minneapolis, MN 55408

Superior Contractors, 6121 42nd Ave. N., Crystal, MN 55422 Home Energy Center, 14505 21st Ave. N., Plymouth, MN 55447

PLUMBERS LICENSE - \$30.25

Robert Schaaf Plumbing, 12555 92nd Pl. N., Maple Grove, MN 55369

FOOD ESTABLISHMENT - Itinerant (\$30.00 lst day + \$12.00 each addnl day)

Carousel Shows, at Community Center, December 7 & 8, 1991 for Craft Show

FOOD ESTABLISHMENT - Retail (\$190.00)

Holiday Stationstores, 5521 Lakeland Ave. No. (4) Walgreens, 6918 56th Ave. No.

FOOD ESTABLISHMENT - Retail (Exempt)

N.E.A.R., 4801 Welcome Avenue North

FOOD ESTABLISHMENT - Special Food Handling (\$35.00)

Chalet Liquors, Inc. 5301 36th Ave. No. Shinders, 5570 West Broadway United Liquors #3, 3530 Douglas Drive

FOOD ESTABLISHMENT - Exempt

Welcome Park Concession, 47th & Welcome Ave. No.

FOOD ESTABLISHMENT - Churches (exempt)

Crystal Assemblies of God, 4110 Douglas Drive No. St. James Lutheran Church, 6700 46th Place No. Trinity Covenant Church, 3733 Vera Cruz No.

FOOD ESTABLISHMENT - Schools and/or Day Care (exempt)

Family Networks for "Real Program", 7323 58th Ave. No.
Robbinsdale School Dist. #281 for "Even Start" 7323 58th Ave.
Robbinsdale School Dist. #281 for Cavanagh School, 5400 Corvallis
Robbinsdale School Dist. #281 for Neill School, 6600 27th Ave.
Robbinsdale School Dist. #281 for Forest School, 6800 47th Ave.
Robbinsdale School Dist. #281 for Fair School, 3915 Adair No.

LODGING - \$90 lic & \$2.50 per unit, 33 units

Suburban Motel, 5454 Lakeland Ave. No.

NONPERISHABLE FOOD VEHICLE (\$30.00)

Joe Reitmeier, J.R. Vending, 5312 Perry Ave. No., Crystal, MN

KENNEL - Private & Commercial (\$50.00)

Beltline Pet Hospital, 3443 Vera Cruz Ave. No. Sharon Buscher, 5817 Elmhurst Ave. No.

<u>VENDING</u> - Perishable (\$15.00 ea. machine)

Apple Automatic Foods at Crystal Care Center Apple Automatic Foods at Norcostco Bro-Midwest Vending at Modern Tool

<u>VENDING</u> - Nonperishable (\$10.00 lst mach. + \$5.00 ea. addnl machine in same location)

Apple Automatic Foods at Crystal Care Center Apple Automatic Foods at Norcostco Bills Vending at Norwest Bank, 7000 56th Ave. Bills Vending at Octopus Car Wash Bro-Midwest Vending at Modern Tool

MECHANICAL AMUSEMENTS - \$104.50 each machine

B & K Music & Sales for Doyle's Bowling & Lounge, 5000 West Broadway

MUSIC BOXES - \$20.00 each box

B & K Music & Sales for Doyle's Bowling & Lounge, 5000 West Broadway

POOL TABLE - \$30.00 per table

Richard Risvold for Knights of Columbus, 4947 West Broadway

PRIVATE GAS DISPENSING DEVICES - \$14.25 1st hose + \$7.25 ea. addn'l. hose
Timesavers, Inc., 5270 Hanson Court

GASOLINE STATIONS - \$50.00 station + \$7.25 ea. hose connection

Holiday Companies for Holiday Stationstores, 5521 Lakeland Ave. N.

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

Bro-Midwest Vending dba Modern Tool Co., 5217 Hanson Ct.

Holiday Companies for Holiday Stationstores, 5521 Lakeland Ave. N. United Liquors, 3530 Douglas Dr. N. Bill's Vending dba Eggie's Cafe, 6418 Bass Lake Road Bill's Vending dba V.F.W. Post #494, 5222 - 56th Ave. N. Bill's Vending dba Octopus Car Wash, 5301 Douglas Dr. N. Walgreen's, 6918 56th Ave. N.

-

Chanhdara Souksavanh, dba Chanhdara's Market, 5600 Bass Lake Rd. E (1991) Chanhdara Souksavanh, dba Chanhdara's Market, 5600 Bass Lake Rd. E (1992)

CITY OF CRYSTAL

MEMORANDUM

DATE: November 22, 1991

TO: Jerry Dulgar, City Manager

FROM: Kevin McGinty, Fire Chief

SUBJECT: Donation to Fire Department

We have recently received a donation of \$1,300 from the Crystal Fire Department Relief Association. This brings an annual total of \$18,510 which we have received from the Crystal Fire Department Relief Association for use by the Fire Department.

Could you please arrange to have this donation recognized at the next council meeting.

Thank you in advance for your assistance in this matter.

vad

CITY OF CRYSTAL

MEMORANDUM

DATE: November 22, 1991

TO: Jerry Dulgar, City Manager

FROM: Kevin McGinty, Fire Chief

SUBJECT: Donation to Fire Department

We have recently received a donation of \$2,000 from the Crystal Knights of Columbus.

Could you please arrange to have this donation recognized at the next council meeting.

Thank you in advance for your assistance in this matter.

vad

Pursuant to due call and notice given in the manner prescribed by Section 3.01 of the City Charter, the Special Meeting of the Crystal City Council was held on November 18, 1991, at 7:00 p.m., at 4141 Douglas Drive, Crystal, Minnesota.

The Secretary of the Council called the roll and the following were present: Carlson, Moravec, Irving, Grimes, Herbes, Langsdorf, Joselyn. Also in attendance were the following staff members: Jerry Dulgar, City Manager; Miles Johnson, Finance Director; Jessie Hart, Assistant Finance Director; Darlene George, City Clerk.

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

The City Council considered the following Public Hearing:

1. It being 7:00 p.m., or as soon thereafter as the matter may be heard, Mayor Herbes declared this was the date and time as advertised for a public hearing at which time the City Council will consider the 1992 City of Crystal Budget. The Mayor asked those present to voice their opinions or to ask questions concerning this matter. Those present and heard were: Al Holter, 4366 Xenia Avenue North; Brad Hildebrand, 6201 - 38th Avenue North; John Paulson, Crystal Business Owner/Golden Valley resident; Bill Thompson, 8100 - 32nd Ave. North; Chez Raginiak, 6607 - 46th Place North.

The Mayor called a recess at 8:20 p.m. and the meeting was reconvened at 8:32 p.m.

The Mayor closed the Public Hearing.

Moved by Councilmember Carlson to continue discussion of the City of Crystal Budget to the December 3, 1991 City Council meeting.

Motion Failed for Lack of a Second.

Discussion followed.

Moved by Councilmember Irving and seconded by Councilmember Moravec to continue consideration of the City of Crystal 1992 Budget to the December 3, 1991 City Council meeting and instruct staff to find a method of providing approximately \$12,000 to \$15,000 to be transferred to the Fire Pension Fund.

Discussion followed. Steve Longaecker, Crystal Fire Department, appeared and was heard relating to meetings with the City of New Hope relative to combining services with that City.

Councilmember Irving withdrew his motion.

November 18, 1991

page 850

Moved by Councilmember Moravec and seconded by Councilmember Irving to give a \$250 increase in a lump sum payment and 50 cents per month benefit for the retirees for 1992.

Discussion followed.

Moved by Councilmember Carlson and seconded by Councilmember Grimes to close the debate.

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

Motion Carried.

Voting on the main motion to give a \$250 increase in a lump sum payment and 50 cents per month benefit for the retirees for 1992:

Motion Carried Unanimously.

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. 91-86

RESOLUTION LEVYING TAXES FOR CERTIFICATION TO THE COUNTY AUDITOR FOR PAYABLE 1992

By roll call and voting aye: Carlson, Grimes, Herbes, Irving, Langsdorf, Joselyn, Moravec.

Motion carried, resolution declared adopted.

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

Motion Carried.

Meeting adjourned at 9:15 p.m.

ATTEST:

City	Cl	erk

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on November 19, 1991 at 7:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota.

The Secretary of the Council called the roll and the following were present: Carlson, Grimes, Herbes, Irving, Joselyn, Langsdorf, Moravec (arrived at 9:07 p.m.). Also in attendance were the following staff members: Jerry Dulgar, City Manager; Dave Kennedy, City Attorney; Anne Norris, Community Development Director; William Monk, Public Works Director; Bill Barber, Building Inspector; Darlene George, City Clerk; Nancy Gohman, Assistant Manager; Chris McGlincey, Planning Intern.

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

The City Council considered the minutes of the Regular Meeting of November 6, 1991 and the Canvassing Board Meeting of November 14, 1991.

Moved by Councilmember Irving and seconded by Councilmember Carlson to approve the minutes of the Regular Meeting of November 6, 1991 and the Canvassing Board Meeting of November 14, 1991.

Motion Carried.

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

 The City Council considered a request for a variance to allow two curb cut openings for construction of a detached two-car garage with access to the alley at 4521 Vera Cruz Ave. N.

Moved by Councilmember Carlson and seconded by Councilmember Langsdorf to approve the authorization pursuant to Section 515.56 of the Crystal City Code to vary or modify the strict application of Section 515.09, Subd. 4 h) 10) to allow two curb cut openings for construction of a detached two car garage with access to the alley at 4521 Vera Cruz Ave. N. as requested by Richard H. Nelson.

Motion Carried.

2. The City Council considered the lot split and combination of 15 feet of property located at 5565 and 5573 Welcome Avenue North as submitted by Harry and Debbie Hauser of 5573 Welcome Avenue North.

Moved by Councilmember Carlson and seconded by Councilmember Grimes to approve as recommended by and based on the findings of fact of the Planning Commission the authorization pursuant to Section 506.13, Subd. 3 of the Crystal City Code, the proposed lot split and combination of 15 feet from 5565

Welcome Ave. N., Lot 2, Block 1, Norcross Addition, to 5573 Welcome Ave. N., Lot 1, block 1, Norcross Addition, as submitted by Harry and Debbie Hauser of 5573 Welcome Avenue North.

Motion Carried.

3. The City Council reconsidered a two-year Lawful Gambling Premise permit application from Minnesota Therapeutic Camp, Inc. at Nicklows, 3516 N. Lilac Drive.

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

RESOLUTION NO. 91-87

RESOLUTION RELATING TO LAWFUL GAMBLING; APPROVING CERTAIN PREMISES PERMITS

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

Motion carried, resolution declared adopted.

4. The City Council considered the First Reading of an Ordinance to change side street side yard setback on certain properties.

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

ORDINANCE NO. 91-

AN ORDINANCE RELATING TO ZONING: AMENDING CRYSTAL CITY CODE, APPENDIX I (ZONING) SUBSECTION 515.13, SUBDIVISION 3 (A) 2) i ii

and further, that the second and final reading will be held on December 3, 1991.

Motion Carried.

5. The City Council considered accepting improvements and the release of financial surety for work at St. Raphael's Church, 7301 - 56th Avenue North.

Moved by Councilmember Irving and seconded by Councilmember Carlson to accept the work required as a condition of building permit approval for St. Raphael's Church, 7301 - 56th Avenue North, subject to guaranty provisions of the agreement, effective this date, and that surety in the amount of \$35,000 be released, subject to said guarantee as recommended by the City Engineer.

Motion Carried.

6. The City Council considered the preliminary design plans for the upgrade of West Broadway (County Road 8) between Fairview and 42nd Avenues.

Moved by Councilmember Grimes and seconded by Councilmember Carlson to approve the preliminary design plan for West Broadway's upgrade between Fairview and 42nd Avenues as submitted and recommended by the City Engineer.

Motion Carried.

7. The City Council reviewed architectural service proposals for the City Hall renovation project.

Moved by Councilmember Irving and seconded by Councilmember Joselyn to direct staff to begin contractual process for architectural services for the City Hall renovation project as presented to the City Council by the City Engineer.

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

Motion Carried.

8. The City Council considered a policy change to the Personnel Rules and Regulations regarding inclement weather.

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

RESOLUTION NO. 91-

RESOLUTION AMENDING PERSONNEL RULES & REGULATIONS REGARDING INCLEMENT WEATHER

Discussion followed.

Moved by Councilmember Irving and seconded by Councilmember Joselyn to continue until December 3, 1991 the discussion of Personnel Rules and Regulations regarding inclement weather for review of a resolution to be prepared by the City Attorney.

Motion Carried.

The Mayor called a recess at 8:05 p.m. and the meeting was reconvened at 8:18 p.m.

Open Forum was moved to this time to accommodate a resident in the audience. Dean Struntc, 6324 - 42nd Avenue North, appeared to discuss concerns regarding assessments and snow plowing.

 The City Council reconsidered an early retirement policy for the City of Crystal.

Moved by Councilmember Irving and seconded by Councilmember Langsdorf to continue until December 3, 1991 the discussion of an early retirement policy for the City of Crystal, when Councilmember Moravec, who had concerns, can be present.

Motion Carried.

10. The City Council considered a resolution regarding repeal of the April Presidential Primary.

Moved by Councilmember Carlson and seconded by Councilmember Grimes to adopt the following resolution.

RESOLUTION NO. 91-88

RESOLUTION CALLING FOR REPEAL OF PRESIDENTIAL PRIMARY

Moved by Councilmember Joselyn and seconded by Councilmember Langsdorf to amend the motion to delete the fourth, fifth, and sixth "Whereas" in the resolution.

Motion Carried.

On the main motion as amended:

Motion Carried.

11. The City Council reconsidered setting a meeting date and time for Council Committee/City Manager to review City Manager's performance evaluation.

Moved by Councilmember Irving and seconded by Councilmember Langsdorf to appoint Councilmembers Joselyn, Langsdorf and Grimes to the performance review committee.

Motion Carried.

- 12. The City Council considered amendments to the sign ordinance. Chris McGlincey, Planning Intern, presented proposed revisions to the sign ordinance.
- 13. The City Council discussed sending a letter of support for Millie MacLeod for National League of Cities Board of Directors.

Moved by Councilmember Irving and seconded by Councilmember Carlson to send a letter of support for Millie MacLeod for National League of Cities Board of Directors.

Motion Carried.

14. The City Council discussed a report received from the North Metro Mayors Association.

Councilmember Moravec arrived at 9:07 p.m.

15. The City Council discussed City insurance contributions for 1992.

November 19, 1991

page 855

Moved by Councilmember Moravec and seconded by Councilmember Grimes to approve City insurance contributions in the amount of \$147 for single coverage on Medica as recommended by the City Manager.

Motion Carried.

16. Councilmember Joselyn moved that due to Councilmember Moravec's arrival, the early retirement item be removed from the table for discussion.

Councilmember Moravec refused removal of the item from the table, stating he had not received the information requested from staff.

Councilmember Joselyn withdrew his motion.

Informal Discussion and Announcements:

- The City Council discussed a Cultural Diversity Committee which includes surrounding communities. By consensus, Councilmember Moravec was appointed to that committee for elected official representation. A meeting is to be held at 10:30 a.m. on December 16, 1991 at Brooklyn Park City Hall.
- The City Council discussed the regular City Council meeting of December 17, 1991.

Moved by Councilmember Joselyn and seconded by Councilmember Grimes to move the December 17 meeting to December 18, 1991 to begin at 7:30 p.m.

Motion Carried.

Moved by Councilmember Irving and seconded by Councilmember Joselyn to approve the list of license applications as submitted by the City Clerk to the City Council, a list of which is on file in the office of the City Clerk, and further, that such list be incorporated into and made a part of this motion as though set forth in full herein.

Motion Carried.

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

Motion Carried.

Meeting adjourned at 9:35 p.m.

Mayor	
	Mayor

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City Clerk

CITY OF CRYSTAL

MEMORANDUM

DATE: November 22, 1991

TO: Jerry Dulgar, City Manager

FROM: Kevin McGinty, Fire Chief

SUBJECT: Authorization of use of Charitable Gambling Funds

I am requesting permission to use recently acquired donation funds on the following purchase:

Semi-automatic Defibrillator with associated Emergency Medical Equipment \$4,400.00

This Defibrillator, along with the earlier authorized purchased Defibrillator, will increase our emergency medical capabilities to provide rapid defibrillation during life threatening situations for the citizens of our community. This will give us a total of two Defibrillators, one for each Fire Station, providing the earliest arrival for this piece of equipment.

If you have any questions or comments, please do not hesitate to contact me. Thank you in advance for your assistance in this matter.

vad

CITY OF CRYSTAL POLICE DEPARTMENT MEMORANDUM

DATE:

November 19, 1991

TO:

Lt. Rick Gautsch

FROM:

Det. Russ McFarlane

SUBJECT:

INVESTIGATION - LAWFUL GAMBLING PREMISES PERMIT CATHOLIC ELDERCARE, INC. - KNIGHTS OF COLUMBUS

HALL, 4947 WEST BROADWAY, CRYSTAL

On the date of this report I contacted "Glenn" from the Minnesota State Gambling Commission Compliance Division and asked him for any complaint information concerning gambling operations by Catholic Eldercare, Inc. I gave him the gambling permit number and, after checking the file, he told me that there were no complaints listed for that firm.

Neither the Chief Executive Officer nor the Treasurer of the organization have any automated criminal history file through the Minnesota Department of Public Safety or NCIC. Through an earlier gambling permit renewal investigation I learned that the Knights of Columbus Hall, where Catholic Eldercare, Inc. will operate, has no record of violations or complaints suggesting crime associated with lawful gambling at that location.

Additionally, there is no criminal intelligence information available through the investigative division of the Crystal Police Department suggesting that gambling by Catholic Eldercare, Inc. or at the Knights of Columbus Hall is infused with illegal activity.

RMF/dh

Memorandum

DATE: November 13, 1991

TO: Jim Mossey, Police Chief

FROM: Darlene George, City Clerk Wartene

SUBJECT: Investigation - Lawful Gambling Premise Permit

Catholic Eldercare, Inc.

at Knights of Columbus Hall, 4947 West Broadway

Attached is a premise permit application for the above referenced lawful gambling organization. We will start getting renewals on our premise permits for each of the gambling organizations which are now two-year licenses.

In speaking with Dave Kennedy, City Attorney, last week, he informed me that we still should be completing an investigation on each of these as they are renewed. Please complete the necessary investigation and return to me so that this permit may be placed on the December 3 Council Agenda.

If you have any questions, please let me know.

DG/js

LG214 (7/29/91) Receipt 2

Minnesota Lawful Gambling Premises Permit Application - Part 1 of 2

FOR BOAF	D USE ONLY
BASE #	
PP #	
FEE	
CHECK	
INITIALS_	
DATE	

	of Application				
X	Renewal		Class of	premises permit (check one)	
	Organization base license no	umber 02669	X A (ds, paddlewheels, raffles, bing
	Premises permit number	1-02669-005	□ в (\$250) Pull-tabs, tipboard	ds, paddlewheels, raffles
	New		□ c.e	\$200) Bingo only	***
	11011				
			☐ D (\$	\$150) Raffles only	
Orga	nization Informatio	π			
	f Organization				
CAT	THOLIC ELDERCARE, INC.				
Busines	s Address of Organization - Street	or P. O Box (Do no	t use the address of yo	our gambling manager)	
	MAIN STREET N.E.		***************************************		
City		State	Zip Code	County	Daytime phone number
	NEAPOLIS	MN	55413	HENNEPIN	612) 379-1370
	f chief executive officer (cannot be RUTH M. ROLAND	your gambling man	ager) Title C.E.	0	Daytime phone numb
	Occasions		U.E.	0.	612) 379-1370
Day	more than seven bingo o Beginning/Ending Hours 6:15 to 8:15		Beginning/Ending H	lours Day	Beginning /Ending Hou
	Beginning/Ending Hours	Day	Beginning/Ending H	Day MED.	Beginning /Ending Hou
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Minnesota Lawful Gambling Premise Permit Application - Part 2 of 2

Bank Name	Bank Acco	uitt Iigo	mario	1.6		Bank	Account Numb	ver	
NORWEST	BANK MN					G T			
Bank Address					City	State		Zip Code	
7000 BASS	LAKE ROAD			CRYS	TAL	MN		55428	
	Name, address,		tion's treasu	rer may		and make de gambling fund	ds	hdrawals.	
Name			Add	dress			Title		
MICHAEL	SHASKY	11654	PONO	VJKW	CT.	(HAMA	IN MY	6 AM	9. MAI
MARJON	IWERKI	4417	MAJN	\$7.	N.E.	(OL UM)	STA HTS.	ma PAY	Roce (1
PATRICK	ZEMAN	625				FRJDL		BUS	MANG
CAROLYN	0150~	4020	E. 5.	200	ST.	mrss.	m~	5/501	RITARY
Acknowle	dgement								
The board is at gambling accorrequirements of Oath I declare that: I have read this to the board is all other requirements. Signature of children	ds Information uthorized to inspect unit whenever nect for current gambling is application and true, accurate and red information has ief executive office.	et the bank re essary to fulfil prules and law all information complete; s been fully der	II w. n submitted isclosed;		agree, if including any charto the boo of the chartor provide	licensed, to a amendment: nges in applicand local and local ange; and tand that failting false or m	abide by thoses to them; cation information unit of governure to provide hisleading inform of the licentage.	es of the board a e laws and rules ation will be sub- rnment within 10 e required inform ormation may re- nse.	mitted days
1. The city *mu ises is located to 2. The county the gambling poly. 3. The local up is 1.	ust sign this applice within city limits. **AND township** remises is located nit government (ci ifically approving of the control of the co	ation if the ga must sign thi within a town ty or county)	ambling pre s applicationship. must pass	m- on if a	proving the 5. If this a it should r	application is not be submit or: By signaturganization is	denied by the ted to the Ga ure below, the	rnment's resolution ached to this apple local unit of go ambling Control letownship acknown a premises permises	olication, evernment, Board.
City* or C	ounty**				Towns	hip**			
City or County Na	1 Crysta	e			Township	Name			
Signature of person	on receiving applica	tion (Del	werel	wel)	Signature	of person rece	eiving application	on	
Title (1.4.	Pl. 14	Date Re			Title			Date Receive	d

Refer to the instructions for required attachments.

Mail to: Gambling Control Board Rosewood Plaza South, 3rd Floor 1711 W. County Road B Roseville, MN 55113

Minnesota Lawful Gambling Lease Agreement

Premises Info						
Name and Address of			Address	Market Broken Control SAV	p Code Phon	е
		4947 WEST E			.012) 537-1492
Name of Legal Owner	of Gambling Premises		Address	City/Zip	Code Pho	ne
FR.WM. BLUM HO		47 WEST BRO) 537-1492
Name and Address of			Address	City/Zip		
KNIGHTS OF COL		47 WEST BRO	DADWAY,	CRYSTAL,	MN 55429	3
Carried and the company of the company of the	Leasing the Premises (les	ssee)		License	Number, if kr	own
CATHOLIC ELDER	CARE, INC.			A-0266	59-005	
Gambling Acti						
The lawful gambling ad	ctivity which the organizati	on will conduct i	s (check all	that apply):		
□ bingo □	araffles apa	ddlewheels	□ pull	I-tabs	☐ tipboard	s
D-476	ion (See Rules 7860.00					
Rent for bingo and all during that bingo occ \$200 for up to 6,00 \$300 for up to 12,0	C premises permits: other gambling activities asion may not exceed: square feet; square feet; and 12,000 square feet.	conducted		Class B at for gambling maximum of \$		cluding bingo
Rent to be paid pe	shinani	0.00				
Tient to de paid pe	Tomgo occasion \$ 20	0.00	LHen	t to be paid pe	montn \$	
Premises Desc	ot pay rent to itself or to an ription nin the premises are 60		120	feet, for a total feet, for a total feet, for a total	lof <u>7,200</u>	square feet. square feet.
		loot by	_			square feet.
			L	Combined total	1 7,200 s	quare feet
Sketch						
Attach a sketch which s Effective Dates	shows the location and din	nensions of the	eased areas	3.		
The lease will go into et 19 94, for a period of Times and Day	ffect at 12:01 a.m. on of at least one year. Is of Bingo Activ	ity (If none, I	ndicate N/A) N/		/28
	ll be held (a maximum of					
rom (hours) 6:15	(a.m./p.m.) to <u>8:1</u>	5 (a.m.	/p.m.) on (da	ays of week)	Mon, Tues	, Wed
rom (hours) 8:30	(a.m./p.m.) to 10:1	5 (a.m.	p.m.) on (da	ays of week)	Mon, Tues	, Wed_
rom (hours)	(a.m./p.m.) to	(a.m.	p.m.) on (da	ys of week)		
rom (hours)	(a.m./p.m.) to	(a.m.,	p.m.) on (da	ys of week) _		
rom (hours)	(a.m./p.m.) to	(a.m.	p.m.) on (da	ys of week)		
	(a.m./p.m.) to					
	(a.m./p.m.) to					

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

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

AT THE END OF ONE YEAR EITHER PARTY MAY TERMINATE OR RENEGOTIATE

THIS LEASE PROVIDED THAT A 30 DAY NOTICE IS GIVEN TO THE OTHER PARTY.

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

Signature of Lessor	Date Launery 10-2	Signature of organization official (lessee)	Date
Title Title	1.00.00	Title C F O	10/2////
XAL Co.	0.	1 620	

A <u>copy</u> of this lease and sketch with dimensions must be submitted with the premises permit application renewal or when changes in the lease occur to:

Gambling Control Board Rosewood Plaza South, 3rd Floor 1711 W. County Road B Roseville, Minnesota 55113

(7/10/91)

MEMORANDUM

DATE: November 26, 1991

TO: Jerry Dulgar, City Manager

FROM: Bill Barber, Building Inspector

SUBJECT: 5539 West Broadway - Request for Building

Permit to Build Structure for Recovery

System

DEPARTMENT HEAD REVIEW:

BACKGROUND:

As I mentioned at the last Council meeting, we have received a request for a building permit for a structure which will enclose the recovery equipment. This equipment is designed to recover the gasoline in the soil when the gas station was there.

I have expressed the Council's concern about the tower. There are other systems available for this type of operation, but they are not as efficient and take much longer to achieve the goal of removing the contaminants from the ground. Twin City Testing engineers are hoping that this operation would be completed within a couple of years.

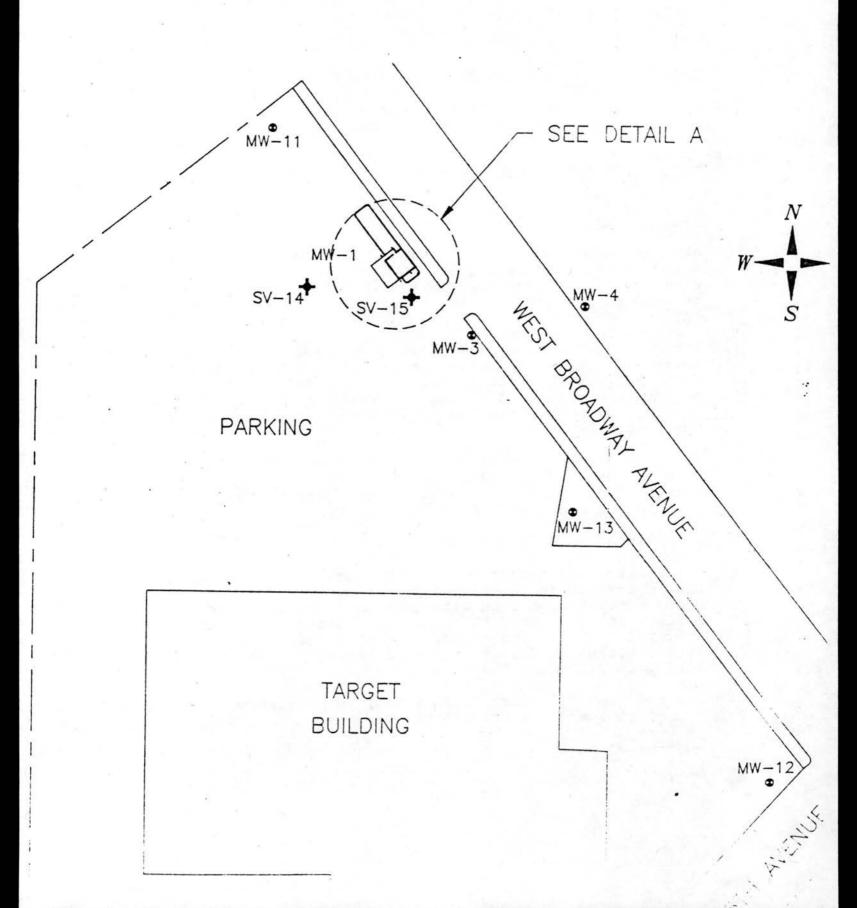
The plans for the building are unchanged as presented on November 19, 1991. The building will be wood frame with cedar siding, painted a light brown to match the surrounding brickwork and asphalt shingles.

RECOMMENDATION:

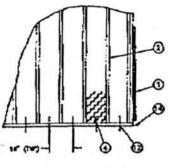
I would recommend that staff be authorized to proceed with this operation as quickly as possible. We have received documentation from Twin City Testing relative to their application to Minnesota Pollution Control Agency for approval for this operation. As tests are taken and analyzed, copies of the results will be sent to the City to verify compliance with all standards.

Someone from Twin City Testing will be present to answer any technical questions the Council may have.

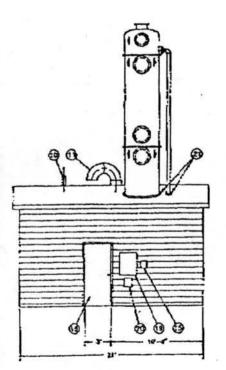
WDB:jrs



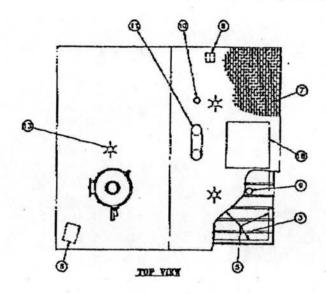
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REV	£000		DESCRIPTION	1	DATE

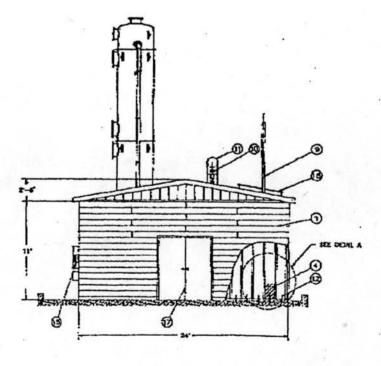






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- 110 YOUT 1 PHASE

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MEMORANDUM

DATE: November 26, 1991

TO: Jerry Dulgar, City Manager

FROM: Bill Barber, Building Inspector

SUBJECT: 6122 - 42nd Avenue North

Brunswick United Methodist Church

DEPARTMENT HEAD REVIEW: WAR - 11/2601

BACKGROUND:

I have received a request for a permit to upgrade the freestanding sign at the above location. The two existing brick standards will remain with the new sign being installed between them. The existing setback is 15 feet with a 35.4 square foot sign. The new sign as proposed is increased to 51.2 square feet. This is still within the allowed square footage with this setback.

RECOMMENDATION:

I am recommending to the Council that authorization be given to issue a permit for the above-noted sign. Signs for churches are required to go before the Council for their approval.

I will answer any questions on Tuesday night.

WDB:jrs

27

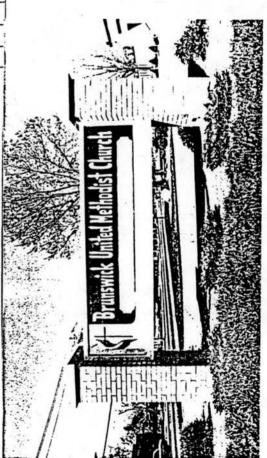
DRAWN BY : GALE WILLIAM IKOLA	TRETAVED FOR:	TATE: 5-30-91
IKOLA TOESIGNS	PRUMSWICK UNITED METHODIST CHURCH	SCALE: I" = DIVE FOOT
5033 WISC. AVE. N.	LIZZ 42 NO ALE.N.	SIZE APPEOXIMATE
NEW HOPE, MN 5542B 533-3	140 CRYSTAL, MN SS4ZZ	· · · · · · · · · · · · · · · · · · ·

3 TRACK SIGN

4" TEACK

Brunswick United Methodist Church

6" TRACK



DATE: December 3, 1991

MEMO TO: Jerry Dulgar, City Manager

FROM: Edward C. Brandeen, Park & Recreation Director

SUBJ.: Becker Park Performing Arts Program

As you may know, the Becker Park Performing Arts program has thousands of dollars donated each year to supplement the amount of money approved by the city council for concert operations.

Currently, this fund (#77) has a balance of approximately \$21,000 which is more than enough to fund the program at 1991 performance levels.

I would like to recommend that excess monies in this fund be used to fund the Becker Park Performing Arts program for 1992 with the same number of concerts as 1991.

The additional monies needed to fund the program for 1992 will be approximately \$8,200 and these funds could be taken from these donated dollars.

CRYSTAL CITIZEN GOLF COURSE TASK FORCE

A. Reason:

- 1. Unable to finance a feasibility study.
- 2. Not enough specialized expertise on the Advisory Commission.
- 3. After a presentation by one expert, Advisory Commission felt this was a viable method to gather additional information without requiring city funding.

B. Purpose:

- 1. Would a golf facility serve the population of Crystal?
- 2. What type of income would a golf course realize?
- 3. Is this a good long term investment?
 - a. Is there enough of a growth in the number of golfers over the next few years to justify the investment?
 - b. Is there enough income potential over the next several years to finance future Capital requirements-such as irrigation system upgrades, club house expansion, parking expansion, etc?
- 4. Is there enough land available in Crystal to make a course feasible? If so, where?
- 5. To determine funding required?
- 6. To determine the source of the funding.
 - a. Loan/Financed from the City PIR Fund
 - b. General Bond Issue
 - c. Revenue Bonds
 - d. A joint venture with the private sector in some form.
 - e. Other

DATE: November 18, 1991

MEMO TO: Jerry Dulgar, City Manager

FROM: Edward C. Brandeen, Park & Recreation Director

SUBJECT: Recommendations from the Park and Recreation

Advisory Commission

Attached for your information are two recommendations made by the Park and Recreation Advisory Commission at their regular monthly meeting of November 6.

As you may remember, Mr. O'Connor, a private golf course developer spoke at the October Park and Recreation Advisory meeting on the general development, construction and operation of a par-3 golf course. Several members of the City Council also attended this meeting. As a follow-up on this presentation, the Commission is recommending to the Council that a citizen advisory committee be formed to explore the feasibility of such a course in Crystal. Attached is this recommendation.

As part of general information presented to the Commission, I presented "budget highlights" for 1992 of all divisions within the department. I also informed the Commission of an additional \$8,261 reduction following the budget meeting with the Council. I further explained that it was my recommendation that this reduction be made in the Becker Park concert program. This reduction will result in only one concert per week. Attached is a recommendation to the Council to fund the concert programming at Becker at 1991 levels.

I will be able to meet with you at your convenience, should you wish, concerning these Commission recommendations.

Crystal Park and Recreation Advisory Commission Excerpts from regular meeting: November 6, 1991

Members Present: Gentry, Ertz, O'Reilly, Jungroth, Saunders, Howard.

The Commission discussed the golf course presentation made by Mr. O'Connor. The idea of forming a citizens study committee on the feasibilty of a golf course was discussed. The Commission thought it was a good idea to get resident input and support for the project.

Moved by Mr. O'Reilly and seconded by Ms. Saunders to recommend the formation of a citizen's committee to investigate the development and construction of a golf course at Bassett Creek Park. Motion carried - unanimous.

Mr. Brandeen reviewed the the 1992 budget request for all Department Divisions. The Commission was informed of an additional \$8261 reduction in Department 25 that was requested by the City Manager after the meeting with the Council on 10/28/91. The additional reduction was made in the Becker Park concert program. The program will be reduced to one concert per week.

Moved by Mr. Ertz and seconded by Mr. O'Reilly to recommend that the Becker Park concert program funding be reinstated to 1991 levels. Motion carried - unanimous.

PARK AND RECREATION DEPARTMENT BUDGET HIGHLIGHTS - 1992

Park Division - 21

- 1. Purchase master lock system for all park buildings
- 2. Sealcoat several basketball courts and pathways
- 3. Continue park identification sign program
- 4. Capital Outlay
 - a. Roof Yunkers
 - b. Furnace Yunkers
 - c. 16" cut mower tentative approval
 - d. Miscellaneous

Recreation Division - 25

- Expand programs that use contracted instructors such as Defensive Driving, Music Video Dance, Danceline, Cheerleading, etc. The registration fee is split between the instructor and the City.
- 2. Purchase of portable sound system for Becker Park
- 3. Reduction of concerts at Becker Park to one per week
- 4. Restructure of playground program so that there is a registration fee for some activities

Swimming Pool/Waterslide Division - 31

- 1. Capital Outlay
 - a. Purchase small slide
 - b. Purchase small freezer
 - c. Install floor tile in concessions
 - d. Purchase filters
 - e. Ice Making Machine
- 2. Small increase in publicity funds

Community Center Division - 33

- 1. Shelving for stage area for storage
- 2. Replacement program for tables

Forestry/Weed Division - 34

- Approved public tree trimming for 1992 (north of Soo Line tracks and SE quadrant of city)
- 2. Approved park tree trimming for 1992

5-Year Plan

Presentation by staff for 1991/92 items in Capital Improvement Program - no formal approval granted.

COMMENTS: All budgets were submitted based on 1991 totals. Generally no increases were granted due to cutbacks in state aid. Small increase was granted in the swimming pool/water slide budget, but expenses were to be matched by income. Presentation was made for capital items by staff for 1992. No formal approval was granted for any park improvement.

underlined items are being deleted emphasized items are new

ARTICLE VIII

SICK AND DISABILITY BENEFITS

Section 2. If a member of this Association shall become totally and permanently disabled, to the extent that a physician or surgeon acceptable to the Board of Trustees shall certify that such disability will permanently prevent said member from performing their duties in the Crystal Fire Department, the Association shall pay each month to such member during the period of such total disability the sum of \$17 for each year that he served as an active firefighter in the Crystal Fire Department. If such total disability continues to the time when the member reaches the age of 50 years, the disability benefit shall be converted to a service pension, the amount of which shall be calculated according to the number of years that the member served as an active firefighter in the Crystal Fire Department. A totally disabled member shall have the right to select and receive a lump sum disability pension of \$2,500 (\$2,750) for each year of active service in lieu of a monthly disability pension. If a member who has received a lump sum disability pension should subsequently recover and return to active duty in the Crystal Fire Department, any amount paid to him as a disability pension shall be deducted from the amount of a future service or disability pension.

ARTICLE X

SERVICE PENSIONS AND SURVIVOR BENEFITS

Section 1. A member who has retained membership in the association for at least 10 years, and who has served as an active firefighter in the Crystal Fire Department for 20 years or more, and has reached the age of 50 years or more, shall be paid monthly until death the sum of \$17 for each year that he served as an active firefighter in the said fire department, to a maximum of \$510 per month. shall be entitled to receive a pension. The pension shall be calculated at \$2,750 for each year of active service performed by such member in the Crystal Fire Department, but no such pension shall exceed \$82,500.

Section 2. A member of the association who shall have served as an active firefighter in the Crystal Fire Department for at least 10 years, but has not reached the age of 50 years, may retire from said fire department and be placed on the deferred pension roll. When they reach the age of 50 years and provided that at that time they have been a member of the association for at least 10 years, upon application therefor they shall be paid monthly until death the sum of \$17 for each year that they served as an active firefighter in said fire department, to a maximum of \$510 per month. receive their pension. During the time that a member is on the deferred pension roll, they will not be eligible to receive any of the benefits provided for in Article VIII.

Section 3. Lump Sum Service Option. Any member who becomes eliqible to receive a monthly service pension may. at the time of becoming eliqible, irrevocably elect to receive a lump sum in lieu of any other benefits to which such member or member's survivor or survivors may be entitled. Such election, on a form provided by the Secretary, shall be presented to the Board of Trustees, together with the application for pension. The lump sum pension shall be calculated at \$2,500 for each year of active service performed by such member in the Crystal Fire Department, but no such pension shall exceed \$75,000.

Section 4 3. In the event of the death of an active fire-fighter or retired member who was receiving a monthly pension, the surviving spouse, if any, shall be paid monthly until death or remarriage, 1/2 of the monthly pension which such deceased member had earned at the time of death. If such member leaves a surviving minor child or children in addition to a spouse, such child or children, in the aggregate, shall be paid 1/2 of the monthly service pension which such member had earned at the time of death. Such payment shall cease when the youngest surviving child

reaches the age of 18 or remarries whichever event occurs first. If there is no surviving spouse it shall be paid to the deceased members beneficiary.

Section 5 4. Option in lieu of monthly pension and eEarly vesting provision. A member of the association who has served for 10 years or more, but less than 20 years, as an active firefighter in the Crystal Fire Department may retire form said department and be placed on the early vested pension roll. Upon reaching the age of 50 years and attainment of at least 10 years of membership in the association, such member shall, upon application therefor, be paid in the following manner: [Amounts based on reduction factors contained in MN Statutes 424.02, sub. 2, for a lump sum pension of \$2500.00 \$2,750 per year of active service, or a monthly pension of \$17.00 per year of active service, after 20 years of service.]

ACTIVE SE AT LEAST	ERVICE TIME BUT LESS TH	SINGLE LUMP AN SUM PAYMENT	OR AMOUN REMAI	T PER MONTH FOR NDER OF LIFE
10	11	\$ 15,000:00	\$ 16,500	\$ 102.00
11	12	17,600.00	19,360	119.68
12	13	20,400.00	22,440	138.72
13	14	23,400.00	25,740	159.12
14	15	26,600.00	29,260	180.88
15	16	30,000.00	33,000	204.00
16	17	33,600.00	36,960	228.48
17	18	37,400.00	41,140	254.32
18	19	41,400.00	45,540	281.32
19	20	45,600.00	50,160	310.08

20 YEARS AND THEREAFTER 100 PERCENT

Section <u>6</u> **5**. If a member has selected a lump sum pension they A member on the deverred pension rolls shall be paid interest on the principal from the time of retirement to the age of 50 years, at the rate actually earned not to exceed 5% per annum.

Section Z 6. During the time that a member is on the early vested pension roll, they shall not be eligible to receive any of the benefits provided for in Article VIII. <u>Lump sum p</u>Pensions payable to members on the early vested pension roll shall be based on the amount payable in effect at the time of such early retirement.

Section 8.7. If a member who is on the vested pension roll dies before becoming eligible to receive the pension, the amount payable will be paid to the members beneficiary.

Section 9. Any former member receiving a monthly service pension or is on the early vested or deferred pension roll, except members who have selected lump pensions, shall receive any increases in pension or special fund penefits which have been granted active members

Section 8. In the event of the death of a retired member who was receiving a monthly pension, the surviving spouse, if any, shall be paid monthly until death or remarriage, 1/2 of the monthly pension which such deceased member had earned at the time of death.

BYLAWS OF THE

CRYSTAL FIREFIGHTERS RELIEF ASSOCIATION CITY COUNCIL APPROVAL AUGUST 1988 AMENDED AND REVISED JANUARY 1992

ARTICLE I

PURPOSE

Section 1. The purpose of the Association shall be to provide disability, pension, and death benefits to members, their widows and children.

ARTICLE II

MEMBERSHIP

Section 1. Any regular active member of the Crystal Fire Department shall be eligible to apply for membership in this Association.

Section 2. Written application may be made at any regular or special meeting of the Board of Trustees for consideration. The Board of Trustees shall conduct an investigation to determine if the applicant, due to some medically determinable physical or mental impairment or condition, would constitute for the Association a predictable and unwarranted risk of liability for benefits at an earlier than the minimum age specified for receipt of a service pension. If no such impairment or condition exists, the Board of Trustees shall appoint the applicant to membership in the Association.

Section 3. Resignation or expulsion from the Crystal Fire Department or moving from the vicinity of the City of Crystal to take up residence elsewhere, shall terminate the membership of the member so resigning, expelled, or removing; provided, however, that any member who has served for at least the minimum number of years required by Article IX of these bylaws for vesting of pension rights as an active member of the Crystal Fire Department shall retain membership in this Association, regardless of resignation, expulsion, or removal, exempt from payment of dues and such other regulations which may be from time to time imposed. Membership shall terminate when payment of a lump sum service pension or a lump sum total disability pension has been approved by the Board of Trustees.

Section 4. Any member who shall, in the opinion of a majority of the members of the Board of Trustees, fraudulently claim benefits from, or defraud or attempt to defraud the Association in any way, shall be suspended from membership by the Board, and shall forfeit all further rights to benefits from the association.

Section 5. Any suspended member can only be reinstated upon application for reinstatement in writing, presented at a regular or special meeting of the Association, accompanied by a sum of money equal to the amount which would have been payable during the period of suspension, upon the favorable vote of 2/3 of the members present and voting at such meeting, providing that a quorum is present.

Section 6. Any former member whose pension rights became vested before such member resigned from the Crystal Fire Department may maintain membership in the Association as a Social Member.

Section 7. A Social member is any former member who wishes to maintain membership in the Association who has received or is receiving a pension benefit.

ARTICLE III

BOARD OF TRUSTEES

Section 1. The Board of Trustees shall be composed of the following nine persons: a President, a Vice President, a Secretary, a Treasurer, and two general trustees, each of whom shall be elected at the annual meeting of the Association from its members, for a two year term as specified in this Article, or until his successor has been elected and qualified, and the statutory ex-offico members; the Chief of the Crystal Fire Department, the Mayor, and the City Clerk or the Finance Director of the City of Crystal. Ex-offico trustees shall have all of the rights, duties, and responsibilities as the elected trustees, except the right to be an officer of the Association. One of the elected members of the Board of Trustees may be a retired member who is on the deferred or the early vested pension roll or is receiving a monthly pension.

Section 2. The terms of office of the general trustees and the officers shall be arranged as follows: one general trustee, the President, and the Treasurer shall be elected for two year terms at the elections held during the annual meeting in even numbered years; and one general trustee, the Vice President, and the Secretary shall be elected for two year terms at the elections held during the annual meeting in odd numbered years. If a vacancy, other than a vacancy caused by removal for cause of an officer or trustee, occurs during the term of office of any officer or trustee, the remaining

members of the Board of Trustees shall elect a member of the Association to serve for the unexpired term of the vacated position.

Section 3. A general trustee or officer may be removed for cause. Cause for removal shall include, but shall not be limited to, the breach of the duties as set forth in Articles III and IV of these bylaws. One or more of the trustees or officers may be removed at a meeting of the membership which has been called for that purpose by a 2/3 vote of those present and voting at such meeting, provided a quorum is present. Notice of the meeting at which removal is to be considered shall be given to each member and shall include the purpose of the meeting. The general trustee or officer shall be furnished with a statement of the particular charges at least five days before the meeting is to be held. At the meeting, the general trustee or officer shall be given an opportunity to be fully heard as to each charge. If a general trustee or officer is removed, a replacement shall be elected at the same meeting, and such replacement shall serve out the unexpired term of the removed general trustee or officer.

Section 4. It shall be the duty of the Board of Trustees to provide for the safe and profitable investment of the unappropriated funds of the Association, and whenever investments are made, to investigate and pass upon the securities offered and to attend to the drawing up and execution of the necessary papers. The Board shall order an audit of the books and accounts of the Secretary and the Treasurer annually, according to law, and shall submit a written report of the condition of the Association to the members annually.

Section 5. The investment of the funds of the Association shall be in the exclusive control of the Board of Trustees, in conformance with state statutes.

Section 6. The members of the Board of Trustees shall act as trustees with a fiduciary obligation to the members of the Association, to the City of Crystal, and to the State of Minnesota.

ARTICLE IV

DUTIES OF OFFICERS

Section 1. It shall be the duty of the President to attend and to preside at all meetings of the Association and the Board of Trustees. The President shall enforce the due observance of the Articles of Incorporation and the bylaws and see that the other officers properly perform the duties assigned to them. The President shall sign all checks issued by the Treasurer and all other papers which require the

President's signature. The President shall be a member of all committees except the Aid Committee, and shall exercise careful supervision over the affairs of the Association. The President shall receive such salary as may be fixed from time to time by the Board of Trustees, subject to approval of the Association, and payable from the Special Fund of the Association.

Section 2. It shall be the duty of the Vice President to perform the duties of the President in the President's absence. In the absence of both the President and the Vice President, it shall be the duty of the Association to elect a President Pro Tem, who shall perform the duties incident to the office.

Section 3. It shall be the duty of the Secretary to keep a true and accurate record of the proceedings of all meetings of the Association and of the Board of Trustees. The Secretary shall keep a correct record of all amendments, alterations and additions to the Articles of Incorporation or the bylaws in a separate book from the minute books of the Association. Secretary shall cause due notice of all special meetings of the Association and of the Board of Trustees to be given. The Secretary shall receive all moneys due the Association and pay the same over to the Treasurer, taking a receipt for the same, and failing to do so, may be impeached and expelled from the Association. The Secretary shall keep a roll of membership, with the date of joining, resignation, discharge, leaves of absence, dues and assessments paid, and relief or pensions furnished. The Secretary's books shall be at all times open to inspection by the Board of Trustees. Prior to entering upon the duties of the office, bond shall be given in such amount and with such sureties as may be required and approved by the Board of Trustees. Such bond shall be paid for from the Special Fund of the Association. The Secretary shall sign all orders for payment issued to the Treasurer, and jointly with the Treasurer, prepare and file all reports and statements required by law. The Secretary shall receive such salary as may be fixed from time to time by the Board of Trustees, subject to approval of the Association, and payable from the Special Fund of the Association.

Section 4. It shall be the duty of the Treasurer to receive from the Secretary all funds belonging to the Association and hold them subject to the order of the President and countersigned by the Secretary. The Treasurer shall keep separate and distinct accounts of the Special and General Funds, and shall prepare and present to the Board of Trustees a statement of the assets and liabilities of each fund at each meeting of the Board of Trustees, and prior to the annual meeting of the Association. Failing in these obligations, the Treasurer may be impeached and expelled from the Association. The Treasurer shall deliver to a successor in office, or to any committee appointed by the Board of Trustees to receive

the same, all moneys, books, papers and other items pertaining to the office immediately upon expiration of the term of office. Prior to entering upon the duties of office, bond shall be given in such amount as required by law, and with such sureties as may be required and approved by the Board of Trustees. Such bond shall be paid for from the Special Fund of the Association. Jointly with the Secretary, the Treasurer shall prepare and file all reports and statements required by law. The Treasurer shall receive such salary as may be fixed by the Board of Trustees from time to time, subject to approval of the Association, and payable from the Special Fund of the Association.

Section 5. There shall be an Aid Committee, composed of the Vice President and two other members of the Association, who may or may not be members of the Board of Trustees, appointed by the President. The Vice President shall be the chairman of this committee. The duty of the committee shall be to make provision for the assistance to be rendered to each sick or disabled member, and to the survivors of any deceased member.

ARTICLE V

MEETINGS

Section 1. The annual meeting of the Association, for the election of officers and trustees, and other business, shall be held on the second Sunday in December each year. member who seeks an elective position in the Association shall file for said position between the dates of November 10 and 5 days preceding the annual meeting at which elections for the position which is sought shall be held. Filing shall be in written form submitted to the Filing Officer who has been appointed by the President. No member shall file for more than one position for any one election . A current member of the Board of Trustees who seeks an office other than the one currently held shall resign from the current position at the time of filing for another position. Nominations may also be made from the floor at the meeting which the election will be held. All elections shall be made by ballot. A member who cannot be present at the election of officers and trustees, may obtain an absentee ballot from the Secretary.

Section 2. Monthly meetings of the Association shall be held on alternating second Sundays and Mondays of each month.

Section 3. The Board of Trustees shall hold regular quarterly meetings, and it shall hold its annual meeting immediately following the annual meeting of the Association.

Section 4. Special meetings of the Association or the Board of Trustees may be called by the President, or two members of the Board of Trustees and shall also be called upon written request of six members of the Association. Members or trustees shall be notified by the Secretary of such meetings, and the object of the meeting shall be contained in such notice.

Section 5. A majority of the Board of Trustees then in office, or 40% of the members of the Association shall constitute quorums for the transaction of business at their meetings. Less than a quorum may adjourn a meeting to a future time, which the Secretary shall make known to all affected members.

Section 6. All reports of Special Committees and resolutions shall be submitted in writing, and no report shall be accepted unless it is the report of the majority of a committee, provided, however, that a minority shall be permitted to present its views in writing.

Section 7. All meetings shall be conducted according to Robert's Rules of Order, as revised.

Section 8. The Order of Business shall be as follows:

Call to Order

Roll Call

Reading of minutes of previous meeting

Reading of minutes of meetings of Board of Directors

Reading of reports of special committees

Reports of Officers

Propositions for membership (Board of Trustees

meeting)

Reports of standing committees

Unfinished business

Election of trustees and officers (annual meeting)

New business

Adjournment

Section 9. Each member who is currently in good standing and who is present at a meeting shall be entitled to one vote on any matter voted upon by the members at such meeting. The act of a majority, provided a quorum is present, shall serve as a recommendation to the Board of Trustees.

Section 10. There shall be Aids Committees established to assist with the operation and functions of the Association, appointments of these committees shall be made at the annual meeting.

ARTICLE VI

FUNDS

Section 1. The funds received by the Association from dues, fines, entertainments, and other miscellaneous sources shall be kept in the General Fund of the Association on the books of the Secretary and the Treasurer, and may be disbursed for any purpose reasonably related to the welfare of the Association or its members, as authorized by a majority of the members present and voting at any annual, regular or special meeting of the members.

Section 2. All funds received by the Association from any tax sources, and all funds or property donated or granted to the Association for the benefit of this fund shall be kept in a Special Fund on the books of the Secretary and the Treasurer and shall not be disbursed for any purpose except those specifically authorized by law.

Section 3. No disbursement of funds of this Association shall be made except by checks drawn by the Treasurer, or City Treasurer and countersigned by another Board Officer. Except when issued for salaries, pensions and other fixed charges, the exact amount of which has previously been determined and authorized by the Board of Trustees (or the members, in case of disbursements from the General Fund), no check shall be issued until the claim to which it relates has been approved by the Board of Trustees.

Section 4. All money belonging to the Association shall be deposited to the credit of the Association in such banks, trust companies, savings and loan associations, or other depositories as the Board of Trustees may designate.

ARTICLE VII

APPLICATION FOR BENEFITS

Section 1. All applications for relief or pension benefits shall be made in writing on forms furnished by the Secretary.

Section 2. All applications for disability benefits shall be submitted to the Board of Trustees at a regular or special meeting of the Board. The application shall be accompanied by a certificate from the attending physician or surgeon setting forth the nature of the illness or injury, the cause and duration thereof, the length of time the applicant has been unable to perform any of the duties connected with their regular occupation and those of a firefighter, and an estimate of the time at which the applicant will be able to return to

their regular occupation and to perform the duties of a firefighter.

Section 3. All applications for pensions shall be submitted to the Board of Trustees at a regular or special meeting of the board. Applications shall be verified by an oath of the applicant and shall state the age of the applicant, the period or periods of service in, and the date of retirement from, active duty in the Crystal Fire Department, the length of time they have been a member of the association, and such other information as the Board of Trustees may require.

Section 4. No benefits or pensions shall be paid until the application therefore has been approved by a majority vote of the Board of Trustees. Decisions of the board shall be final as to the payment of such benefits or pensions. No other benefits shall be paid to or on behalf of any member who has received a lump sum service pension.

Section 5. For purposes of computing benefits or pensions payable under Articles VIII, IX, X, and XI a "year of service" shall be defined as a period of 12 full months of active duty in the Crystal Fire Department, beginning on the date when the member became an active firefighter in said fire department. If a member's period of active service has not been continuous, parts of years shall be added together to compute full years. All leaves of absence of more than 90 days shall be excluded in computing the period of active service time.

ARTICLE VIII

SICK AND DISABILITY BENEFITS

Section 1. A member of the Association who is on active duty in the Crystal Fire Department, who becomes sick or disabled while serving in a fire service connected capacity, to the extent they are unable to perform any of the duties of their regular occupation, and who is under a physician's care for 7 consecutive days or more, shall be entitled to a benefit of \$10.00 per day commencing with the 1st day of such illness or disability, but the total amount of temporary disability payments for any one disability shall no exceed \$1,000.00. Applications for short term disability payments shall be made by or on behalf of the applicant within 10 days after the disability commences, and no disability benefits shall be paid for a period which covers more than 3 days before the application is made.

Section 2. If a member of this Association shall become totally and permanently disabled, to the extent that a physician or surgeon acceptable to the Board of Trustees shall certify that such disability will permanently prevent said member from performing their duties in the Crystal Fire Department, the Association shall pay a lump sum disability pension of \$2,750 for each year of active service. If a member who has received a lump sum disability pension should subsequently recover and return to active duty in the Crystal Fire Department, any amount paid to him as a disability pension shall be deducted from the amount of a future service or disability pension.

ARTICLE IX

DEATH BENEFITS

Section 1. Upon the death of any member who is an active firefighter in the Crystal Fire Department at the time of death, the Association shall pay to the surviving spouse, if any, and if there is no surviving spouse, to the surviving child or children, if any, and if no child or children survive, to the estate of such deceased member the sum of \$1,500 for each year that the deceased member served as an active firefighter in the Crystal Fire Department; but in no case shall such death benefit be less than \$7,500. Upon the death of a retired member who was receiving a monthly pension at the time of death, the Association shall pay to the named beneficiary, or the surviving spouse, or the estate of such deceased member, the sum of \$2,000. No death benefit shall be paid on behalf of a deceased former member who had received either a lump sum service pension or a lump sum total disability benefit.

ARTICLE X

SERVICE PENSIONS AND SURVIVOR BENEFITS

Section 1. A member who has retained membership in the Association for at least 10 years, and who has served as an active firefighter in the Crystal Fire Department for 20 years or more, and has reached the age of 50 years or more, shall be entitled to receive a pension. The pension shall be calculated at \$2,750 for each year of active service performed by such member in the Crystal Fire Department, but no such pension shall exceed \$82,500.

Section 2. A member of the Association who shall have served as an active firefighter in the Crystal Fire Department for at least 10 years, but has not reached the age of 50 years, may retire from said fire department and be placed on the deferred pension roll. When they reach the age of 50 years and provided that at that time they have been a member of the Association for at least 10 years, upon application therefor they shall receive their pension. During the time that a member is on the deferred pension roll, they will not be eligible to receive any of the benefits provided for in Article VIII.

Section 3. In the event of the death of an active firefighter, the surviving spouse, if any, shall be paid the pension which such deceased member had earned at the time of death. If there is no surviving spouse, it shall be paid to the deceased members beneficiary.

Section 4. Early vesting provision. A member of the Association who has served for 10 years or more, but less than 20 years, as an active firefighter in the Crystal Fire Department may retire from said department and be placed on the early vested pension roll. Upon reaching the age of 50 years and attainment of at least 10 years of membership in the Association, such member shall, upon application therefor, be paid in the following manner: [Amounts based on reduction factors contained in MN Statutes 424.02, sub. 2, for a lump sum pension of \$2,750 per year of active service].

A	CTIVE SE	RVICE TIME	SINGLE LUMP
	THE RESERVE AND ADDRESS OF THE PARTY OF THE	UT LESS THAN	SUM PAYMENT
	10	11	\$16,500
	11	12	19,360
	12	13	22,440
	13	14	25,740
	14	15	29,260
	15	16	33,000
	16	17	36,960
	17	18	41,140
	18	19	45,540
	19	20	50,160

20 YEARS AND THEREAFTER 100 PERCENT

Section 5. A member on the deferred pension rolls shall be paid interest on the principal from the time of retirement to the age of 50 years, at the rate actually earned not to exceed 5% per annum.

Section 6. During the time that a member is on the early vested pension roll, they shall not be eligible to receive any of the benefits provided for in Article VIII. Pensions payable to members on the early vested pension roll shall be based on the amount payable in effect at the time of such early retirement.

Section 7. If a member who is on the vested pension roll dies before becoming eligible to receive the pension, the amount payable will be paid to the members beneficiary.

Section 8. In the event of the death of a retired member who was receiving a monthly pension, the surviving spouse, if any, shall be paid monthly until death or remarriage, 1/2 of the monthly pension which such deceased member had earned at the time of death.

ARTICLE XI

GENERAL TRUST FUND

Section 1. Whenever any member of the Association in good standing dies, retires, or resigns from the Crystal Fire Department, they or their beneficiary shall be entitled to receive a lump sum payment from the General Trust Fund. As each member completes ten active years of service on the department, that member shall be entitled to receive \$250.00 for each completed year of service or the sum of \$2,500.00. The member shall also receive \$250.00 per year for each completed year thereafter up to and including 20 years, providing that the members of the Association continue to earn sufficient funds to support said trust fund. Said payment will be made to the member upon acceptance by the Board of Trustees of the member's letter of resignation, or, in case of a member's death, the Board is authorized to pay the beneficiary after receipt of proof of death.

Section 2. As each member completes the tenth year of service, the Board of Trustees will provide for the transfer of \$2,500.00 from the General Fund to the General Trust Fund to the credit of the specific member. As each member who has completed ten years of service on the Department completes each additional year of service thereon, the Board shall provide for the transfer of an additional \$250.00 from the General Fund to the General Trust Fund to the credit of the specific member. No withdrawals from the General Trust Fund whatsoever, may be made for any purpose but for the payment of the benefits described above or for the investment and reinvestment of the funds.

ARTICLE XII

AMENDMENTS

Section 1. The Bylaws of the Association may be amended, altered, or replaced by a 2/3 vote of the members present at any annual or special meeting, provided that written notice of intent to amend, alter, repeal, or replace the Bylaws has been given to each member or mailed to each member at their last known address at least 30, but no more than 45 days prior to the date set for such meeting, and provided further, that is such amendment or alteration shall change the amount of benefits or pensions to be paid from the Special Fund, approval of the Council of the City of Crystal shall be obtained, as required by law, before such alteration or amendment shall become effective.

HOLMES & GRAVEN

CHARTERED

DAVID J. KENNEDY

Attorney at Law

Direct Dial (612) 337-9232

470 Pillsbury Center, Minneapolis, Minnesota 55402

Telephone (612) 337-9300 Facsimile (612) 337-9310

November 27, 1991

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

Dear Jerry:

Enclosed find a draft resolution amending the personnel rules regarding inclement weather and a draft resolution on the early retirement program.

Yours truly,

David J. Kennedy

DJK: jes

Enclosures

RESOLUTION NO. 91	RESOLUTION	NO.	91	
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RESOLUTION RELATING TO PERSONNEL ADMINISTRATION: EARLY RETIREMENT INCENTIVE PROGRAM

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL: Section 1. Background: findings.

- 1.01. The reduction in financial resources available to the city require that the city take all necessary steps to reduce costs while maintaining efficiency in the delivery of municipal services.
- 1.02. The enhancement of early retirement opportunities for city employees can significantly reduce the cost of city government while at the same time allowing employees to achieve their retirement goals.
- 1.03. The city council has determined that a program of offering continued health insurance coverage to employees retiring before the age of 65 can enhance retirement opportunities for city employees and achieve significant cost savings for the city.
- 1.04. The city manager has presented a program and policy (Program) for voluntary early retirement for city employees. The Program is contained in a staff memorandum dated November 15, 1991. The Program has been reviewed by the council and is now on file with the clerk.

Sec. 2. Approvals: Authorizations.

2.01. The Program is approved.

2.02. The city manager is authorized and directed to carry out the Program and publicize its availability to all affected city employees.

2.03. The city manager is directed to report to the council from time to time on the activity and cost savings achieved under the Program.

		Mayor	
Attest:		3.5	
	City Clerk	Mark Town	

RESOLUTION RELATING TO PERSONNEL ADMINISTRATION AMENDING CRYSTAL CITY CODE APPENDIX V (PERSONNEL RULES AND REGULATIONS)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL, MINNESOTA:

Section 1. Crystal City Code, Subsection 311.07, requires that amendments to City Code Appendix V (Personnel Rules and Regulations) be made by resolution.

- Sec. 2. City Code Appendix V, Section 6.2, is amended in its entirety to read as follows:
 - 6.2. <u>Inclement Weather</u>. City offices will be open for business on all business days except legal holidays, holidays established pursuant to contract with certified employee bargaining units. In the event of severe inclement weather, the City Manager may determine whether an emergency exists in which the public interest would be best served by closing the City office or offices. If a City office is closed due to a weather emergency, subject to the requirements of law, the following apply:
 - 1. Employees are expected to listen to WCCO a.m. radio for announcements of closing City facilities. If a notice of closing has not been broadcast by 7:00 a.m. of the week day or your department head or supervisor has not contacted you, employees may assume that the City facilities will be open.
 - 2. When a City facility is closed because of inclement weather, employees must utilize earned vacation, accumulated comp time, or leave without pay to compensate for the time off.
 - 3. Those employees required by the Manager to work during severe weather due to the nature of the job responsibilities will be paid.

When the City office or offices have not been officially closed during inclement weather, the following policy applies:

1. Employees who, because of inclement weather, report to work after the start of their scheduled work shift or cannot report due to weather, may utilize

accumulated comp time, earned vacation, or leave without pay.

The City of Crystal encourages employees to use discretion if they choose to travel due to inclement weather.

Sec. 3. The Clerk is authorized and directed to make the appropriate changes in Appendix V.

		Mayor	
Attest:	City Clerk		

Memorandum

DATE: November 22, 1991

TO: Jerry Dulgar, City Manager

FROM: Nancy Gohman, Assistant Manager

SUBJECT: Policy - Inclement Weather

It appears that at the Council Meeting of 11-19-91, the Council had several concerns over change of the policy regarding inclement weather.

There are several options you may want to bring forth to the Council table regarding closing of City facility due to inclement weather.

Current Policy

Our current policy does not state if employees are paid or not paid if the City facility is closed (current policy attached as Attachment 1). Basically, it is up to you, the City Manager, to make the determination regarding pay.

Policy Change - No pay as given to Council on November 19,
1991.

A policy change which was recommended in a memo to you on November 4, 1991 clarifies that when a City facility is closed because of weather, employees must utilize earned vacation, accumulated comp time, or leave without pay to compensate for the time off. Essentially this policy states City Hall facilities are never closed and if they are closed the employee must use vacation or comp time.

<u>Alternative Policy</u> - Use of sick leave or allow employee to "make up" time.

Another alternative, if you wish to be more lenient, you can add language that the employees could also use earned sick time or the employee is able to work out an arrangement with their department head to work back hours if they missed time from work due to closing of a City facility. Adding this language would be a kinder way to treat City employees who cannot go to work and are not to report to work because the City in fact has closed.

Alternative Policy - Pay and Comp Time.

Another option is if a City facility is closed because of weather, employees who do not work are paid and those employees who do work are given straight comp time for those hours worked in addition to being paid. Since inclement weather in closing a City facility does not happen very often, this is another viable option that the City can adopt.

Dave Kennedy, City Attorney, is putting together a resolution to change to this policy in our Personnel Rules and Regulations. If the Council chooses another option other than the November 4, 1991 memo, such text can be included in the resolution at the time of the meeting. As usual, if you have questions please ask.

SECTION 6

WORK SCHEDULES



6.1 HOURS OF WORK, MEALS AND BREAKS

City offices will be open for business from 8:00 a.m. to 4:30 p.m. Monday through Friday. The hours of work will be set by the respective department head, with one uninterrupted meal period of no less than one-half hour per day. Meal periods are not paid, not included in the computation of overtime, nor included in the computation of a normal work shift or payroll period. Rest periods will be 15 minutes in each four hour period for FLSA non-exempt employees. Rest periods may not be accumulated or taken at the end or beginning of the employee's shift.

The normal workday for all employees except supervisory employees, department heads, part-time employees, essential employees, and other public safety employees is an eight hour day, not including a lunch or meal break.

Department heads and supervisory employees are required to put in the time necessary to perform their job at their established rate of pay.

Part-time employees must work according to the schedule set up by their supervisor.

Essential employees, as defined by law, and other public safety employees, may be required to work a different schedule due to the specialized nature of their employment.

A work week consists of seven consecutive days (168 hours) generally beginning at 12:01 a.m. each Monday.

The regular work week for City employees is 40 hours; 80 hours constitutes a normal pay period.

All overtime/comp time must be approved by the department head or supervisor prior to working overtime or comp time.

The City Manager may change the working schedule of City employees as needed.

INCLEMENT WEATHER

City offices will be open for business on all business days except legal holidays, holidays established pursuant to contract with certified employee bargaining units, and emergency situations.

In the event of severe inclement weather, the City Manager may determine whether an emergency exists in which the public interest will be best served by closing the City office or offices. If a City office is closed due to a weather emergency, subject to the requirements of law, the following apply:

- 1. Employees are expected to listen to WCCO-AM radio for announcements of closings of City facilities and are not to report to work if their work site is not open. If notice of closing has not been broadcast by 7:00 a.m. of the workday or if your department head or supervisor has not contacted you, employees may assume that the City facilities will be open.
- 2. Those employees required by the Manager to work during severe weather due to the nature of their job responsibilities, such as essential employees, will be paid.



Current Delice

When the City office or offices have not been officially closed during inclement weather, the following policy applies:

 Employees who, because of inclement weather, report to work after the start of their scheduled work shift may utilize accumulated compensatory time, earned vacation or leave without pay.

Memorandum

ATTACHMENT 2

DATE:

November 4, 1991

TO:

Jerry Dulgar, City Manager

FROM:

Nancy Gohman, Assistant Manager

SUBJECT: Policy Change - Personnel Rules & Regulations

Inclement Weather

As per your direction, here's the change in the City of Crystal policy regarding inclement weather. City offices will be open for business on all business days except legal holidays, holidays established pursuant to contract with certified employee bargaining units. In the event of severe inclement weather, the City Manager may determine whether an emergency exists in which the public interest would be best served by closing the City office or offices. If a City office is closed due to a weather emergency, subject to the requirements of law, the following apply:

Employees are expected to listen to WCCO a.m. radio for announcements of closing City facilities. If a notice of closing has not been broadcast by 7:00 a.m. of the week day or your department head or supervisor has not contacted Text changings

current > (2. you, employees may assume that the City facilities will be open.

When a City facility is closed because of inclement weather, employees must utilize earned vacation, accumulated comp time, or leave without pay to compensate for the time off.

3. Those employees required by the Manager to work during severe weather due to the nature of their job responsibilities will be paid.

When the City office or offices have not been officially closed during inclement weather, the following policy applies:

1. Employees who, because of inclement weather, report to work after the start of their scheduled work shift or cannot report due to weather, may utilize accumulated comp time, earned vacation, or leave without pay.

The City of Crystal encourages employees to use discretion if they choose to travel due to inclement weather.

NG/js

RESOLUTION RELATING TO PERSONNEL ADMINISTRATION AMENDING CRYSTAL CITY CODE APPENDIX V (PERSONNEL RULES AND REGULATIONS)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL, MINNESOTA:

- Section 1. Crystal City Code, Subsection 311.07, requires that amendments to City Code Appendix V (Personnel Rules and Regulations) be made by resolution.
- Sec. 2. City Code Appendix V, Section 6.2, is amended in its entirety to read as follows:
 - 6.2. <u>Inclement Weather</u>. City offices will be open for business on all business days except legal holidays, holidays established pursuant to contract with certified employee bargaining units. In the event of severe inclement weather, the City Manager may determine whether an emergency exists in which the public interest would be best served by closing the City office or offices. If a City office is closed due to a weather emergency, subject to the requirements of law, the following apply:
 - 1. Employees are expected to listen to WCCO a.m. radio for announcements of closing City facilities. If a notice of closing has not been broadcast by 7:00 a.m. of the week day or your department head or supervisor has not contacted you, employees may assume that the City facilities will be open.
 - 2. When a City facility is closed because of inclement weather, employees must utilize earned vacation, accumulated comp time, or leave without pay to compensate for the time off.
 - 3. Those employees required by the Manager to work during severe weather due to the nature of the job responsibilities will be paid.

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1. Employees who, because of inclement weather, report to work after the start of their scheduled work shift or cannot report due to weather, may utilize

accumulated comp time, earned vacation, or leave without pay.

The City of Crystal encourages employees to use discretion if they choose to travel due to inclement weather.

Sec. 3. The Clerk is authorized and directed to make the appropriate changes in Appendix V.

		Mayor	
Attest:			
	City Clerk		

Memorandum

DATE: November 25, 1991

TO: Councilmembers

FROM: Jerry Dulgar, City Manager

SUBJECT: Early Retirement Information Attached

Nancy has put together some additional information for Council relative to the Early Retirement Program that we've been talking about. Some things that I might just mention about the information is that the second page is looking at 3 years and in all cases the savings of the program over a 3 year period.

In addition, please note that in Nancy's November 15 memorandum regarding the Early Retirement Program (this is the one near the back of the attachments that says Who, What, When), that under the What area we have capped the hospitalization contribution that would be made at \$150.00. This way we don't have to worry about any escalating costs.

Also, please note that the last 3 sheets are based on 58 years of age and 10 years of service or 60 years of age and 10 years of service. And then there's a breakdown (on the very last page) of approximately how much we could save based on the 2 people who have told us that they would probably go off if we adopted a policy.

Thanks and please feel free to call if you have questions.

JD/js

Memorandum

DATE: November 25, 1991

TO: Jerry Dulgar, City Manager

FROM: Nancy Gohman, Assistant Manager

SUBJECT: Early Retirement - Councilmembers' Questions

Attached is information Council requested regarding an early retirement plan. It is my undertanding that Council wants to see a cost analysis showing financial breakdown of layoff of an employee. I have no problem putting together those figures for you. When looking at layoffs though I feel we must look at the whole staffing structure of the City of Crystal, focusing on which programs and services are to be effected by layoff.

If the City of Crystal moves into a layoff program, the number one cost factor for us is unemployment insurance. Currently unemployment insurance is \$265 per week for 46 weeks. This means that the City of Crystal pays out actual unemployment insurance to the employee of \$12,190. Also typically, if a layoff is done, and if we are comparing layoffs to private sector, many private sector companies have layoff programs where there is a severance plan. A typical severance plan would be to give one month of salary for every year worked. This means that one month of salary for this position equals \$2,321.

Attached is an estimation of what it would cost or save the City if we were to layoff one maintenance employee assuming it's a Maintenance I position.

If there are other questions that Councilmembers wish to ask, I would encourage them to let me know specifically what they want to see so I can try to create the financial picture for them. As usual if you have questions, please ask.

NG/js

LAY - OFF EXAMPLE using Maintenance 1 employee.

EMPLOYEE	CURRENT SALARY	UNEMPLOYMENT INSURANCE	90%	95%	100%	salary saving for positon
Maintenance	\$27,861	\$12,190	\$0	\$0	\$0	\$83,583

ESTIMATED SAVINGS OVER 3 YEARS

\$71,393 Estimated savings - minus unemployment insurance only.

(3 YEAR SALARY - UNEMPLOYMENT INS)

SEVERANCE COST:

\$2,321/mo.

\$6,963

(Est. 3 year employee)

\$64,430 Estimated savings - minus unemployment insurance and est. severance.

Memorandum

DATE: November 15, 1991

TO: Jerry Dulgar, City Manager

FROM: Nancy Gohman, Assistant Manager

SUBJECT: Early Retirement

THIS IS NOT INTENDED TO BE A SUBSTITUTE FOR A LAYOFF PLAN.
This plan was put together as a creative way to show
possible cost savings to the city.

Layoffs are not even being considered at this time. We do not see having to institute a layoff program. If layoffs were to be considered, Council would need to prioritize service levels, needs, and programs offered to our residents. Layoff programs require a full analysis of Citywide staffing levels, how staffing relates to work load, union contract constraints along with Council priority.

Management has been very conservative with replacement of staff. In the past several years we have eliminated 5 positions through attrition. Three additional positions have turned over. These positions were reviewed by the City Manager, duties reorganized and all have been replaced at a lower rate.

This early retirement plan shows a continued concern for fiscal responsibility by management giving some additional cost saving alternatives. Again, this is not considered to be put in place in lieu of layoffs.

Purpose

The purpose of this report is to recommend City Council action on a policy dealing with the provision of health insurance for employees that choose early retirement.

Background

In order to help possibly reduce staffing costs for the City of Crystal, research was completed on possibilities for an early retirement program for Crystal. I reviewed current and past early retirement programs available in the public sector. Attached is a brief summary of such programs.

Currently the City of Crystal provides benefits for City retirees who have retired under a full, unreduced retirement benefit from PERA. Our retirees who reach full retirement have the option of retaining membership in the City's group hospitalization insurance plan for which the City will pay the single person premium until such time the retiree is eligible for Medicare coverage, and further, if the retiree desires to continue family coverage, the additional cost for family coverage be paid monthly by the retiree to the City.

As you are aware, health insurance, or lack of affordable health insurance, is a major concern for those employees who have chosen to take early retirement, due to failing health or eligibility for early retirement under the pension plan. In examining early retirement programs, staff has come to the conclusion that there are employer as well as employee advantages to providing this type of benefit for early retirement programs.

Program Advantages

There are several areas in which an early retirement program can be an advantage to the employer. Take for example when an employee has severe medical problems but remains on the job in order to become eligible at age 65 for medicare benefits. In that situation it may be to the City's advantage to offer health insurance benefits and make way for the orderly succession of affected employees.

Other advantages to the employer may be cost savings by reducing staff size if possible or if staff replacement is needed for operations, replacing employees at the top of the pay and benefit range with employees at the bottom of the pay range.

This program is also an advantage to the employee to take early retirement knowing they will have health insurance or can purchase family coverage until medicare eligible. This is especially beneficial to those who may wish to retire but cannot afford to do so because of the recent escalation in insurance costs or because they have a "pre-existing condition" that makes it difficult to find coverage.

Analysis

Attached is a cost schedule regarding an early retirement program. The scenario is as follows:

Age 58 with a minimum of 10 years of service to Crystal.

As you can see from the data, an early retirement program is a win-win program for both the employer and employee. An employee is able to obtain health coverage needed prior to medicare eligibility; as well as the employer realizes staffing cost savings.

Recommendation

I recommend the City Council approve policy as attached. By doing this you will be providing an additional benefit to the employees which also benefits the employer.

SUMMARY - OTHER RETIREMENT PROGRAMS OFFERED

Legislature - Early Retirement Incentive

In 1991 the legislature authorized cities and other local units of government to provide employer paid hospital, medical and dental benefits to those who chose early retirement.

Program Problem: In Crystal, those that are eligible under legislative program guidelines are fully vested in PERA, and therefore are eligible for full retirement. No one on Crystal's staff qualifies for this program under the guidelines.

Brooklyn Center Retirement Incentive Program

1990-1995 Brooklyn Center recently adopted a retirement health insurance program. This is not an "early" retirement incentive program.

Program Guide: Employee must meet eligibility requirements for <u>full</u> retirement with a minimum of 10 consecutive years of service to Brooklyn Center. This program allows the employee to either continue participation in the city's insurance program or if they move out of the health insurance providers area, the employee can request monthly payments to an outstate carrier for insurance. Payments to outstate insurance carrier cannot exceed lowest single person premium of the city's employee health insurance plans.

<u>Program Problem</u>: This is not an "early retirement incentive program, this is a full retirement program. Our focus is for early retirement incentives.

Brooklyn Center

1983 - Retirement Incentive Program. Not an "early" retirement incentive program.

Program Guide: Employee must meet eligibility requirements for <u>full</u> retirement with a minimum of 5 consecutive years of service. Retirement notices must be submitted to manager's office within 6 months of program adoption. Retirement dates submitted can be up to 18 months after retirement notice submitted. Once notice to retire is submitted, it is final. Employees also would receive payment not to exceed \$15,000 per employee calculated by multiplying the number of

months between the date on which the employee retires and the employee's or spouse's 65th birthday (whichever is greater) times \$125 rounded to the nearest full month.

<u>Problems</u>: This is not an "early" retirement incentive program. This is a full retirement program giving cash incentives to those eligible for an early retirement incentive program.

Hopkins: Same as Crystal's proposed policy.

University of Minnesota

Early retirement program adopted in August runs through December 1991.

Program Guide: Open only to non-union employees. An employee's age and total years of University service must equal 75. Program encourages employees who are nearing retirement to do so early. Employees who take part in the program will continue to receive their medical and dental benefits until they are eligible for Medicare or another kind of group medical coverage.

Other Programs

There may be other programs concerning early retirement in place or in development. I will continue to watch for other possible programs and developments.

Memorandum

DATE: November 15, 1991

TO: Jerry Dulgar, City Manager

FROM: Nancy Gohman, Assistant Manager

SUBJECT: Early Retirement Incentive Program

December 1, 1991 -- December 31, 1992

Listed below is an early retirement incentive program for all regular full or part-time employees age 58 and over with a minimum of 10 years of service to the City of Crystal. This program is set up to allow those who retire under a reduced retirement plan a heath insurance incentive until eligible for Medicare or age 65.

This program is recommended for a temporary period only and is not intended as a long term program. Program recommended to be open from December 1, 1991 and expires on December 31, 1992 unless otherwise directed by Council.

Who: Open to all regular full and part time non-union and union employees, age 58 or over who have completed a minimum of 10 years of service to the

City of Crystal.

What: Employees who are eligible (as stated above) who retire on or after December 1, 1991 through December 31, 1992 under a reduced retirement

December 31, 1992 under a reduced retirement benefit Police Relief Association from the Public Employees Retirement Association (per current PERA rules and regulations) who are currently members of the City's group hospitalization insurance plan, have the option of retaining membership in the City's group hospitalization insurance plan for which the City will pay the maximum of plan or \$150 toward single person premium until such time as the retiree is eligible for Medicare coverage or age 65. If the retiree desires to continue family coverage, the additional cost for family coverage to be paid monthly by the retiree to the

City.

When: Open December 1, 1991 through December 31, 1992.

Health insurance terminates upon:

- 1. Medicare eligibility or age 65.
- Retiree obtains other medical/hospitalization insurance through: other employment.
- Family insurance terminates if monthly premium is not paid by retiree (per policy).

I recommend this program go before Council for their review. If Council approves, this policy will be forwarded to Insurance for their formal approval of such program.

N.Gohman

This option shows fixing retirement at age 58, 10+ years of service. Fixing health costs at \$150/mo.

				VF400								
				YEARS	YEARS ON	HEALTH INS	•					
10				OF	HEALTH	EST COST	CURRENT	REHIRE	90%	95%	100%	salary saving
	EMPLOYEE		AGE	SERVICE	INSURANCE	(\$150/mo)	SALARY	YES/NO				for positon
**	A	Maintenance	63	18.7	1.6	\$2,877	\$27,861	yes	\$25,075	\$26,468	\$27,861	\$4,179
**	В	Maintenance	63	11.6	1.7	\$3,085	\$27,861	no	\$0	\$0	\$0	\$83,583
	C	Clerical	63	24.6	2.1	\$3,770	\$29,246	yes	\$24,071	\$25,408	\$26,745	\$11,515
	D	Clerical	60	21.2	5.4	\$9,752	\$26,690	yes	\$24,021	\$25,356	\$26,690	**** A - 11 C - 1
	E	Clerical	59	12.4	6.3	\$11,374	\$20,842	yes	\$18,758	\$19,800	\$20,842	
	F	Technical	58	23.9	6.6	\$11,833	\$29,227	7	\$26,304	\$27,766	\$29,227	\$4,384
	G	Maintenance	57	15.3	7.9	\$14,284	\$27,861	yes	\$25,075	\$26,468	\$27,861	\$4,179
								•				
						\$56,976	\$189,588		\$143,303	\$151,265	\$159,226	
e.							Estimated	savings:	\$46,285	\$38,323	\$30,362	

Estimated total savings: \$114,969.90 - minus health costs: \$56,975.53

\$56,975.53

\$57,994.37 ESTIMATED SAVINGS

Figures based on retirement in 1992.

^{** =} Employees who have stated the are definately interested in retiring under program if adopted.

N. Gohman

This option shows fixing retirement at age 60, 10+ years of service. Fixing health costs at \$150/mo.

	EMPLOYEE		AGE	YEARS OF SERVICE	YEARS ON HEALTH INSURANCE	HEALTH INS. EST COST (\$150/mo)	CURRENT	REHIRE YES/NO	90%	95%	100%	salary saving for positon
**	Α	Maintenance	63	18.7	1.6	\$2,877	\$27,861	yes	\$25,075	\$26,468	\$27,861	\$4,179
**	В	Maintenance	63	11.6	1.7	\$3,085	\$27,861	no	\$0	\$0	\$0	
	C	Clerical	63	24.6	2.1	\$3,770	\$29,246	yes	\$24,071	\$25,408	\$26,745	
	D	Clerical	60	21.2	5.4	\$9,752	\$26,690	yes	\$24,021	\$25,356	\$26,690	
		×				*********						
						\$19,484	\$111,658		\$73,166	\$77,231	\$81,296	
							Estimated	savings:	\$38,492	\$34,427	\$30,362	

Estimated total savings: \$103,280.40 - minus health costs: \$19,483.96

\$83,796.44 ESTIMATED SAVINGS

Figures based on retirement in 1992.

^{** =} Employees who have stated the are definately interested in retiring under program if adopted.

N.Gohman

Figures shown are for those employees who have stated they are definately interested in the program. Fixing health costs at \$150/mo.

	EMPLOYEE	t	AGE	YEARS OF SERVICE	YEARS ON HEALTH INSURANCE	HEALTH INS EST COST (\$150/mo)	CURRENT SALARY	REHIRE YES/NO	90%	95%	100%	salary saving for positon
**	A	Maintenance	63	18.7	1.6	\$2,877	\$27,861	yes	\$25,075	\$26,468	\$27,861	\$4,179
**	В	Maintenance	63	11.6	1.7	\$3,085	\$27,861	no	\$0	\$0	\$0	and the same of the same of
		ζ				\$5,962	\$55,722		\$25,075	\$26,468	\$27,861	
							Estimated	savings:	\$30,647	\$29,254	\$27,861	
							Estimated	total savings:	\$87,762.15			

- minus health costs:

\$81,800.18 ESTIMATED SAVINGS

\$5,961.97

Figures based on retirement in 1992.

** = Employees who have stated the are definately interested in retiring under program if adopted.

RESOLUTION	NO.	91	
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RESOLUTION RELATING TO PERSONNEL ADMINISTRATION: EARLY RETIREMENT INCENTIVE PROGRAM

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL: Section 1. Background: findings.

- 1.01. The reduction in financial resources available to the city require that the city take all necessary steps to reduce costs while maintaining efficiency in the delivery of municipal services.
- 1.02. The enhancement of early retirement opportunities for city employees can significantly reduce the cost of city government while at the same time allowing employees to achieve their retirement goals.
- 1.03. The city council has determined that a program of offering continued health insurance coverage to employees retiring before the age of 65 can enhance retirement opportunities for city employees and achieve significant cost savings for the city.
- 1.04. The city manager has presented a program and policy (Program) for voluntary early retirement for city employees. The Program is contained in a staff memorandum dated November 15, 1991. The Program has been reviewed by the council and is now on file with the clerk.

- Sec. 2. Approvals: Authorizations.
 - 2.01. The Program is approved.
- 2.02. The city manager is authorized and directed to carry out the Program and publicize its availability to all affected city employees.
- 2.03. The city manager is directed to report to the council from time to time on the activity and cost savings achieved under the Program.

340			
		Mayor	
Attest:	9		
	City Clerk		

200

ORDINANCE	NO.	91	
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170.000

HULHLU & UNTVLIT

AN ORDINANCE RELATING TO ZONING: SIDE STREET SIDE YARD SETBACK: AMENDING CRYSTAL CITY CODE APPENDIX I - (ZONING) SUBSECTION 515.13, SUBDIVISION 3, CLAUSE a) SUBPARAGRAPH 1) AND 11): AMENDING SUBSECTION 515.03 BY ADDING A SUBDIVISION

THE CITY OF CRYSTAL ORDAINS

11/11/11

14.46

Section 1. Crystal City Code, Appendix I (Zoning), Subsection 515.13, Subdivision 3, clause a), Subparagraphs 1) and ii) are amended to read:

- i) In the case of a corner lot in the R-1 District having a frontage of 60 feet and having the longest dimension of the principal building paralleling the 60 feet frontage lot front, the side yard or the street shall have a width of not less than ten feet and in no case shall any dwelling or attachment thereto be constructed less than 40 feet from the curb line of the side street adjacent to a local street as designated in the comprehensive plan, the side yard on the street must have a width of at least ten feet.
- having the longest dimension of the principal building paralleling the shortest dimension of the let, the side yard on the street shall have a width of ten feet plus one feet for each additional one feet of let frontage ever 60 feet. The required side yard in such cases shall not have to exceed 30 feet the let front adjacent to a collector or minor arterial street as designated in the comprehensive plan, the side yard on the side street must have a width of at least 15 feet.
- Sec. 2. Crystal City Code, Subsection 515.03 is amended by adding a subdivision to read:

Subd. 168. Street: local, collector, arterial

a) a collector street, as defined and specified in the comprehensive planned, is designed to perform the function of collecting traffic from local streets and distributing it to thoroughfares and arterials.

- b) an arterial street, as defined and specified in the comprehensive plan, is designed to carry higher capacities than collector streets and to accommodate medium to short trips within subregional centers and between districts.
- c) a local street is a street other than a collector street or an arterial street.
- Sec. 3. This ordinance is effective in accordance with Crystal City Code, Subsection 110.11.

			Mayor	
Attest:				
Ċ	ity Clerk			

DATE: November 21, 1991

TO: Jerry Dulgar, City Manager

FROM: William Monk, City Engineer

SUBJECT: Bassett Creek Flood Control

In 1982, the U.S. Army Corps of Engineers prepared a flood control analysis for the Bassett Creek Watershed that outlined 35 improvement features to correct the severe flooding being experienced along the entire length of the creek. In 1985, the nine member Cities that comprise the Bassett Creek Water Management Commission (BCWMC) entered into an agreement with the Corps to construct the improvements. The agreement was based on a very specific cost sharing arrangement whereby the Cities pay for 25% of the flood control components and 100% of the right-of-way and relocation components of the project, which figure into a rather complicated credit calculation.

The construction project currently in progress along 36th Avenue between Jersey and Hampshire Avenues, as well as at the Edgewood Embankment and Markwood Channel, is a part of the Corps project. This particular project includes right-of-way acquisition, utility relocation and flood control features, although the final design has been revised significantly since the original plan was proposed.

At this point, the BCWMC is looking carefully at three relocation projects currently being scheduled by the Corps for final design. With the relocation projects constructed at City expense, the BCWMC has determined that these three projects (outlined in the attached resolution) can be constructed at a cost savings of \$200,000 if performed by the local City instead of the Corps. Since these projects are required to achieve the flood control objectives of the overall project, the BCWMC proposes to modify the joint project and authorize the local sponsor construct the individual relocation projects at a cost savings. The Corps has no objection to this process as long as the project objectives are achieved.

When Crystal held its improvement hearing on this series of projects in 1986, our estimated financial participation was listed at \$162,000. To date, the City has expended \$112,695. Approval of this resolution will help to insure Crystal's participation in this project does not exceed the original estimate. Approval is recommended.

WM:mb

LAW OFFICES WURST, PEARSON, LARSON, UNDERWOOD & MERTZ A PARTNERSHIP INCLUDING PROFESSIONAL ASSOCIATIONS

1100 FIRST BANK PLACE WEST

A. THOMAS WURST, P.A. CURTIS A. PEARSON, P.A. JAMES D. LARSON, P.A. THOMAS F. UNDERWOOD, P.A. CRAIG M. MERTZ ROGER J. FELLOWS

MINNEAPOLIS, MINNESOTA 55402

TELEPHONE (612) 338-4200

FAX NUMBER (612) 338-2625

November 6, 1991

Mr. Bill Monk 4141 Douglas Drive Crystal MN 55422

Re:

Relocation Projects

Dear Bill:

I am enclosing herewith a proposed resolution for consideration by the City of Crystal concerning the three relocation projects. I am also enclosing a copy of Resolution No. 2-1991 as adopted by the Commission at its meeting on October 17, 1991.

It would appear to me that each Commissioner can determine if they want to modify the suggested resolution I am enclosing, but that something in that form plus a copy of the resolution adopted by the Commission should be sent to the administration of each City for adoption. Hopefully this will all be approved in a rather perfunctory manner, but if there are any questions by any staff people, please do not hesitate to have them call Len Kremer or me.

If you have any comments or questions concerning the proposed resolution, please give me a call. I am writing a letter to each of the Commissioners and assuming they will transmit the proposed resolution to their respective City Council and will try to shepherd that resolution through and get a copy back to the Commission so we can contract these projects out to Golden Valley, Plymouth, and Minneapolis.

Very truly yours,

Curtis A. Pearson

CAP:1h Enclosures

RESOLUTION NO. 91-

RESOLUTION OF THE CITY OF CRYSTAL
RELATING TO THE BASSETT CREEK FLOOD CONTROL
PROJECT AND AUTHORIZING THE BASSETT CREEK WATER
MANAGEMENT COMMISSION TO CONTRACT WITH THE CITIES
OF GOLDEN VALLEY, MINNEAPOLIS, AND PLYMOUTH
TO CONSTRUCT CERTAIN RELOCATION PROJECTS

WHEREAS, the City of Crystal is a member of a joint powers water management organization known as the Bassett Creek Water Management Commission, and

WHEREAS, the Bassett Creek Water Management Commission and the City of Minneapolis as the local sponsors are in the process of completing a joint project with the United States Army Corps of Engineers which will assist in providing flood control protection for the entire watershed and the cost is approximately 38 million dollars, and

WHEREAS, the Bassett Creek Water Management Organization adopted Resolution No. 2-1991 on October 17, 1991, which relates to three parts of the overall project which are classified as relocation and the total responsibility for the cost of constructing these relocations falls upon the nine member Cities, and

WHEREAS, this Council has reviewed Resolution No. 2-1991, a copy of which is attached and made a part of this resolution, and agrees that the Bassett Creek WMO should contract with the Cities of Golden Valley, Minneapolis, and Plymouth to construct these projects as local projects rather than to have them constructed by the United States Army Corps of Engineers,

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

- 1. It is hereby determined that the local construction and relocation projects at Westbrook Road in the City of Golden Valley, Medicine Lake Outlet in the City of Plymouth, and Penn Avenue in the City of Minneapolis would be best handled at a local level since they are a local responsibility and are to be paid for entirely by local funds.
- 2. The City is advised that Golden Valley, Plymouth, and the City of Minneapolis are willing to contract pursuant to law for the necessary labor and materials to make said relocations and to handle said construction projects. Agreements between the Bassett Creek Water Management Commission and the Cities of Golden Valley, Plymouth, and Minneapolis are approved, and the funds for these three projects shall be provided by the Bassett Creek Water Management Commission on the same proportionate basis as other projects being constructed by the Corps or under the local Cooperative Agreement between the City of Minneapolis and the United States government.

- 3. The City agrees that the method chosen by the Bassett Creek Water Management Commission for proceeding is in the best interest of all members of the Bassett Creek Water Management Organization because it is estimated that local construction can save approximately \$200,000. The purpose of this Resolution is to assure the Bassett Creek Water Management Commission that it has the authority to disperse the funds collected for the overall project to member Cities who will contract for said work rather than to have the funds spent by the Corps of Engineers.
- 4. A certified copy of this Resolution shall be sent to the Bassett Creek Water Management Organization authorizing them to proceed as outlined in the Bassett Creek Water Management Organization Resolution No. 2-1991.

	Adopted	by the	Crystal	City Council 1991.	this	day of
			V 1 2	Mayor		
ATTES	ST:	2				
				* X		
	City Cle	erk				

RESOLUTION NO. 2-1991

RESOLUTION OF THE BASSETT CREEK WATER MANAGEMENT COMMISSION RELATING TO RELOCATION PROJECTS INCLUDED IN THE GENERAL DESIGN OF THE JOINT FLOOD CONTROL PROJECT OF THE CITY OF MINNEAPOLIS AND THE UNITED STATES ARMY CORPS OF ENGINEERS

WHEREAS, the nine member cities of the Bassett Creek Water Management Commission have adopted a Joint Powers Agreement setting forth the powers and authority of the Commission as agreed to by the nine cities, and

WHEREAS, pursuant to said Joint Powers Agreement, a public hearing was held on October 15, 1975, for the purpose of determining whether the Commission and its member communities should go forward with a major flood control project in conjunction with the United States Army Corps of Engineers, and

WHEREAS, in 1976 the United States Congress approved the joint project and the funding for said project on a Federal level was approved by the Congress in 1986, and

WHEREAS, the Commission designated the City of Minneapolis as the member City to contract with the Corps of Engineers and to act as the sponsor and on June 27, 1986, a Local Cooperative Agreement was signed between the United States government and the City of Minneapolis, and

WHEREAS, the Local Cooperative Agreement between the City of Minneapolis and the Corps of Engineers was reviewed and approved by this Commission and the member Cities have been paying the local share of the cost of construction since that date and assessments have been levied on a proportionate basis in accordance with the Joint Powers Agreement and as ordered by the Commission after the public hearing to construct said improvements, and

WHEREAS, the project has gone forward and it is anticipated that it will be finally completed in 1995, but the reason for that delay relates to major cost savings that may be achieved if the Commission and its member Cities and the Corps of Engineers work with the Minnesota Department of Transportation in the area where Bassett Creek flows under Highway 100, and MnDOT financing will not be available until 1994, and

WHEREAS, there are three relocations which were approved as a part of the general design which have not been completed as of this time and the Commissioner Engineer and the Corps of Engineers agree that the entire financial responsibility for those relocations rests with the local sponsors and therefore must be paid by the nine member cities, and

WHEREAS, the Commission's engineer and engineering representatives from the Corps agree that if the projects are constructed by the Corps of Engineers, they will probably cost considerably more than if the projects were done on a local level, and in some cases the Corps of

Engineers would actually have to contract with the City of Minneapolis to make certain watermain relocations in the area of Penn Avenue, and

WHEREAS, this Commission has consulted with representatives of the Cities of Golden Valley, Plymouth, and Minneapolis and believe that said Cities would be willing to construct the improvements under local contracts or by local work forces if the Commission were to provide the funds, and

WHEREAS, if the work at Westbrook Road in Golden Valley, estimated at approximately \$230,000, and the construction of the Medicine Lake outlet in the City of Plymouth, estimated at approximately \$250,000, and certain watermain relocations at or near Penn Avenue in Minneapolis, estimated at \$30,000, were done by the Corps of Engineers, the nine member Cities would be providing that funding through the local sponsor, the City of Minneapolis, and this Commission believes that it would be to the benefit of all member Cities, and we are advised that we can save approximately \$200,000, if the work were done by the member Cities where the relocations are necessary and funded from construction funds being held by this Commission to complete the project approved after public hearings and approved as a part of the general design of the Corps-approved project, and

WHEREAS, the Commission believes it has sufficient funds on hand to complete the construction, and

WHEREAS, it is deemed advisable to request each member City to adopt a resolution approving the Commission's proposed action and designating Golden Valley, Plymouth, and Minneapolis to do these relocations because it is in the best interests of each community to promote the most effective means of construction and that is more likely to result from having the work done by our member Cities rather than by the United States government,

NOW, THEREFORE, BE IT RESOLVED By the Bassett Creek Water Management Commission, as follows:

- 1. It is hereby determined that the local construction and relocation projects at Westbrook Road, Medicine Lake Outlet, and Penn Avenue in the City of Minneapolis would be best handled at a local level since they are a local responsibility and are to be paid for entirely by local funds.
- 2. The Commission is advised by representatives of Golden Valley, Plymouth, and the City of Minneapolis that said Cities are willing to contract pursuant to law for the necessary labor and materials to make said relocations and to handle said construction projects. Agreements between the Commission and the Cities of Golden Valley, Plymouth, and Minneapolis shall be entered into, and the funds for these three projects shall be provided by the Bassett Creek Water Management Commission on the same proportionate basis as other projects being constructed by the Corps or under the Local Cooperative Agreement between the City of Minneapolis and the United States government.
- 3. The Commission staff is directed to prepare a model resolution for transmittal to each of the nine member Cities asking them to

join with the Commission to administratively determine that the method chosen by the Commission for proceeding is agreed to by all parties. The purpose of this Resolution and of the Resolution to be transmitted to the member Cities is to assure the Commission that it has the authority to disperse the funds collected for the over-all project to member Cities who will contract for said work rather than to have the funds spent by the Corps of Engineers. This Commission is advised that the savings will be substantial if this method of proceeding is approved by the nine member Cities.

4. Upon receipt of the Resolutions from the nine member Cities authorizing said method of proceeding, the Commission staff is hereby directed to inform the Corps of Engineers that the Cities will be doing the relocation work locally. The Commission staff shall then work with the Cities of Golden Valley, Plymouth, and Minneapolis to establish a method of proceeding whereby said Cities shall proceed to construct the relocations as approved by this Commission and by the Corps of Engineers, which procedures shall meet the terms and conditions of the over-all flood control project. Nothing contained herein shall change the responsibility of the member Cities to obtain and pay for the necessary rights of way and to receive credit as outlined in the Joint Powers Agreement.

Adopted by the Bassett Creek Water Management Commission October 17, 1991.

Chairman

Attest:

Secretary

BASSETT CREEK FLOOD CONTROL PROJECT

FEATURE NUMBER	WEET WEER	DRAWING NUMBER	DESCRIPTION				
		434 3 R-5/180	TITLE AND INDEX				
	5	434 3-R-5/181	PROJECT LOCATION AND VICINITY MAP				
	3	W34.3-R-5/182	MNDOT TUNNEL PLAN AND PROFILE STA. 15-00 TO 50-00				
,	•	W34 3-R-5/183	MNDOT TUNNEL PLAN AND PROFILE STA. 50-00 TO 85-00				
5	,	M34 3-R-5/164	TUNNEL STA. 40-00 TO 66-50 PLAN & PROFILE				
,	6	w34 3-R-5/185	TUNNEL STA 20-00 TO 40-00 PLAN & PROFILE				
•	7	w34.3-R-5/166	TUNNEL STA. 0-25 TO 20-00 PLAN & PROFILE				
		W34 3-R-5/187	TUNNEL SECTIONS AND DETAILS				
34	,	434 3-R-5/188	INLET STRUCTURE				
3	. 0	w34 3-R-5/189	TUNNEL INLET PONDING AREA				
5		W34 3-R-5/190	TUNNEL INLET PONDING AREA BORING LOGS AND DROP STRUCTURE				
3	5	W34 3-R-5/192	INLET PONDING AREA SEWER BETWEEN CURRIE AND DUPONT				
,	3	W34.3-R-5/193	DELETED				
	•	434 3-R-5/194	PENN AVE CULVERT REMOVAL				
9 4 94	,	W34.3-R-5/195	FRUEN MILL CHANNEL IMPROVEMENTS PLAN				
,	6	W34 3-R-5/196	FRUEN MILL PONDING AREA				
,	7	M34 3-R-5/197	FRUEN MILL AREA RETAINING WALL DETAILS				
9	6 M34 3-R-5/198 FRUEN MILL AREA RETAINING WALL AND SECTIONS		FRUEN MILL AREA RETAINING WALL AND SECTIONS				
98	9 434 3-R-5/199 FRUEN MILL AREA RAILROAD BRIDGE AND DROP STRUCTURE DETAILS		FRUEN MILL AREA RAILROAD BRIDGE AND DROP STRUCTURE DETAILS				
0 .			HIGHWAY 35 CONTROL STRUCTURE PLAN & SECTIONS				
3414	21 .	W34 3-R-5/202	CULVERT REPLACEMENT AT NOBLE AND REGENT AVE.				
A & 28 .	558	W34 3-R-5/203	BRIDGE REMOVAL & MINNAGUA AVE AND CULVERT REPLACEMENT & 34TH AVE				
6	25	W34 3-R-5/204	HIGHWAY IOO EMBANKMENT PLAN AND PROFILE				
6	24	V34 3-R-5/205	HIGHWAY IOO EMBANKMENT PROFILE AND SECTIONS				
6	65	W34 3-R-5/206	HIGHWAY 100 EMBANKMENT TYPICAL SECTIONS				
6	76	434 3-R-5/207	HIGHWAY 100 EMBANKMENT EXCAVATION, SECTION AND CONDUIT PROFILE				

FEATURE SHEET DRAWING NUMBER DESCRIPTION		DESCRIPTION					
16	27	W34.3-R-5/206	HIGHWAY IOO EMBANKMENT CONTROL STRUCTURE PLAN AND SECTIONS				
100	28	M34.3-R-5/210	CULVERT REPLACEMENT . WESTBROOK ROAD				
19	59	M34.3-R-5/2II	GOLDEN VALLEY COUNTRY CLUB EMBANKMENT PLAN PROFILE AND SECTIONS				
19	30	M34.3-R-5/212	GOLDEN VALLEY COUNTRY CLUB EMBANKMENT BORING LOGS AND SECTIONS				
50	31*	M34.3-R-5/213	WISCONSIN AVE EMBANKMENT PLAN AND PROFILE				
50	35#	M34.3-R-5/214	WISCONSIN AVE EMBANKMENT SECTION AND DETAILS				
204	33	M34,3-R-5/216	WINNETKA AVE PLAN AND PROFILE				
200	34	M34.3-R-5/217	MEDICINE LAKE OUTLET STRUCTURES PLAN AND DETAILS				
23 4 24	35 *	M34.3-R-5/216	CULVERT REPLACEMENTS & BURNSWICK AND 32ND AVE				
29	36	M34.3-R-5/219	CULVERT REPLACEMENTS & DOUGLAS DRIVE				
29	37	M34.3-R-5/220	CULVERT REPLACEMENTS . DOUGLAS DRIVE DETAILS				
31	38	M34.3-R-5/221	EDGEWOOD EMBANGMENT GENERAL PLAN AND PROFILE				
31	39	M34,3-R-5/222	EDGEWOOD EMBANKMENT EMBANKMENT DETAILS				
31A & 32	40	M34.3-R-5/223	EDGEWOOD STORAGE AREA EXCAVATION				
31A	41	M34.3-R-5/224	EDGEWOOD STORAGE AREA UTILITIES				
33	42#	M34.3-R-5/226	CULVERT REPLACEMENT . GEORGIA AVE				
34	43 *	M34.3-R-5/227	CULVERT REPLACEMENT # 36TH AVE				
35	44	M34,3-R-5/228	MARKWOOD AREA CHANNEL IMPROVEMENTS				

NOTES

- FEATURE NUMBERS REFER TO FEATURES INDICATED ON SHEET 2.
- E PLATCHE NUMBERS MARKED ME INDICATE DESIGNS WERE DEVELOPED FOR THE COTY OF GOLDEN VALLEY. MINNESOTA BY BARE RIGHERING CO. IN ACCEDANCE WITH AN AGREEMENT BETWEEN THE CITY OF GOLDEN VALLEY AND THE CORPS OF PENINEERS MORE SECTION 215 OF PL. 90-483.

LEGEND

WHICH CONDITION IS

9 9 43

DETAIL OR SECTION IDENTIFICATION NUMBER

NUMBER OF SHEET ON WHICH DETAIL OF SECTION OF THE CONDITION IS DRAWN.



APPROVED:

				E				
DEPARTMENT OF THE ARMY If FAUL DETRACT COMP OF INDIMENT IF FAUL DETRACT COMP OF INDIMENT IF FAUL DETRACT COMP OF INDIMENT								
LAR PW LAR SUMMITTED BY: 248 SAT	PHASE II FLOOD CONTROL BASSETT TITLE AND		MEMOR	SOTA				
	APPROVED:	DATE	1962	•				



Memorandum

DATE: November 25, 1991

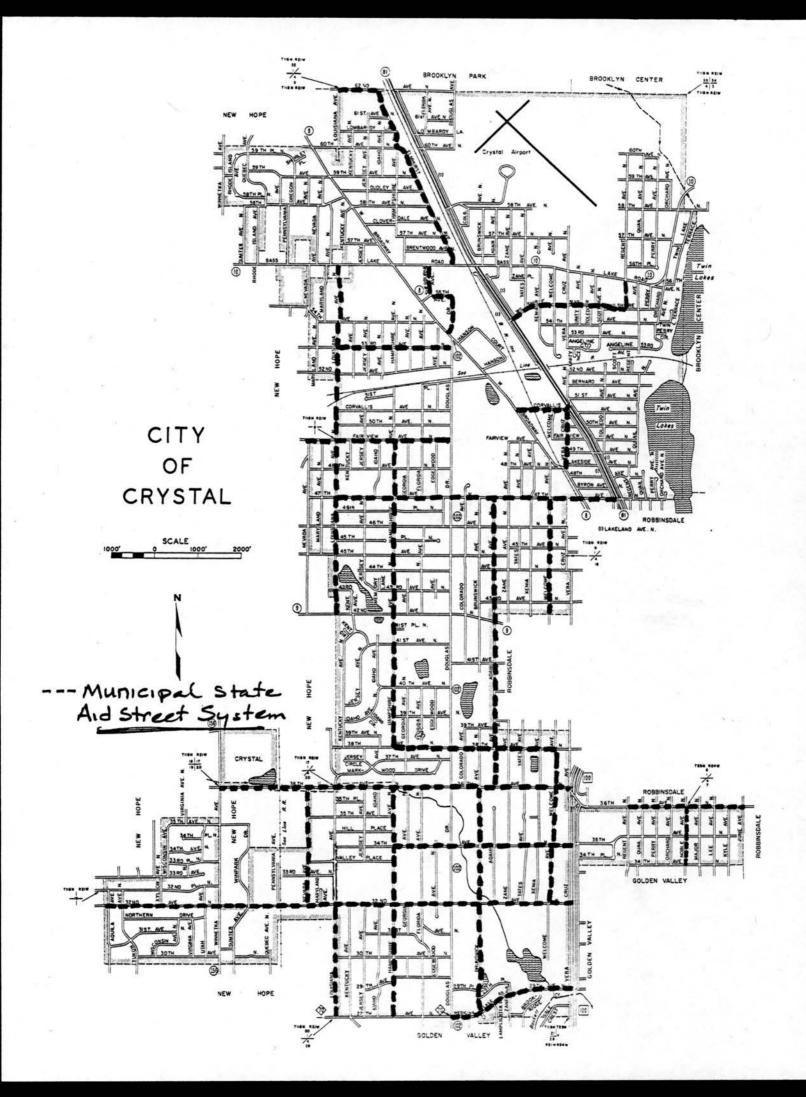
TO: Jerry Dulgar, City Manager

FROM: William Monk, City Engineer

SUBJECT: Work Session on State-Aid Street Projects

As you are aware, a number of projects involving State Aid Street Funds are already scheduled for construction in 1992. Additional projects are now being discussed in preliminary form such as New Hope's proposal for the RR bridge on 36th Avenue and Super Value's plans on the Nichlow site, that have a major impact on the City's financing scheme. Additionally, I would like to discuss preparation of a five-year improvement schedule for State Aid Streets on a Citywide approach. With this in mind, I would suggest a Council work session be scheduled sometime in January to review this item in some detail.

WM:mb



MEMORANDUM

TO: Mayor and City Council

FROM: Jerry Dulgar, City Manager

Miles Johnson, Finance Director/Treasurer Jessie Hart, Assistant Finance Director

DATE: November 25, 1991

SUBJECT: Revisions to 1992 Proposed Operating Budget

At the 1992 Budget Public Hearing on November 18, 1991, the City Council requested staff to revise the 1992 Proposed Operating Budgets to allow for an additional \$12,532 to be levied for the Firefighters Relief Association.

This revision has been made by reducing the amount previously budgeted for severance pay out of Account Number 4135, Department 32, by \$12,532. It was determined that this amount should carry the City for retirements that could occur during 1992.

This revision changes the total 1992 Proposed General Fund Budget to \$6,290,961, which is still less than a one percent increase over adopted 1991.

Based on the change described above, we recommend that the Council adopt the attached resolutions adopting the 1992 budgets, including the Enterprise Funds.

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RESOLUTION NO. 91 -

A RESOLUTION ADOPTING 1992 BUDGETS

THAT WHEREAS, Section 7.06 of the City of Crystal Charter requires adoption of an annual budget appropriating certain budgeted funds, and

WHEREAS, the attached budget does show in detail the appropriation to each department under the several funds,

THEREFORE, BE IT RESOLVED that there shall be appropriated to the specific funds the amounts indicated:

General Fund (City Operations)	\$6,290,961
Economic Development Authority	96,856
Fire Relief Association	44,190
Police Relief Association	87,209
PERA-FICA Pension	398,237
Community Center Debt Service	242,246
Equipment Certificate Debt Service	239,553
Audit Costs	11,725
Equipment Reserve	110,000
Infrastructure Fund	310,000

BE IT FURTHER RESOLVED that there is hereby levied the following amounts as sources of financing the appropriations:

General Fund - City Operations	\$3,084,371
Economic Development Authority	86,856
Fire Relief Association	44,190
Police Relief Association	87,209
PERA-FICA Pension	300,000
Bonded Debt	the American security of
Community Center	242,246
Equipment Certificates	239,553
Audit Costs	10,000

BE IT FURTHER RESOLVED that all funds appropriated but not levied shall be produced as follows:

From licenses, permits, fees, users charges, contributions and sources as indicated in the detailed budget on file in the City Clerk's Office.

By roll call and voting aye	
Adopted by the Crystal City	Council this 3rd day of December 1991.
	John Moravec
	Garry Grimes
	E. Gary Joselyn
	Elmer Carlson
	John T. Irving
	Pauline Langsdorf
	Betty Herbes, Mayor
ATTEST:	
City Clerk	

RESOLUTION NO. 91 - ___

A RESOLUTION ADOPTING 1992 BUDGETS FOR THE ENTERPRISE FUNDS

THAT WHEREAS, Section 7.06 of the City of Crystal Charter requires adoption of an annual budget appropriating certain budgeted funds, and

WHEREAS, the attached budget does show in detail the appropriation to each department under the Enterprise Funds,

THEREFORE, BE IT RESOLVED that there shall be appropriated to the specific departments in the Enterprise Funds the amounts indicated:

Utilities Fund:

\$1,336,720
1,498,670
226,370
115,500
248,541
80,295

BE IT FURTHER RESOLVED that all funds appropriated shall be produced through user fees and other sources as indicated in the detailed budget on file in the City Clerk's Office.

By roll call and voting aye:

Adopted by the December 1991.	Crystal City Council this 3rd day	of
	John Moravec	-
	Garry Grimes	-
	E. Gary Joselyn	
	Elmer Carlson	
	Dimer Carison	
	John T. Irving	_
	Pauline Langsdorf	_
	Betty Herbes, Mayor	_
ATTEST:		
City Clerk		

MEMORANDUM

DATE: November 26, 1991

TO: Jerry Dulgar, City Manager

FROM: Anne Norris, Community Development Director

SUBJECT: Amending Bass Lake Road Development District

and Tax Increment District

BACKGROUND

As you know, we have talked about the possibility of using excess tax increment proceeds to assist with funding other public improvement projects in the Bass Lake Road development district area. Recently, Bill Monk requested that the City Council consider a storm sewer project in conjunction with the Wilshire Blvd./County Road 81 improvement project. Mr. Monk proposed that a portion of the storm sewer project (approximately \$400,000) would be paid for with tax increment proceeds. There is sufficient tax increment to include this project. However, in order to use tax increment proceeds for this project, the development district needs to be expanded to include this area and the tax Increment Financing Plan needs to be modified to include the storm sewer project as an eligible expense.

If we are going to go through the process of expanding the district and amending the documents, we should be sure to include areas where we may wish to spend tax increment and any other possible projects using tax increment proceeds. I would recommend that the Bass Lake Road Development District be expanded as shown on the attached map. Possible projects to include in the Tax Increment Plan are:

-portion of storm sewer at Wilshire Blvd.,

-Paster Enterprise's request

-streetscape improvements along West Bdwy.

-land acquisition, northeast corner of Bass Lake Road and West Broadway

-Soil corrections, northeast corner of Bass Lake Road and West Broadway

-Site assembly, Wilshire Blvd. redevelopment site

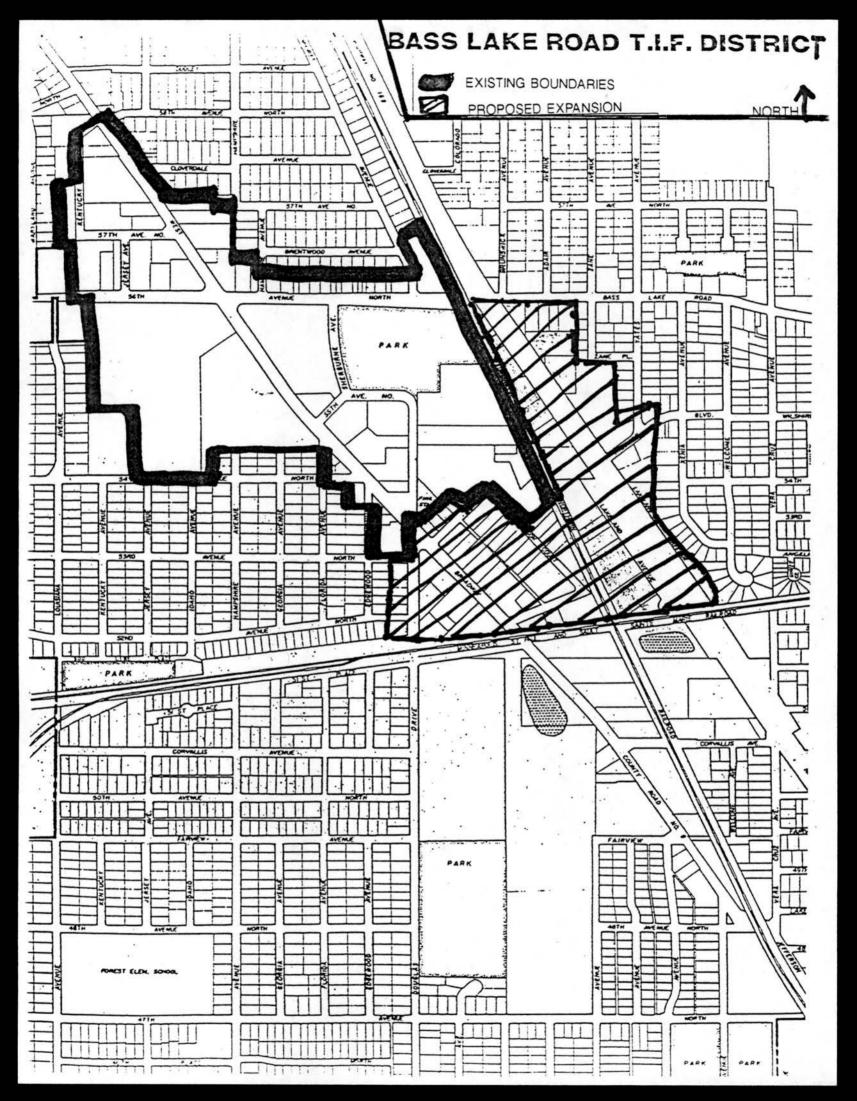
-Soil corrections, Hanson Court area

To start the process, I recommend that the City Council schedule a public hearing to consider expanding the development district and modifying the Tax Increment Plan. Before the public hearing, both the school district and Hennepin County Board must have 30 days to review the plan. In addition, the Planning Commission and EDA Advisory Commission should review the proposed modifications. Consequently, the public hearing should be scheduled for the February 18 City Council meeting. For your consideration, enclosed is a resolution scheduling the public hearing and authorizing preparation of the necessary documents.

RECOMMENDATION

To schedule a public hearing for 7:00 P.M., February 18, 1992, and to authorize staff to prepare the necessary documents modifying the development district and tax increment district plans for the Bass Lake Road area.

ALN:jt Encl.



CITY OF CRYSTAL

RESOLUTION NO.____

RESOLUTION CALLING FOR A PUBLIC HEARING ON THE EXPANSION OF THE BASS LAKE ROAD/BECKER PARK REDEVELOPMENT PROJECT AREA, MODIFICATION OF THE REDEVELOPMENT PLAN THEREFORE AND MODIFICATION OF THE TAX INCREMENT FINANCING PLAN FOR THE BASS LAKE ROAD/BECKER PARK TAX INCREMENT FINANCING DISTRICT

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

1. Recitals.

- 1.01 By resolution blated June 20, 1989 the Council transferred control, authority and operation of the Bass Lake Road/Becker Park Redevelopment Project Area (the "Project") and the Bass Lake Road/Becker Park Tax Increment Financing District ("TIF District") to the Economic Development Authority of the City of Crystal ("EDA").
- 1.02 The EDA has proposed an expansion of the Project Area, a modification of the Redevelopment Plan for the Project, and modification of the Tax Increment Financing Plan ("TIF Plan") for the TIF District, pursuant to Minnesota Statutes, Sections 469.090 to 469.108, Sections 469.001 to 469.047, and Sections 469.174 to 469.179 (collectively, the "Acts").
- 1.03 Pursuant to the Acts, the City Council must hold a public hearing regarding the above-described proposed actions.

2. Hearing Called.

- 2.01 The City Manager is authorized and directed to prepare a notice for publication in a newspaper of general circulation in the City, setting a public hearing before the City Council on the 18 day of February, 1992 at 7:00 p.m. in the council chambers, regarding the expansion of the Project Area and modification of the Redevelopment Plan and TIF Plan. The notice shall be published in the newspaper at least 10 but not more than 30 days prior to the date of the public hearing.
- 2.02 The City Manager is authorized and directed to take all other actions necessary to bring the appropriate documents before the City Council at the time of the public hearing.

Dated:	
	Mayor
ATTEST:	
City Manager	

MEMORANDUM

DATE: November 26, 1991

TO: Jerry Dulgar, City Manager

FROM: Anne Norris, Community Development Director

SUBJECT: Paster Enterprises Request for Assistance

BACKGROUND

I have reviewed the enclosed request from Paster Enterprises for assistance with expenses in resurfacing the parking lot at the Crystal Shopping Center. Some of the costs can be considered public improvements and the City Council can choose to spend tax increment on such improvements. The attorney has determined that improvements, such as landscaping, site preparation, curb and gutter, meet the statutory definition of public improvements. In looking at Paster's request and what costs can be considered public improvements, approximately \$ 500,000 worth of improvements could be funded with tax increment proceeds.

However, due to limitations on the amount of increment available in the Bass Lake Road Tax Increment District, no more than \$175,000 worth of improvements could be financed. If the Council chooses to use tax increment to assist Paster Enterprises with this project, the Council should realize that these improvements will not generate additional tax increment. The project will only maintain existing facilities.

Also, if the Council chooses to assist Paster Enterprises, the tax increment plan will have to be amended to include this as a project cost for the district. This can be done at the same time as the district is expanded and modified to allow the storm sewer project on Wilshire Blvd.

RECOMMENDATION

The City will benefit from landscaping improvements at the Crystal Shopping Center and the appearance of the shopping center will be improved with a rebuilt and resurfaced parking area. Consequently, I recommend that the City assist Paster Enterprises with the landscaping and a portion of the site preparation costs for the parking lot resurfacing project in an amount not to exceed \$175,000.

ALN:jt Encl. November 14, 1991

CENTRAL PLAZA 45th & Central Ave. N.E. Minneapolis, Minnesota

CRYSTAL SHOPPING CENTER Bass Lake Road & West Broadway Crystal, Minnesota Mr. Jerry Dulger City Manager City of Crystal 4141 Douglas Drive Crystal, Minnesota 55422

DODDWAY SHOPPING CENTER Dodd Road & Bernard Street West St. Paul, Minnesota Dear Mr. Dulger:

FARMINGTON MALL S. Hwy. 50 & S. Hwy. 3 Farmington, Minnesota In the fall of 1978, Crystal Shopping Center Associates purchased the Willow Bend Shopping Center which, at that time, was in a run-down and dilapidated condition. The three different sections of the shopping center, including the storefronts and signs, were unattractive and did not tie together.

LEXINGTON PLAZA SHOPPES Lexington & Larpenteur Roseville, Minnesota Under the ownership of Crystal Shopping Center Associates, an immediate merchandising and remodeling program began with a handsome brick and glass facing on all storefronts, and a new sign facia was put in place tying all three sections into one theme. As a result of this extensive work by the Landlord, we were able to prevail on the existing tenants to cooperate in the uniform sign program and, thus, one large and attractive shopping center was created.

MENDOTA PLAZA State Hwy. 110 & Dodd Road Mendota Heights, Minnesota

While all of this re-building work was going on, our staff was busily engaged in finding new, strong anchor tenants for the shopping center. Tenants such as Marshall's, Minnesota Fabrics, Lenscrafters, Deb Shops, Waterbed Room and County Seat create a powerful draw to this fashion and merchandise value oriented center.

MOUNDSVIEW SQUARE Hwy. 10 & Long Lake Road Mounds View, Minnesota

Crystal Shopping Center Associates has invested millions of dollars to attain this goal. In addition to the major anchors, apparel and other specialty shops and four major family-oriented restaurants were added under the direction of Edward J. Paster and Paster Enterprises, the management company. In making this center a powerful draw in the entire area, over 450 full and part time jobs were created and filled.

NORTHWAY SHOPPING CENTER State Hwy. 23 & Woodland Circle Pines, Minnesota

> SIBLEY PLAZA West 7th Street St. Paul, Minnesota

SOUTHVIEW SHOPPING CENTER Southview Blvd. & 12th Street South St. Paul, Minnesota The real estate taxes in 1978 were \$81,000 and this past year they grew to over \$450,000 which is a 454% increase over the first year. Without a doubt, Crystal Shopping Center Associates is the highest tax payer in the city. Our efforts to make Crystal Shopping Center the best, insured that the corner of Bass Lake Road and West Broadway continues to be the heart of the retail market place in Crystal.

At this time there is still more work to be done. Our funds that can be dedicated to repairs are extremely limited and now, for the first time, we must ask the City of Crystal, through its various agencies, to assist us with funds for needed repairs to the parking lot of the Crystal Shopping Center.

The costs to correct the subsoil, pavement repairs and landscaping are:

Front Area (19,230 square yards):

1.	Miscellaneous removal and common excavation	¢ 62 040 00
	excavacion	\$ 63,940.00
2.	Landscaping	31,250.00
3.	Granular Borrow, CL5, foundation	
	rock	89,795.00
4.	Bituminous paving	121,580.00
5.	Storm sewer & catch basins	47,815.00
6.	Concrete curb and gutter	94,000.00
7.	Concrete walks	66,880.00
	Subtotal	\$565,260.00

Parking Lot in Back of Center (26,000 square yards):

1.	Blacktop repair	\$364,000.00
2.	Landscaping	25,000.00
3.	Repair 820 lineal feet of fencing	20,500.00
	Subtotal	\$409,500.00
	Grand Total	\$974,260.00

Having worked with the elected and administrative personnel of the City of Crystal for the past thirteen years, we readily recognize their dedication to make the City of Crystal the best ever and we ask that you give us some financial assistance in our continuing effort to keep the Crystal Shopping Center viable for our tenants, all of the employees and the customers who visit the Crystal Shopping Center regularly.

We look forward to a favorable response.

Respectfully yours,

PASTER ENTERPRISES

W. R. Banet

Vice President

Real Estate and Leasing

for Edward J. Paster

WRB: mm

cc: Ms. Ann Norris

DATE: November 26, 1991

TO: Jerry Dulgar, City Manager

FROM: William Monk, City Engineer

SUBJECT: Utility Rates

As discussed during the budget process, a 10% increase in Crystal's sewer and water utility rates is proposed in 1992. The increase is required to maintain an acceptable, if not minimum, balance in the fund. Utility rates were increased 5% in 1991. It should be noted that an increase in the basic street light charge is proposed from \$2.75 to \$3.00 per quarter. This rate has not changed since 1983.

Approval of the attached ordinance amendment regarding Citywide utility rates and resolutions affecting elderly rates and street lights is recommended.

WM:mb

Encls

ORDINANCE NO. 91-

AN ORDINANCE RELATING TO SEWER, WATER AND STREET LIGHTING RATES AND CHARGES: AMENDING CRYSTAL CITY CODE SUBSECTION 710.05 AND SUBSECTION 715.13, SUBDIVISIONS 1 AND 4

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. Crystal City Code, Subsection 710.05, is amended to read:

710.05. <u>Sewer Use Rates</u>. Subdivision 1. <u>Charges Imposed</u>. The rates and charges for the use and service of the Sanitary Sewer System are fixed by this subsection. The rates and charges are made against each lot, parcel of land, unit or premises connecting directly or indirectly to the system and from which only normal sewage is discharged into the system.

Subd. 2. <u>Flat Charges</u>. Where the rate is not based upon the metered use of water the following quarterly charges for the respective user classifications established in Subsection 710.03 are as follows:

User Classification Established by Section 710.03	Quarterly Charges
	Quarterry charges
Subd. 2	\$ [27.30] \$ 30.00
Subd. 3	[65.30] 71.80
Subd. 4	[157.00] 172.70
Subd. 5	[359.20] 395.00
Subd. 6	[490.00] 539.00

Subd. 3. <u>Schools</u>. For each public or private school the quarterly charge shall be charged whether school is in session or not and shall be based upon the metered water consumption on the premises served. The minimum quarterly charge is [\$8.80] <u>\$9.70</u> per classroom per quarter. If a school has an unmetered private water supply the minimum quarterly charge shall apply.

Subd. 4. <u>Metered Flow Charge</u>. For all premises where the sewer service charge is based upon metered use of water the charge shall be computed at the rate of [\$0.90] <u>\$1.00</u> per one hundred cubic feet of water.

Subd. 5. <u>Commercial</u>, <u>Industrial</u> and <u>Institutional Uses</u> The sewer service charge shall be based upon metered water consumption on the premises served. The minimum quarterly charge is [\$27.30] \$30.00 per quarter. If the premises has an unmetered private water supply system, the quarterly charges set forth in Subdivision 2 shall apply. Special charges for high intensity effluent users are established by Ordinance No. 78-13.

- Subd. 6. Residential Units. The sewer charge for residential units shall be the quarterly charge set by Subdivision 2 of this subsection. Each available unit of occupancy in a multiple residence is a residential unit.
- Sec. 2. Crystal City Code, Subsection 715.13, Subdivision 1, is amended to read:
- 715.13. Water Rates. Subdivision 1. Schedule. The rate due and payable to the City by each water user within the City for water taken shall be [\$0.82] \$0.90 per one hundred cubic feet, payable quarterly, subject, however, to a minimum charge to each water user for each quarter period during which water service is furnished, as follows:

Mete	er Size	Qu	arterly	Minimum	Charge
3/4	inch or smaller	\$	[11.30]	s	12.40
1	inch		[22.00]		24.20
1-1/2		N-	[41.50]		45.60
	inch		[69.40]		76.30
	inch		[124.80]	1	137.30
	inch		[208.20]		229.00
	inch		[416.30]	4	158.00
8	inch		[694.00]	7	763.40

- Sec. 3. Crystal City Code, Subsection 715.13, Subd. 4 is amended to read:
- Subd. 4. <u>Automatic Sprinkler System</u>. Where a connection is made to an automatic sprinkler system for standby fire service only, a charge for such service shall be made on an annual basis as follows:

3	inch	pipe	connection	\$ [103.00]	Ś	113.30
			connection	[151.00]	•	166.10
6	inch	pipe	connection	[205.00]		225.50
8	inch	pipe	connection	[252.00]		277.20
10	inch	pipe	connection	[304.00]		334.40

These rates shall apply in all cases where automatic sprinklers are installed, and where fire gates and other outlets are sealed. No charge will be made for water used in extinguishing fires. Meters or detector check valves shall be installed on such services as required. Should it be found that water not metered is used through a fire connection for any purpose other than the extinguishing of fire upon the premises, the owner or occupant will be notified, and the water may be shut off until proper adjustments are made, and the owner shall be subject to the penalties provided in this section.

Sec. 4. The rates and charges established by Sections 1 to 3 apply to billings for utility services for the quarter ending December 31, 1991 and thereafter.

ORDINANCE NO. 91-

Sec. 5. This ordinance is effective in accordance with Crystal City Code, Subsection 110.11.

First Reading: December 3, 1991.

Passed by the City Council: December 18, 1991.

Mayor	- INSTERNATION	

ATTEST:

City Clerk

(Published in the Crystal-Robbinsdale Post News January 1, 1991)

RESOLUTION NO. 91-

RESOLUTION ADJUSTING SEWER AND WATER RATES FOR SENIOR CITIZENS

BE IT RESOLVED By the City Council of the City of Crystal, Minnesota, as follows:

- 1. The Council is authorized by Subsection 700.07 of the City Code to establish and modify maximum sewer and water use rates for senior citizens.
- 2. The present sewer rate is \$19 per quarter. maximum sewer rate for senior citizens is hereby increased to \$22.00 per quarter. This rate for utility services shall apply to billings for the quarter ending December 31, 1991 and thereafter.
- 3. A minimum quarterly water rate is hereby established for senior citizens in the amount of \$9.00.
 - 4. Resolution No. 90-76 is hereby rescinded.

Adopted by the Crystal City Council on the 3rd day of

December, 1991.	ouncir on the sid day of
	Mayor
ATTEST:	
City Clerk	

RESOLUTION NO. 91-

RESOLUTION SETTING RATES FOR STREET LIGHTING

WHEREAS, the City of Crystal has been billing the owners or renters of property in the City of Crystal for street lighting commencing January 1, 1976, and

WHEREAS, the costs to the City for providing street lighting are estimated at \$105,000 for the year 1991, and

WHEREAS, there are estimated 9000 billing units, and

WHEREAS, Section 720.05 of the City of Crystal Code specifies the means of determining the cost per billing unit,

NOW, THEREFORE, BE IT RESOLVED that the rate per quarterly billing unit be set at \$3.00 for bills due and payable in 1992 and thereafter.

Adopted by the Crystal City Council this ____day of December, 1991.

	Mayor	
ATTEST		

City Clerk

PARK AND RECREATION ADVISORY COMMISSION Agenda

December 6, 1991

** NOTE: Marketing Committee Meeting - 6:00 p.m. **

- Call meeting to order 7:00 p.m.
- 2. Approval of minutes
- Review monthly report
- 4. Report from the chairperson
- Approve and recommend the 1992 Community Center rental rates to the City Council
- 6. Review golf course layout and map of Bassett Creek Park
- Review 5-year park improvement program as well as parks and open space plan for the city-wide comprehensive plan
- Recommend to the City Council a request to hold a swim meet at the Crystal Municipal Pool in July 1991
- 9. Discuss change in fees for season tickets and changes in methods of identification at pool entry
- 10. Review final Winterfest plans
- 11. Election of officers for 1992
- 12. Other business- Change January meeting date
- 13. Adjournment

NOTE: Due date because of the holidays!

DUE DATE: NOON, TUESDAY, NOVEMBER 26, 1991

MEMO TO:

Jerry Dulgar, City Manager

MEMO FROM:

Darlene George, City Clerk

ACTION NEEDED MEMO: From the November 19, 1991 Council Meeting

The items listed below are the actions requested by the City Council at their regular Council meeting of November 19, 1991. These items should be taken care of by noon, **Tuesday**, preceding the next regularly scheduled Council meeting and returned to the City Clerk for her review.

DEPARTMENT ITEM

REGULAR AGENDA

BUILDING INSPECTOR

> Consideration of a variance to allow two curb cut openings at 4521 Vera Cruz Ave. N. ACTION NEEDED: Notify applicant of Council approval. ACTION TAKEN: Applicant was present. Waiting for plans of new garage.

BUILDING INSPECTOR

2. Consideration of lot split and combination of 15 feet of property located at 5565 and 5573 Welcome Avenue North.

ACTION NEEDED: Notify applicant of Council approval and proceed with lot split.

ACTION TAKEN: Letter to applicant to explain what was done thus far and what they need to submit to finalize.

CITY CLERK

3. Consideration of two-year Lawful Gambling Premise permit for Minnesota Therapeutic Camp, Inc. at Nicklows. ACTION NEEDED: Prepare certification of resolution for the applicant and notify of Council approval. ACTION TAKEN: Applicant notified; picked up for hand delivery to the State on 11-20-91.

BUILDING INSPECTOR/ CITY ATTORNEY

4. Consideration of First Reading of an Ordinance to change side street side yard setback on certain properties. ACTION NEEDED: Prepare ordinance with corrected language for Second Reading on December 3, 1991. ACTION TAKEN: In process.

PUBLIC WORKS DIRECTOR

5. Consideration of acceptance of improvements and release of surety for work at St. Raphael's Church, 7301 - 56th Avenue North.

ACTION NEEDED: Release surety in the amount of \$35,000 as approved by the City Council.

ACTION TAKEN: Letter sent to bank releasing funds and Church notified.

PUBLIC WORKS DIRECTOR

6. Consideration of preliminary design plans for the upgrade of West Broadway (County Road 8) between Fairview and 42nd Avenues.

ACTION NEEDED: Notify Hennepin County of Council approval and submit preliminary plan to the County.

ACTION TAKEN: Letter of approval listing comments sent to County.

CITY ENGINEER

7. Consideration of architectural service proposals for the City Hall renovation project.

ACTION NEEDED: Proceed with contracting architectural firm for renovation of City Hall.

ACTION TAKEN: Firms notified of action. Contract preparation in progress.

CITY ATTORNEY

8. Consideration of a policy change to the Personnel Rules and Regulations regarding inclement weather. ACTION NEEDED: Prepare resolution for consideration at the December 3, 1991 City Council meeting.

ACTION TAKEN: In process.

ASSISTANT MANAGER

9. Reconsideration of an early retirement policy for the City of Crystal. ACTION NEEDED: Provide information as requested by Councilmember Moravec. ACTION TAKEN: Will work to provide info.

CITY CLERK

10. Consideration of a resolution regarding repeal of the April Presidential Primary.

ACTION NEEDED: Remove the fourth, fifth, and sixth paragraph of the resolution; forward corrected copies to Legislative representatives for the City of Crystal and the Secretary of State.

ACTION TAKEN: Will forward copies to appropriate parties after receipt of Mayor signature on resolution.

ASSISTANT MANAGER/ PERSONNEL DIRECTOR

11. Reconsideration of setting a meeting date and time for Council Committee/City Manager to review City Manager's performance evaluation.

ACTION NEEDED: Council Committee consists of Councilmembers Joselyn, Langsdorf, and Grimes.

Contact committee for coordination of a meeting date.

ACTION TAKEN: Will work to get meeting set.

PLANNING INTERN/ COMMUNITY DEV. DIRECTOR

12. Consideration of amendments to the sign ordinance. ACTION NEEDED: Consensus of Council favorable to amendments; continue work on them.

ACTION TAKEN: Amendments being refined to go to businesses and Planning Commission.

CITY MANAGER

- 13. Discussion of sending a letter of support for Millie MacLeod for National League of Cities Board of Directors.

 ACTION NEEDED: Prepare letter of support as approved by the City Council.

 ACTION TAKEN: Letter sent November 25, 1991.
- 14. Discussion of a report received from the North Metro Mayors Association. ACTION NEEDED: No action needed.

CITY MANAGER/ FINANCE DIRECTOR

15. Discussion of City insurance contributions for 1992.

ACTION NEEDED: Pay \$147 as City contribution for single coverage for Medica for 1992 as recommended by the City Manager.

ACTION TAKEN: Noted.

CITY CLERK

16. Licenses.
ACTION NEEDED: Issue licenses.
ACTION TAKEN: Licenses issued.

OPEN FORUM

PUBLIC WORKS DIRECTOR

 Appearance by Dean Struntc, 6324 42nd Avenue North, regarding assessment and snow concerns. ACTION NEEDED: Note concerns for a possible policy change by the City Council. ACTION TAKEN: Policy will be reviewed.

INFORMAL DISCUSSION AND ANNOUNCEMENTS

CITY MANAGER

 Appointment of Councilmember Moravec to the Cultural Diversity Committee for the City of Crystal.
 ACTION NEEDED: Notify necessary persons of Mr. Moravec's attendance at committee meeting of December 16, 1991.
 ACTION TAKEN: Necessary persons notified.

CITY CLERK

Consideration of the regular City Council meeting of December 17.
 ACTION NEEDED: Prepare notice of change in meeting date from December 17 at 7 p.m. to December 18 at 7:30 p.m.
 ACTION TAKEN: Notice posted and sent to Post on 11-20-91 for December 11 publication.

NEAL R. PEIRCE

Successful war on crime needs community-based policing

A ny way you cut it, 1991 has been a grim year for America's police departments.

The amateur videotape of four Los Angeles police officers brutally beating motorist Rodney King, broadcast across Los Angeles



SYNDICATED COLUMNIST

and then the world, prompted critics to charge there's a substratum of vicious brutality in big-city police forces coast-to-

Milwaukee's police were subsequently revealed to have returned a naked, bleeding 14-year-old Laotian boy to Jeffrey Dahmer — the deviant who had 15 bodies of murdered youths, mostly black and gay, in his apartment. The cops had ignored citizens' appeals for help. Their response was that it was only a gay lovers' quarrel.

Is there something fundamentally wrong with American policing? By telegraphing a message to cops — in films, in the media — that they ought to be tough as hell on vicious criminals, do we set ourselves up for lapses into cruelty, even brutality?

And isn't the operational method of the last few decades — cops in cruisers, waiting for '911" calls, rushing into tense situations with lights flashing and sirens blaring — a set-up for possible ugly standoffs with a kind of "enemy population" in poor and minority neighborhoods?

Demonstrably, it's not working: Violent crime continues to soar.

Community soul-searching in the wake of the Los Angeles and Milwaukee incidents is pushing for a radically different model: community-oriented policing, with officers assigned long-term to foot beats, getting to know residents and businesses, attempting to defuse tense situations and stop crimes before they occur.

The high-level Los Angeles commission

investigating the King incident proclaimed "the L.A.P.D. has an organizational culture that isolates the police." Los Angeles officers, it said, "view citizens with resentment and hostility" and "are encouraged to command and confront, not to communicate."

The L.A. commission said recruits should be screened better to detect violent or racist tendencies. Officers ought to be retested psychologically every three years. And community-based policing ought to be the new order of the day.

Now Los Angeles Council member Zev Yaroslavsky has a proposal to work toward "gender balance" on the force a good idea because women are sociologically less prone to brutality. Not a single woman was found among the 120 L.A. officers most often cited for use of force.

L.A. might well have faxed its recommendations to Milwaukee's investigatory committee. The Milwaukee panel said it had received multiple complaints about "slow response time, racist and homophobic attitudes and general lack of respect from police officers."

"Whites living in the inner city have been told, 'Don't call us, call a moving van' when they report crimes," the Milwaukee investigators reported.

Community-oriented policing topped the list of 50 recommendations in Milwaukee. For the last two years, the idea moved to become official policy in New York City, where its most prominent advocate, Police Commissioner Lee Brown, recommends expanding the force by 5,000 with beat cops walking all 75 precincts in the city.

Not all police cotton up to the new approach. "You can take community policing and stick it in your ear," ex-Milwaukee police chief Harold Brier said recently. "When I was chief, we were relating to the good people and we were relating to the other people too — we were throwing those people in the can."

Out-of-the-ranks opposition, from officers leery about becoming social workers, is commonplace.

And now community policing faces other obstacles: proving its effectiveness. A government-ordered study in Houston, where Lee Brown instituted community policing before his move to New York, reported a lack of tangible, measurable results. It said officers walking community beats are sometimes overwhelmed and unprepared for their new tasks; supervision is light; officers are spread too thin in a 60-square mile city.

Don't scrap community-based policing, learn to do it better, said the Houston report. Advocates say it may well take five to 10 years for the entire philosophy of a police department to turn over.

Can we be patient enough? There's danger, Lee Brown recently told the International Association of Chiefs of Police, that

as "urban conditions worsen, there will be mounting pressure to abandon community policing and use the police as temporary occupying forces." But it just won't work, he said. "I can assure you that in the end the community police officer permanently assigned to the neighborhood is a better deterrent to unrest than a SWAT team waiting in the wings."

Maybe what we need most are younger, more educated, socially sensitive cops. And here there's a ray of good news. The omnibus crime bill struggling to clear Congress authorizes a police corps — up to 20,000 college students getting their tuition paid (a la ROTC) in return for serving on a police force for four years. There'd be summer training at new federal police academies.

In time the program could have 80,000 graduates working — a net gain of 30 percent over current U.S. police force levels, notes the police corps' "inventor," New York lawyer Adam Walinsky.

The newly trained, college-educated young officers, freed of traditional police biases, a good number black or Hispanic, could be the foot soldiers of a serious national commitment to community policing. It's not likely to come a moment too soon.

Peirce is a national columnist who writes about state and local affairs. Distributed by Washington Post Writers Group.

gproved 4/25/91

HUMAN RELATIONS COMMISSION October 28, 1991

The Human Relations Commission meeting was called to order at 7:05 p.m. by Chair Bob Techam. Members present were: James Brown, Bob Techam, Tony Kamp, and Renee Werner. Also present was Joan Schmidt, Staff Liaison.

Absent were Kathryn Huston (excused), Arlene West (unexcused), and John Luzaich (excused).

 Moved by Commission member Werner and seconded by Commission member Brown to approve the minutes of the September 7, 1991 Special Human Relations Commission meeting.

Motion Carried.

Moved by Commission member Brown and seconded by Commission member Werner to approve the minutes of the September 23, 1991 Regular Human Relations Commission meeting.

Motion Carried.

- 2. The Commission reviewed the Human Rights Day events. It was suggested that perhaps next year's theme be about senior citizens. The commission was not happy with how the flyers went out and the article in the newspaper (errors). John Luzaich has the posters that were made by the 5th graders and should pass them onto Dr. Mildon. It was suggested next year to have a contest with the posters where the participants of the day could vote on them by having a number under each poster. The person could then sign their name and number as to which they chose. John is working on the posters to become a class project.
- 3. Bob Techam suggested starting a library to accumulate and store information.
- 4. Since the Community Center will not be available on the nights the Commission meets in September, October, and November of 1992 the meetings will be held at City Hall.
- 5. Moved by Commission member Brown and seconded by Commission member Kamp to adjourn.

Motion Carried.

Meeting adjourned at 8:00 p.m.

NORTH METRO MAYORS ASSOCIATION

BOARD MEETING REMINDER

AND GUEST SPEAKER ANNOUNCEMENT

The North Metro Mayors Association Board of Directors will be meeting on Wednesday, December 4th from 6:00 - 8:00 p.m. at the Northwest Inn in Brooklyn Park. Please make your reservations today!!

The newly appointed Commissioner of Transportation, Jim Denn, will be in attendance to share his thoughts regarding transportation issues for the State.

Also, Michael Christenson, Chairman of the Metropolitan Transit Commission, will make a presentation on transit issues, with special emphasis on the North Metro area.

HENNEPIN RECYCLING GROUP MEETING MINUTES

October 17, 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 Chair Dulgar at 3:10 P.M.

ROLL CALL

Present: Chair, Jerry Dulgar; Director Dan Donahue; Director Gerald Splinter.

Absent: None

Staff Members Present: Julie Jones, HRG Administrator; Mike Barone, HRG Administrative Intern.

APPROVAL OF MINUTES

It was moved by Director Dulgar and seconded by Director Donahue to approve the September 19, 1991, meeting minutes as submitted.

Motion Carried.

HENNEPIN COUNTY RECYCLING TASK FORCE UPDATE

Julie Jones, HRG Administrator, reported that she attended a subcommittee meeting of the Task Force on October 16, 1991. However, little progress was made at the meeting in defining a "basic recycling program". She explained that various funding options, a per ton entitlement or a per household entitlement, are being discussed. She will be evaluating the benefits of various options to the HRG prior to the next Task Force meeting on November 6, 1991.

DISTRIBUTION OF HENNEPIN COUNTY FUNDING

Julie Jones explained that in the past the Board has distributed 70% of County reimbursements back to the individual cities. However, each city has now built up reserves in their recycling enterprise funds. Therefore, she felt that it is only necessary to now reimburse the individual cities for their actual expenses which are not covered by utility bill recycling service revenues. She presented a proposal which would reimburse each HRG city the total of their unreimbursed expenses for curbside and dropoff collection fees.

Due to confusion about previous year's HRG fund balances, Julie Jones requested that the Board also consider passing a motion, requesting the New Hope Finance Director to reformat the HRG balance statements to individual yearly reports. Director Splinter moved to request Secretary/Treasurer
Donahue to forward a request to Larry Watts to reformat the
HRG Expense Reports to a yearly balance system. Director
Donahue seconded the motion. Motion Carried.

After discussing other options, Director Donahue moved to approve the funding distribution as proposed by staff. Director Splinter seconded the motion. Motion Carried.

Director Splinter moved for staff to set up a worksession in November with the finance directors of each HRG city for the purpose of discussing reserve limits to the enterprise funds. Director Donahue seconded the motion. Motion Carried.

1992 RECYCLING SERVICE FEE

Julie Jones explained that she had met with Larry Watts, New Hope Finance Director, to obtain more information about the financial status of the HRG account. She explained that a yearly analysis of the HRG account shows a growing fund balance, which is currently at approximately \$200,000.

Ms. Jones further explained that recent discussions with BFI and Hennepin County have resulted in a general agreement that collection of all rigid plastics and mixed paper will not be required by Hennepin County in 1992. However, BFI may have the capabilities to add mixed paper to the program mid-year in 1992 and will likely have the capabilities to add magazines curbside program January 1, 1992. Kevin Tritz, District Manager for BFI, indicated in a meeting on October 16 that BFI could collect magazines for a cost of approximately another \$.20 per household per month. He also indicated that it would cost about the same amount to add mixed paper later in the year, provided that BFI was able to secure further markets. Julie Jones explained that she then revised the 1992 estimate of revenues for the HRG budget to reflect the cost estimates from BFI. The revised revenue report showed that it was unnecessary to raise the recycling service fee in 1992 to keep HRG operating in the black. In fact, Julie Jones reported that it appears that the HRG will have approximately \$460,000 in operating capital at the end of 1992.

Julie Jones then recommended that the Board members pass a motion, directing staff to formulate the appropriate information for each HRG City Council in order to inform them that the recycling service fee may remain at \$1.05 in 1992. Director Splinter moved to direct staff to forward the appropriate budget detail information to each HRG director so that they could pass that information on to their City Council in early November. Director Donahue seconded the motion.

Motion Carried.

SEPTEMBER ADMINISTRATIVE EXPENSES

The HRG Board members considered the September
Administrative Expense Report as submitted by staff.
Director Splinter moved to approve the September
Administrative Expense Report as submitted. Director
Donahue seconded the motion. Motion Carried.

JOINT HRG REFUSE/RECYCLING PROPOSALS

Julie Jones reported that six proposals for Joint HRG Refuse/Recycling Collection at municipal facilities were received. She recommended that the HRG Board closely review four of the six proposals, which were the lowest cost proposals. She explained that each proposal is different and the benefits and obstacles of each will need to be closely evaluated.

Ms. Jones explained that it appears that the HRG cities would have to pay more than the current costs of refuse collection for a comprehensive refuse collection, cardboard collection, and miscellaneous recyclables collection program. She, therefore, suggested that the HRG Board investigate the possibilities of paying for the recyclable collection costs of a comprehensive municipal facility recycling program out of each city's recycling enterprise fund.

The Board members directed staff to arrange for the appearance of representatives from the four companies submitting the lowest cost proposals at the November 21 HRG meeting. The Board also agreed to investigate further the possibilities of charging municipal facility recycling costs to city's recycling enterprise funds at the worksession with the finance directors.

\$50 DRAWING EFFECT ON PARTICIPATION RATES

Mike Barone, HRG Administrative Intern, reported that participation rates in the HRG area have raised approximately 10% from the 1990 levels for the months of July, August and September in 1991. This percentage increase, is attributed to the \$50 recycling drawing program which was implemented July 1, 1991. Staff, therefore, recommended that the HRG Board continue the \$50 recycling drawing program since it appears to be having a positive effect on participation rates.

Chair Dulgar requested staff to develop a flyer advertising the weekly \$50 drawing and request BFI to deliver the flyer as they pick up recyclables for two consecutive weeks. The Board directed staff to formulate a plan to survey recycling frequency in various HRG areas for the Board's review at the next meeting.

SMALL BUSINESS RECYCLING

Chair Dulgar explained that he was interested in pursuing recycling for small businesses in the Crystal area as part of the HRG curbside collection system. Julie Jones explained that such a system could not be implemented in a combined effort with the present curbside recycling collection system since Hennepin County will not allow cities to mix residential and commercial recyclables together in the same collection system. Ms. Jones agreed that most small businesses cannot realize cost savings by implementing recycling since there is often little savings in their refuse costs since they are already on limited refuse service. However, she warned, Hennepin County provides no financial assistance to cities for curbside commercial recycling collection costs. HRG would also not be allowed to include commercial recycling figures in their reports to Hennepin County as part of its abatement figures. Only residential recycling may be included.

The Board members requested staff to discuss possible pilot project options for a small business recycling route with County staff.

OTHER BUSINESS

Director Donahue requested staff to notify him if there are any recycling conferences on the West Coast this winter since the New Hope Mayor is interested in attending a conference.

ADJOURNMENT

Director Donahue moved to adjourn the meeting. Director Splinter seconded the motion. The meeting adjourned at 4:26 P.M.

JJ:jt

HENNEPIN RECYCLING GROUP MEETING MINUTES

November 7, 1991 3:00 P.M. Crystal City Hall 4141 Douglas Drive North

CALL TO ORDER

The Hennepin Recycling Group work session was called to order by Jerry Dulgar at 3:09 P.M.

ROLL CALL

Present: Chair, Jerry Dulgar; Director Dan Donahue; and Director Gerald Splinter.

Staff Members Present: Julie Jones, HRG Administrator; Mike Barone, HRG Administrative Intern; Miles Johnson, Crystal Finance Director; Paul Holmlund, Brooklyn Center Finance Director; Charles Hanson, Brooklyn Center Assistant Finance Director; and Larry Watts, New Hope Finance Director.

Absent: None

HRG FINANCES

Minimum and maximum fund balances for the individual HRG cities enterprise funds were discussed. Recommended levels for the HRG account balance were also discussed.

The Chair requested HRG staff to develop a draft policy regarding minimum and maximum account balances for consideration at the next HRG meeting. The Chair also requested staff to add an item to the next HRG agenda regarding consolidation of the HRG account with the three HRG City recycling enterprise funds, creating an administrative fee system.

Director Splinter informed the Chair that his public works staff is concerned about the results of a joint municipal HRG refuse/recycling collection system, so the Chair requested staff to reschedule the interviews with haulers at the November 21 HRG meeting to 4:00 P.M., and to invite HRG city park and public works staff to attend the HRG meeting at 3:00 P.M.

The Chair declared the work session adjourned at 4:10 P.M.

JJ:jt

MINUTES OF THE CRYSTAL ENVIRONMENTAL QUALITY COMMISSION OCTOBER 17, 1991 7:00 P.M.

Chair Jarvis called the regular meeting of the Crystal Environmental Quality Commission to order at 7:04 P.M., recognizing a quorum.

ROLL CALL

Those members present were: Pam Brooks, Mike Culhane, Gail Gove, Mary Pat Hanauska, Phyllis Isaacson, Beth Jarvis, Larry Lemanski (arrived at 7:44 P.M.), Bill Leonard (arrived at 7:43 P.M.), Lerry Teslow, Greg Tufte, Gary Joselyn (Council Liaison), and Julie Jones (Staff Liaison).

Those Absent: None

MINUTES APPROVAL

The Chair requested the members to consider the October 3 special meeting minutes. Greg Tufte moved to approve the October 3, 1991, special meeting minutes, as written. Lerry Teslow seconded the motion.

Motion Carried.

ENVIRONMENTAL AWARENESS DAY

The Commission members then finalized their plans for Crystal's Environmental Awareness Day on Saturday, October 19, 1991, at the Crystal Community Center. Julie Jones explained that the DNR has had to cancel the "Diagnosis of Tree Problems" demonstration, which was scheduled for 2:30 P.M. Julie Jones also explained the mishap in getting the flyers into the <u>SunPost</u> Newspaper. Apparently, she explained, the problem was corrected and the flyers were delivered in two consecutive issues of the <u>SunPost</u>. However, there was some debate regarding the accuracy of distribution since some members had not received the flyer with their paper. The Chair suggested that the City dispute a complete billing on the distribution if that occurs.

Julie Jones reported that Councilmember Pauline Langsdorf has agreed to introduce Attorney General Hubert Humphrey III at 12:00 P.M. Councilmember Gary Joselyn said he has had a change of plans and can attend the event, but he said to leave Pauline Langsdorf as the introducer.

The logistics of coordinating the Recycled Materials Contest were briefly discussed. Phyllis Isaacson and Lerry Teslow decided to design a mock check as a prize for the presentation at 2:45 P.M. The real check will be sent in the mail after the event.

Pam Brooks announced that a 30 second community service spot has been secured for WCCO Radio at Wally McCarthy Olds in Bloomington at 10:30 A.M. on Saturday, the 19th. Mary Pat Hanauska said she could do the announcement if it could instead be done by phone.

Bill Leonard and Larry Lemanski then arrived at the meeting.

Bill Leonard announced that he has developed small posters for the video tape schedule and displayed samples for the Commission members to review. The Commission members decided to make 11" x 17" copies of one of the versions. Pam Brooks said she could make the copies at work and Mary Pat Hanauska agreed to pick the posters up at her house.

Larry Lemanski presented the plaque for Crib Diaper Service for everyone to review.

Julie Jones explained that the Commission members able to attend the event on October 19 need to divide various tasks in order to coordinate the many activities that may be happening simultaneously. The following division of duties were made:

Building Coordinator - Mike Culhane
Presentation Coordinator - Phyllis Isaacson
Recycled Materials Contest - Lerry Teslow
Information Table - Gary Joselyn
Display Coordinator - Beth Jarvis and Mary Pat Hanauska
Activity Room Coordinator - Mary Pat Hanauska
Nature Conservancy Table - Gail Gove
Video Coordinator - Greg Tufte

It was agreed that the Commission members would be at the Community Center by 11:00 A.M. on Saturday, or earlier, if possible.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

Mike Culhane moved to adjourn the meeting. Greg Tufte seconded the motion. The meeting adjourned at 8:35 P.M.

JJ:jt

DATE: November 18, 1991

MEMO TO: Jerry Dulgar, City Manager

FROM: Edward C. Brandeen, Park & Recreation Director

RE: Damaged Trees at the Community Center

Tree vandals have struck again at the Community Center! A total of 12 more trees were vandalized on the weekend of November 16-17. These trees were located on all four sides of the building.

The following lists the species and damage:

5 - 1 1/2" crab appples Totally destroyed

1 - 6' spruce " " " 2 - 2 1/2" maples " " "

1 - 2" plum " "

2 - 2 1/2" green ash Damaged 1 - 3" oak Damaged

All damaged trees will be trimmed and should survive.

The police department has been notified concerning the damage.



DEPARTMENT OF ENVIRONMENTAL MANAGEMENT 822 South Third Street, Suite 300 Minneapolis, Minnesota 55415-1208

Phone: (612) 348-6846 FAX: (612) 348-8532

November 15, 1991

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

Dear Mr. Dulgar:

The Metropolitan Council's Solid Waste Management Development Guide/Policy Plan, approved by the Metropolitan Council on September 26, 1991, necessitates the revision of the current Hennepin County Solid Waste Master Plan and reestablishment of the Solid Waste Management Advisory Committee.

On October 22, the Hennepin County Board of Commissioners adopted the attached resolution reestablishing the Solid Waste Management Advisory Committee.

Please inform your mayor and city council of the four committee openings for elected municipal officials.

A letter of application stating interest in the committee should be sent to Kay Mitchell, Clerk of the County Board, at A2400 Government Center, Minneapolis, MN 55487 by November 29. Please include a day phone number, qualifications specific to the committee and a resume, if desired.

The Hennepin County Board of Commissioners will interview applicants at the Ways & Means Committee on December 5 and make their appointments to the Solid Waste Management Advisory Committee on December 10.

Sincerely,

Janet Leick Director

Gomet Leich

Attachment

c: Commissioners Dale Ackmann Vern Genzlinger

HENNEPIN COUNTY

an equal opportunity employer

PRINTED ON RECYCLED PAPER

United States Senate

WASHINGTON, DC 20510-2303

November 19, 1991

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

Dear Mr. Dulgar:

Thank you for taking the time to contact me regarding the Police Officers' Bill of Rights. I appreciate having the benefit of your views on this matter, and I apologize for the delay in responding to you.

As you note in your letter, the House and Senate have passed different versions of anti-crime legislation, and the Senate version contains the Police Officers' Bill of Rights. These measures are not yet in a conference committee because the Senate has not yet appointed its conferees. However, I will pass your concerns along to Senator Biden who, as chair of the Judiciary Committee, will undoubtedly be the leading Senate conferee.

Again, thank you for taking the time to contact me. Please continue to keep in touch with me and my staff on matters of concern.

Sincerely,

Paul David Wellstone United States Senator

Caul D. Willstone

PDW:mak

RESOLUTION NO. 91-10-887R2

The following resolution was offered by Commissioner McLaughlin, seconded by Commissioner Jude:

BE IT RESOLVED, That the Hennepin County Board of Commissioners reestablish the Hennepin County Solid Waste Management Advisory Committee pursuant to Minnesota Statute 473.803 and Resolution 91-9-515R4, with the goal of maintaining Hennepin County as the foremost urban county in the United States in its conservation of resources and management of solid waste; and

BE IT FURTHER RESOLVED, That committee membership will consist of 19 voting members comprised of the following: seven non-elected citizen representatives (one from each city where a solid waste facility is or may be located), four elected municipal officials, and four representatives from private waste management firms to be selected in accordance with Hennepin County's open appointments policy such that committee representation is achieved as required by law; and four appointments, outside of the open appointment process: one selected by the Chairman of the County Board; one selected by Commissioners representing Districts 1 and 7; one selected by Commissioners representing Districts 2 and 3; and one selected by Commissioners representing Districts 5 and 6; and the Clerk of the Board is directed to solicit applications for 15 of the 19 committee positions; and

BE IT FURTHER RESOLVED, That the Chairman of the Public Service Committee will serve as Chairman of the Solid Waste Management Advisory Committee and be a non-voting member of that committee.

The question was on the adoption of Seven YEAS and No NAYS as fol	the resolution lows:	and there w	ere
COUNTY OF HENNEPIN BOARD OF COUNTY COMMISSIONERS	YEA	NAY	OTHER
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: Xay / Stell

renberger news



U.S. Senator for Minnesota

FOR IMMEDIATE RELEASE November 26, 1991

-26-91 01:53FM FKUM DURENSERVER

Contact: Steve Moore 202-224-9475

CONFEREES FINISH HIGHWAY BILL Minnesota Gains In Formula, Projects

Senator Dave Durenberger (R-MN), a member of the House-Senate Conference on the 1991 Highway bill, said the compromise bill agreed to today "will move Minnesota and America forward toward a more productive and safe transportation system."

Durenberger cited six major victories for Minnesota in the bill.

"First, the new funding formula will mean that Minnesota will now receive more highway funding than it puts into the trust fund through gas taxes. Last year, we only got back 94 cents on our tax dollar. Under this bill we will receive 102 cents for every dollar Minnesotans put in. That represents a \$1.7 billion allocation for Minnesota over six years.

"Second, as a member of the conference committee, I was able to convince my colleagues of the merits of six essential Minnesota projects: \$40 million for the Bloomington Ferry Bridge; \$36 million for Highway 610 in Brooklyn Park; \$10 million for the South Mankato Bypass; \$4 million for a Highway 41 project in North Mankato; \$3.25 million for TH 15 project in St. Cloud; and \$3 million for a new Minnesota Road Safety Program. I also commend my colleagues in the House, especially Jim Oberstar for several projects they were able to obtain funding for. These are priority projects that Minnesotans need to get to work and move their goods to market, and will make us stronger economically.

"Third, the bill establishes the National Highway System. My amendment to the Senate bill was designed to recognize the vital contribution principle arterial routes made to our transportation system. This package commits \$38 billion to that system over six years. This is one of the most significant changes in highway policy since the beginning of the interstate system 35 years ago.

"Fourth, this bill puts the federal government back into a leadership position on highway safety. The conference package

-more-

means we will be spending \$3 billion on safety improvement around the country over the life of this bill. I expect that the Minnesota Safety Program I have created will provide valuable, life-saving information for other states as well.

"Fifth, the conference adopted the Lautenberg-Durenberger National Intelligent Vehicle Highway System bill, S 1204. Minnesota is a leader in using advanced technology to make highway travel faster, safer and cleaner. We will benefit from additional federal investments in this field. The bill also creates a Intelligent Vehicle Highway System Institute at the University of Minnesota and provides \$1 million of funding.

"Finally, it looked for a long time like this bill would not be finished before the end of the year. Because we got it done, Minnesota will be able to receive funds in a timely way, and we will not lose any work due to our shorter construction season."

Durenberger estimated that this bill will provide Minnesota, between formula allocations and demonstration projects, over \$1.9 billion in highway funding over the next six years. "That's a necessary commitment to Minnesota's transportation needs and a source of both productivity and jobs for Minnesotans. I am proud to have been a part of this effort," he said.

Senator Durenberger has been a member of the Environment and Public Works Committee since the early eighties, and this is the third major highway bill he has worked on.

Transportation Secretary Samuel Skinner praised Senator Durenberger's role in the bill and the conference. "Senator Durenberger was extraordinarily effective in establishing the National Highway System. This was the President's top priority in this bill, and Dave Durenberger got the job done for him and for all people who depend on our national roads for their livelihood," Skinner said.

The Conference Report will be presented first to the House sometime today, and later to the Senate. It is expected that both bodies will agree to the package and that it will be signed by the President.

"This is a good bill for Minnesota, and is the product of many hands. It results from Governor Carlson and his Department of Transportation making their needs clearly known, a receptivity by the Secretary of Transportation to our requests, and the Congressional delegation working together to get the job done," said Durenberger.

New Hork Times

TUESDAY, NOVEMBER 26, 1991

LAWMAKERS NEAR \$151 BILLION PACT ON TRANSPORT BILL

THOUSANDS OF NEW JOBS

Negotiations Stall on Ways to Split Money Among States. but Compromise Is Seen

By JOHN H. CUSHMAN Jr.

WASHINGTON, Nov. 25 spending the weekend in legislative gridlock, House and Senate negotiators today reached virtual agreement on a compromise bill establishing highway and mass transportation programs worth \$151 billion over six years.

Under the provisions of the bill, the Federal Government would grant the states about \$32 billion for mass transportation and \$119 billion for highways. The spending would begin immediately and grow steadily over the years. Most of the money would come from taxes on motor vehicle fuels.

The negotiations were stalled late today by wrangling over the allocation of money to individual states, with lawmakers from several states contending that their states would not get their fair share. But the prospects for final agreement still appeared to be good, with passage by the Senate and House before Congress adjourned for Thanks-giving. President Bush is expected to sign the legislation

Thousands of Jobs Affected

Hundreds of thousands of construction jobs would be affected by the legislation; some states began to lay off workers after Federal highway, aid stopped flowing on Sept. 30. Nobody in Washington wanted to be blamed for the collapse of a bill that sponsors said would stimulate the economy in the short term by putting people to work and in the long term by easing traffic congestion.

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Compromise Is Near in Congress On \$151 Billion Transit Measure

Continued From Page Al

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As the compromise emerged, the bill would include nearly \$38 billion over would include hearty \$285 billion over six years for improvement and expan-sion of these major highways, an amount that was close to what the House had passed and considerably more than what the Senate had al-

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Increase for Mass Transit

The bill would include a big increase for mass transportation, although de-tails of the mass transportation pro-gram were still being worked out today, and it would continue the practice of providing operating subsidies for big city transportation programs. It also would set the Federal share of transportation programs at 80 percent,

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irenberger news



U.S. Senator for Minnesota

FOR IMMEDIATE RELEASE November 26, 1991

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Contact: Steve Moore 202-224-9475

CONFEREES FINISH HIGHWAY BILL Minnesota Gains In Formula, Projects

Senator Dave Durenberger (R-MN), a member of the House-Senate Conference on the 1991 Highway bill, said the compromise bill agreed to today "will move Minnesota and America forward toward a more productive and safe transportation system."

Durenberger cited six major victories for Minnesota in the bill.

"First, the new funding formula will mean that Minnesota will now receive more highway funding than it puts into the trust fund through gas taxes. Last year, we only got back 94 cents on our tax dollar. Under this bill we will receive 102 cents for every dollar Minnesotans put in. That represents a \$1.7 billion allocation for Minnesota over six years.

"Second, as a member of the conference committee, I was able to convince my colleagues of the merits of six essential Minnesota projects: \$40 million for the Bloomington Ferry Bridge; \$36 million for Highway 610 in Brooklyn Park; \$10 million for the South Mankato Bypass; \$4 million for a Highway 41 project in North Mankato; \$3.25 million for TH 15 project in St. Cloud; and \$3 million for a new Minnesota Road Safety Program. I also commend my colleagues in the House, especially Jim Oberstar for several projects they were able to obtain funding for. These are priority projects that Minnesotans need to get to work and move their goods to market, and will make us stronger economically.

"Third, the bill establishes the National Highway System. My amendment to the Senate bill was designed to recognize the vital contribution principle arterial routes made to our transportation system. This package commits \$38 billion to that system over six years. This is one of the most significant changes in highway policy since the beginning of the interstate system 35 years ago.

"Fourth, this bill puts the federal government back into a leadership position on highway safety. The conference package

-more-

means we will be spending \$3 billion on safety improvement around the country over the life of this bill. I expect that the Minnesota Safety Program I have created will provide valuable, life-saving information for other states as well.

"Fifth, the conference adopted the Lautenberg-Durenberger National Intelligent Vehicle Highway System bill, S 1204. Minnesota is a leader in using advanced technology to make highway travel faster, safer and cleaner. We will benefit from additional federal investments in this field. The bill also creates a Intelligent Vehicle Highway System Institute at the University of Minnesota and provides \$1 million of funding.

"Finally, it looked for a long time like this bill would not be finished before the end of the year. Because we got it done, Minnesota will be able to receive funds in a timely way, and we will not lose any work due to our shorter construction season."

Durenberger estimated that this bill will provide Minnesota, between formula allocations and demonstration projects, over \$1.9 billion in highway funding over the next six years. "That's a necessary commitment to Minnesota's transportation needs and a source of both productivity and jobs for Minnesotans. I am proud to have been a part of this effort," he said.

Senator Durenberger has been a member of the Environment and Public Works Committee since the early eighties, and this is the third major highway bill he has worked on.

Transportation Secretary Samuel Skinner praised Senator Durenberger's role in the bill and the conference. "Senator Durenberger was extraordinarily effective in establishing the National Highway System. This was the President's top priority in this bill, and Dave Durenberger got the job done for him and for all people who depend on our national roads for their livelihood," Skinner said.

The Conference Report will be presented first to the House sometime today, and later to the Senate. It is expected that both bodies will agree to the package and that it will be signed by the President.

"This is a good bill for Minnesota, and is the product of many hands. It results from Governor Carlson and his Department of Transportation making their needs clearly known, a receptivity by the Secretary of Transportation to our requests, and the Congressional delegation working together to get the job done," said Durenberger.

New Hork Times

TUESDAY, NOVEMBER 26, 1991

LAWMAKERS NEAR \$151 BILLION PACT ON TRANSPORT BILL

THOUSANDS OF NEW JOBS

Negotiations Stall on Ways to Split Money Among States. but Compromise Is Seen

By JOHN H. CUSHMAN Jr.

WASHINGTON, Nov. 25 - After spending the weekend in legislative gridlock, House and Senate negotiators today reached virtual agreement on a compromise bill establishing highway and mass transportation programs worth \$151 billion over six years.

Under the provisions of the bill, the Federal Government would grant the states about \$32 billion for mass transportation and \$119 billion for highways. The spending would begin immediately and grow steadily over the years. Most of the money would come from taxes on motor vehicle fuels.

The negotiations were stalled late today by wrangling over the allocation of money to individual states, with lawmakers from several states contending that their states would not get their fair share. But the prospects for final agreement still appeared to be good, with passage by the Senate and House before Congress adjourned for Thanksgiving. President Bush is expected to sign the legislation.

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What Administration Sought

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> October Twenty First 1991

Dear Madam Mayor,

This letter in intended as to document our experience with Crystal city officials and their response to our opening a new business located in downtown Crystal. In late July, before leasing space in Crystal, we called the city to see if any specific permits were required to open a business. We were told there were not.

We opened a new business that is located at 6616 Bass Lake Road, in Crystal. On the outside walls we have placed two temporary signs. Unfortunately, the sign painter misinformed us when we ordered the signs, telling us that we would not need a permit or any authorization from the City to use this type of sign.

Within two hours of our installing the new signs a representative of the Crystal inspections department (Mr. Barber) came to inform us that we should take down the signs immediately, or he would cause punitive legal actions against us on behalf of the city. Mr. Barber, was our first contact with the city of Crystal, and was very belligerent. He left the store very upset, and was not in total control of his emotions. He was taunting us as if to cause a fight. His demeanor was, and remains a mystery to us, until this day.

We then scheduled a meeting with the city manager (Jerry Dulgar), about Mr. Barber's behavior. The city manager assumed that we were seeking legal recourse for the way we were treated by Mr. Barber, and suggested that "we get in line" if we wished to sue the City. He offered no help or apology for Mr. Barber's behavior, and took the same 'hard line' position. Again we were astounded at the attitude of the staff of Crystal City Hall, which has been marked by reprehensible, and predatory behavior.

We were forced to purchase a weekly permit for our signs at a rate of \$25 per week, starting on August 20. We were told that we would be required to remove the signs after six weeks, provided we kept paying the \$25 per week.

When we were paying the permit fee to the City for the first time, we asked to review the permits of some other businesses that display similar signs. We checked approximately 15 addresses, and found no permits. Yet we have been threatened with certain litigation by the city inspector for the same 'infraction'. A subsequent check of the same records a week later showed no new permits.

This situation suggests a policy of **selective enforcement** of the city codes and at a minimum **constitutes overt discrimination**.

Yet, on the day our first 'one week permit' expired another Crystal representative (Karen) called us, and told us that there was another \$25. due for our permit. The option was to remove the signs. I attempted to deliver the \$25. to City Hall on August 29, but Karen's co-workers had told me that she had gone for the day.

This situation is very frustrating to our business, and has demoralized us to the point of moving the business from the city. We're sure that our decision was welcomed by the staff at Crystal City Hall, as they have shown our new business nothing but harassment, and contempt in our short time in Crystal.

I can only suggest that the City Council work towards removing or retraining the city employees that demonstrate a pattern of open hostility towards new businesses in your city.

Very Truly Yours,

Michael Goodwin Discount Furniture 6616 Bass Lake Road Crystal, MN 55428

cc: Sun Post



INDEPENDENT SCHOOL DISTRICT 281 Robbinsdale Area Schools Learning for a lifetime of growing

November 26, 1991

Mayor Betty Herbes City of Crystal 5336 Idaho Avenue North Crystal, MN 55428

Dear Betty:

As you may know, the District 281 school board at its November 18 meeting discussed Super Valu's offer to purchase the Mielke Field property. The board asked me to share its decision with you and other mayors of District 281 communities.

The board unanimously approved a three-part motion addressing Super Valu's offer. First, the board stated that they were unable to accept the offer at this time. A letter has been sent to Super Valu representatives describing this decision.

Second, the motion directed the district to seek input from officials of all District 281 cities regarding the sale of the Mielke Field property and the potential relocation of the athletic field. Upon completion of discussions with the cities, the board will then determine whether or not the property is for sale. The board will attempt to schedule and complete these discussions during January.

The third part of the board's motion addressed the potential asking price for the property. If the board decides to sell the Mielke Field property, it would require the full appraised value of the property as well as complete replacement costs. The appraised value of \$900,000 is the figure which the district considers as full appraised value.

I will contact you in the coming weeks to schedule a meeting with you and other city officials. I would appreciate your discussing this issue beforehand with your city council members and other citizen groups. Your input will help the district in handling this issue. I look forward to meeting with you.

Sincerely,

Linda Powell Superintendent

> Linda Powell Superintendent

4148 Winnetka Avenue North New Hope, Minnesota 55427 (612) 533-2781

AN EQUAL OPPORTUNITY EMPLOYER