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**CRYSTAL CITY CODE REVIEW  
TASK FORCE**

**OCTOBER 22, 2015  
7:00 p.m.  
CONFERENCE ROOM A, CITY HALL**

**MEETING NOTICE AND AGENDA**

1. Call meeting to order
2. Comments from Chair Richter
3. Comments from Attorney Gilchrist
  - First report to City Council on Task Force recommendations
4. Review September 24, 2015 Meeting Notes
5. Review Task Force comments
  - a. Consent Agenda – approval of all editorial and clarifying comments, Chapter 4, Sections 410-420, 430-440 and Chapter 5, Sections 500 - 510
  - b. Balance of Chapter 4, Sections 410 – 420, 430-440:
    - i. Substantive comments
  - c. Chapter 5, Sections 500-510:
    - i. Substantive comments
6. Discuss November and December meeting dates (November date would be Thanksgiving and December date would be Christmas Eve)
7. Discuss assignments and homework (due Monday, November )
8. Adjourn – 9 p.m.

## **CITY CODE REVIEW TASK FORCE**

### **MEETING NOTES SEPTEMBER 24, 2015**

Task Force Members Present: Kirsten Anderson, Bonnie Bolash, Jerry Bolash, Tim Buck, Tom Krueger, Carolyn Maristany, Candace Oathout, Andrew Richter and David Seffren.

Also present: Councilmember Jeff Kolb, City Attorney Troy Gilchrist and City Manager Anne Norris.

The meeting was called to order at 7:00 p.m.

#### **Comments from Chair Richter**

Chair Richter noted the City Council would receive the first report of the Task Force comments at the October 1 work session; staff will be presenting the report and Chair Richter will be attending. Chair Richter invited the Task Force to attend the work session.

#### **August 27, 2015 Meeting Notes**

Motion by Maristany and seconded by Buck to accept the August 27, 2015 meeting notes as presented. Motion carried.

#### **Review Comments – Continue Chapter 3 and Chapter 4, Sections 400 – 420:**

Section 306.15 & 306.16 – The Task Force discussed reducing the penalties, but keeping escalators for continued violations. The Task Force requested that language be included for administrative discretion depending on circumstances (e.g., avoid unreasonably harsh results). There were 2 objections to this recommendation, which focused on the need to effectively address violations.

Section 310.03 – Motion by Richter, seconded by Oathout to delete this section as it adds nothing to the Code. Motion carried unanimously.

Section 311.01, Subd. 1 – The Task Force agreed by consensus this section needs to be clarified as to who is subject to it.

Section 315.01 – The Task Force agreed by consensus this section needed editing (remove the first sentence and rework the remaining sentences).

Section 325.03 – The Task Force agreed by consensus to clarify the language regarding notice of sale to owner of property to be sold. The Task Force wanted to

ensure an effort is made to identify the owner of the property before the city disposes of it.

Section 330 Subd. 2 – typo noted.

Section 335.01, Subd. 1 and 2 – Code language needs to be consistent with current state law. Attorney to research/define whether special assessments include delinquent accounts and if those assessments qualify for deferral provisions.

Section 335.03, Subd. B) – The Task Force suggested information be added to the city’s website noting where property information can be found (Hennepin County property information).

Section 306.15 – The Task Force noted this section should be consistent with State Law, including eligibility to seek a deferment (see comment above).

Section 315 – The Task Force referred the existence and purpose of the Employee Review Board to the City Council for review and perhaps having the issue referred to the Charter Commission for consideration.

Section 400 – The Task Force recommended the sign provisions be overhauled and simplified. There was discussion about separating provisions for commercial signs from residential signs.

Section 400.05 – The Task Force discussed whether this provision was necessary.

Section 405.01, Subd. 3 – The Task Force suggested the section be clarified to identify the “manager” of what.

Section 405.07 – The Task Force agreed by consensus this section needs to be clarified, including subdivision 1 to allow owners to maintain their sign and to update, clarify and simplify the entire section.

Section 405.17 – The Task Force recommended this section be rewritten to be consistent with State law.

Section 415 – Motion by Maristany and seconded by Buck to simplify this section and delete 415.07, ii and iii. Motion carried.

### **Assignments and Homework**

At its October 22 meeting, the Task Force will complete its review Chapters 4, Sections 410 – 420 and begin Sections 430 – 440 and begin Chapter 5, Sections 500 – 510. Comments are due to staff by October 12.

## **Adjournment**

Motion by Oathout, seconded by Maristany to adjourn the meeting of the City Code Review Task Force. Motion carried.

The meeting adjourned at 8:59 p.m.

**CITY CODE REVIEW – EDITORIAL AND CLARIFYING COMMENTS**  
**CHAPTER 4**  
**Sections 420 - 440**

CHAPTER 4 Section	Nature of Comment	Comment	Author
420	Format/clarify	This is just out of place it sounds like a city board or commission, so that's where it should be. Accordingly, it should be modified according to what was discussed on27Aug2015 for section 305.	Carolyn Maristany
		If anything just put the "note" at bottom to cover section.	Tim Buck
430	General comment	I would change the name to Vandalism or Public Nuisance. I am also concerned that the city can come without permission onto private property to change something back to what it was before without owner consent (or acknowledgement that it is graffiti) and then also charge that person for it.	Carolyn Maristany
430.05, Subd, 2	Typo/edit	I assume it's supposed to read graffiti implement and to not possess any within 200 feet of a place that has been graffiti seems like a dumb thing. I almost always carry a sharpie, so that makes me unlawful.	Carolyn Maristany
		For the first sentence in Subd. 2 - add the missing word "implement" after "graffiti." "Possession of graffiti implements: Unless otherwise authorized by the owner or occupant, it is a strict liability and unlawful for any person to possess any graffiti [implement] while: ..."	Kirsten Anderson
430.07, Subd. 3	Clarify	Subd. 3 - suggest that property owners NOT be required to apply "anti-graffiti material of a type and nature that is acceptable to the city" after any number of graffiti incidents. I assume this means an owner might need to re-side their house or replace an existing fence with one made of a material that won't take paint so easily.	Kirsten Anderson

		Property owners should not be required to revamp their property at potentially great expense to themselves because someone else repeatedly marks it with graffiti.	
430.11, Subd. 4	Clarify	Subd. 4 suggests that the city will pay for graffiti removal on public or private property if viewable from a public or quasi-public place. What does "public" or "quasi-public" mean here?	Kirsten Anderson
440	Format/move	I would put this with the other building code stuff in Section 400 near plumbing	Carolyn Maristany
440.01, Subd. 6	Edit	Remove Subd. 6 - Sunset provision. It is moot.	Kirsten Anderson

**CITY CODE REVIEW – EDITORIAL AND CLARIFYING COMMENTS**  
**CHAPTER 5**  
**Sections 500 - 510**

Section	Nature of Comment	Comment	Author
500	Format/clarify	Confused about why this is here instead of in 305.29. I'm starting to think that 305 should be general rules for creating commissions, task forces, city affiliates, etc and any maintenance required by the city to keep them or sunset them. Also it should specify which commissions the city must have according to the charter.	Carolyn Maristany
505	Clarify	Remove 505.01-the title repeats this.505.05-make sure things are still relevant according to the state statues. 505.17 Subd 3 d) define further or remove.	Carolyn Maristany
510	General Comment	This is the first I have heard that each subdivision requires park dedication either in land or monetary donation. Is there a federal or state requirement to keep green space or is this something the city has chosen? Can we get examples of projects and what has been done? What was the donation of land or monetary donation of the project off Douglas and like 32nd those town houses that were built on a bog? What is the wetland conservation act? Just trying to understand why something like this is in the city code?	Andrew Richter

**SUBSTANTIVE COMMENTS – CHAPTER 4  
SECTIONS 410 - 440**

CHAPTER 4

Section	Nature of Comment	Comment	Author
410	Substantive	Any further explanation: 410.07 subd. 2. F) list information. 410.09 subd. 3. c) and d) are the same. Subd. 4. I would return the permit fee as well since the city neglects to give the permit and instead have a processing fee associated with the permit for city expenses in processing the request. Also this code talks a lot about moving buildings within the city or out of the city, but never really moving something into the city from outside or pre-manufactured houses. Also this codes needs to be given the same leniency that new buildings are given for neighborhoods. If there have been newer houses built in a neighborhood that don't match the old ones, then houses that move into the area that fully built shouldn't have stricter requirements than the ones recently built.	Carolyn Maristany
	Repeal	If you or your company are licensed movers by the state and/or Feds there is no reason to be licensed by the city	Andrew Richter
	Repeal	Again no reason to have more insurance if your already insured	Andrew Richter
420	Repeal	Since the EDA acts as the HRA this section is unnecessary	Andrew Richter
430.01, Subd. 2	Remove	Remove subdivision 2 I see no reason for this statement, we all know graffiti is bad for a community there's no reason to state this.	Andrew Richter
430.01, Subd. 3	Remove	Remove subdivision 3 I see no reason for this statement either. Why do we need to state intentions?	Andrew Richter

430.11, Subd. 2	Substantive	Would make it longer than 10 days. I mean if it happens while someone is on vacation for 2 weeks they could be in violation without knowing it	Carolyn Maristany
430.11, Subd. 3	Substantive	I would make that a responsibility of the city council instead of the city manager.	Carolyn Maristany
430.11, Subd. 4	Substantive	I would include that if the property owners successfully defends it as art then they cannot be charged again.	Carolyn Maristany
435	Substantive – Remove	Perhaps remove this entire section I'm lost as to why we need to register vacant buildings at all and Many of the requirements are restatements of other policy already stated in the code.  I brought this up with Police Chief Stephanie Revering and she said that they don't do anything and it is not enforced, so I would remove it.	Andrew Richter  Carolyn Maristany