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**CRYSTAL CITY CODE REVIEW  
TASK FORCE**

**JUNE 23, 2016**

**7:00 p.m.**

**CONFERENCE ROOM A, CITY HALL**

**MEETING NOTICE AND AGENDA**

1. Call meeting to order – Chair Maristany
2. Update from City Attorney on Task Force recommendations presented to City Council
3. Review May 26, 2016 Meeting Notes
4. Review Task Force comments
  - a. Review comments: Chapter 7 and Chapter 8, Sections 800 -810
5. Discuss assignments and homework due Monday, July 18, 2016
6. Next meeting – Thursday, July 28, 2016
7. Adjourn – 9 p.m.

## **CITY CODE REVIEW TASK FORCE**

### **MEETING NOTES**

**APRIL 28, 2016**

Task Force Members Present: Kirsten Anderson, Bonnie Bolash, Carolyn Maristany, Candace Oathout and David Seffren.

Also present: City Attorney Troy Gilchrist and City Manager Anne Norris.

Vice Chair Maristany called the meeting to order at 7:02 p.m.

#### **Elect New Chair for City Code Review Task Force**

With the resignation of Chair Richter, a new chair is needed for the Task Force. Motion by Bolash, seconded by Seffren to name Carolyn Maristany as Chair of the Task Force. Motion carried.

With the consent of the Task Force, Bonnie Bolash volunteered to be Vice Chair of the Task Force.

#### **April 28, 2016 Meeting Notes**

The April 28, 2016 meeting notes were accepted as presented.

#### **Review Comments – Chapter 6, Sections 630 – 670**

Section 635 – Merge with Section 605.

Section 635.01, Subd. 2 – Definitions need to be relocated and definitions need to be updated and reference appropriate terms (litter, garbage).

Section 635.03 -.07 – The Task Force agreed litter and abandoned property need to be separated.

Section 635.09 – Simplify and clarify.

Section 640 – The Task Force agreed this section needs to be renamed, overhauled and updated.

Section 640.01 – The Task Force agreed the purpose section needs to be relocated or removed.

Section 640.03 – Definitions need to be relocated consistent with prior sections.

Section 640.15, Subd. 4 – Update (is a permit necessary) and native vegetation better defined.

Section 640.19, Subd. 1d – Be sure reference to State statutes is current.

Section 640.17, Subd. e – Update and remove need for permits and strengthen language regarding enforcement.

Section 640.21 – Make consistent with previous discussion on this topic.

Section 645.01 – Make sure formatting is consistent with previous/other sections.

Section 645.03, Subd. 3 – Update.

Section 645.03, Subd. 8 – Update and eliminate redundancy.

Section 645.09, Subd. 2 – Be sure reference to State statutes is current.

Section 645.15 – Reformat similar to other sections.

Section 645.15, Subd. 3 – Clarify.

Section 645.15, Subd. 5 – Clarify authority of noise control officer.

Section 645.19, Sects. 2, 3, 5, 6 – Clarify to make less confusing and be sure penalties are consistent with previous discussions throughout Code.

Section 645.19, Subd. 3 – Clarify rules for legal procedure reference.

Section 646 – Remove since railroads are regulated at the federal level.

Section 650.01 – Relocate definitions.

Section 650.01, Subd. 2 and 7 – Use one term and one definition.

Section 650.01, Subd. 5 – Make staff person consistent with rest of Code.

Section 650.03 – Clarify City Council.

Section 650.05 – Clarify and define different services.

Section 650.11 – Update archaic language (public health sanitarian).

Section 650.17 – Relocate to the section discussing garbage.

Section 650.19 – Relocate definitions as in previous discussions/sections.

Section 655.01 – Update the entire Section 655 to reflect community standards, not be AIDS focused, and format to previous sections and discussions.

Section 655.09 – Typo

Section 660 – Relocate to where other deleted sections are.

Section 665 – Update to be consistent with State law. Expand notification requirements, particularly near schools, churches or playgrounds.

Section 670 – Update and expand this section beyond meth labs. Should this include hazardous materials?

### **Assignments and Homework**

The homework is to review Chapter VIII, Sections 800 – 810. Comments are due Monday, June 13, 2016. The next meeting of the Task Force is Thursday, June 23, 2016.

### **Adjournment**

Chair Maristany adjourned the meeting of the City Code Review Task Force at 9 p.m.

**CITY CODE REVIEW – COMMENTS**  
**CHAPTER 7 and CHAPTER 8, Sections 800 - 810**

Section	Nature of Comment	Comment	Author
700	Format	Comments similar to chapter 6- put all sewer next to sewer.	Carolyn Maristany
700.03	Format	Purpose statement – put where we’ve been placing those	Carolyn Maristany
700.05, Subd. 2	Clarify	what is the purpose of the classification number? Shouldn’t this be more related to the zoning area it’s in and how the sewer pipes might be different in those zoning areas or porous vs non-porous ratios on a property?	Carolyn Maristany
705.01	Format	Definitions section- make consistent with previous discussions about placement and formatting	Carolyn Maristany
705.01, Subd. 10	Clarify	Make consistent with 605.01 definition of garbage	Carolyn Maristany
705.01, Subd. 14	Clarify	It is customary for an acronym to follow the words it stands for in a definition	Carolyn Maristany
705.03, Subd. 1	Clarify	Does this mean I have to keep my toilet and garbage sanitary or no dumping in Crystal? Also what is sanitary as it is not defined.	Carolyn Maristany
705.03, Subd. 3	Clarify/update	Does this mean no compostable toilets?	Carolyn Maristany
705.03, Subd. 4	Clarify	Do we still need this or can it be changed to must maintain the connections to the public sewer?	Carolyn Maristany
705.09, Subd. 2 b)	Clarify	so no liquid oils down the drain, how does this translate to when you do dishes by hand or really dirty stuff in a dish washer?	Carolyn Maristany
705.09, Subd. 2 f)	Clarify	what about cleaning solutions after you’re done cleaning? Those have a low pH.	Carolyn Maristany
710.01	Format/clarify	Definitions Section-Just make sure location and formatting standard. Also how is this different from the sewage definition in 705.01 subd 4? Is there abnormal sewage?	Carolyn Maristany
710.03	Clarify	Is there a better way to do this, like by zoning district /and or business type? Doing it this way we’re not going to be	Carolyn Maristany

		ready for new business types or if we're missing something.	
710.03, Subd. 5 & 6	Clarify	how is an on sale liquor with food service different from a restaurant (subd 3)?	Carolyn Maristany
710.05, Subd. 3	Clarify	Shouldn't it be based on student volume instead of classroom number? A school can have the same number of classrooms but one has 10 students per classroom and other 20.	Carolyn Maristany
710.05, Subd. 5	Typo	the minimum charge is \$38.20 in the table in 710.05 subd2 not \$38.10. Also where is 78-13?	Carolyn Maristany
710.05, Subd. 7	Clarify	What about residential and other properties where the water has been turned off?	Carolyn Maristany
710.07, Subd. 2	Clarify	make sure 425.11 subd5 is correct and up to date for reference	Carolyn Maristany
710.19	Format	Remove to wherever these are going	Carolyn Maristany
710.20, Subd. 2	Format	More definitions combine with 710.01 and do the rest accordingly	Carolyn Maristany
715.01	Format	Make sure formatted and similar to the locations we have other people in charge of specific things (public health sanitarian, recycling authority, etc). Also if they're duties are better described elsewhere in a different chapter please reference that.	Carolyn Maristany
715.09	Format	Remove to where we've been putting these	Carolyn Maristany
715.29	Clarify	How will this work when the new water towers are put in? Should there be a note to revisit this section when they are done so that it is current?	Carolyn Maristany
715.31, Subd. 4	Clarify	So it's a recommended size, does that mean you can go smaller with a variance or that really is as small as you can go?	Carolyn Maristany
715.33, Subd. 2c	Clarify/update	Does this limit new and improved technology and advances? They are very specific with a lot of the equipment shouldn't all of it have or approved equal?	Carolyn Maristany
715.47	Format	put the definition from 105.01 in this sections definitions	Carolyn Maristany

		section so people don't have to move chapters to find out what things mean. Unless you're making an entire definition appendix with all the definitions in one place. then this isn't needed.	
715.49	Simplify	is there any way to simplify this with a table that here are the rates if your meter is down or not working and things will be prorated accordingly?	Carolyn Maristany
715.49, Subd. 7	Clarify	what about 715.19 b) can't you just pay that so you don't continue getting charged?	Carolyn Maristany
715.55, Subd. 2	Format	a definition- place in 715.01 with the rest of the definitions.	Carolyn Maristany
715.57	Clarify/simplify	is this the same as 715.71 (fire hydrants)- also is there an easier way to say this?	Carolyn Maristany
715.57, Subd. 2	Clarify	Is this a one-time fee or annual fee?	Carolyn Maristany
715.57, Subd. 3	Clarify	What about the fee I pay in 715.57, Subd. 2 does that go towards the cost of repair?	Carolyn Maristany
715.57, Subd. 4	Simplify	Clean up very wordy can be made more simple	Carolyn Maristany
715.67, Subd. 1	Expand	add d) selling house, abandoned property or snow bird.	Carolyn Maristany
725	Clarify/format	Isn't this all in Appendix IV where the service charges are set up? It just seems redundant since the utility sections all have how you get billed and what happens when you don't pay your bill.  If this section is kept make sure it is formatted similar to other sections (definitions, who is responsible for overseeing the assessment and who you go to resolve this).	Carolyn Maristany
730.01	Format	Purpose statement – put where we've put those	Carolyn Maristany
730.03	Clarify	Basically, I think the intent is to say you can't dump anything directly into the sewer, so I would simplify this	Carolyn Maristany

		section to say that. Natural precipitation goes where it wants, so having it here is confusing. I can understand your down spouts can't empty into a sewer, but how does this work for driveway run off and landscaping that is purposely tilted to run into the sewer? It reads like that is not allowed.	
730.0 5	Update	Update because this should no longer be relevant	Carolyn Maristany
800	Clarify	This section is in need of extensive revision. Street width construction standards need review with regard to modern practices. Sections dealing with center medians are confusing and need to be clarified. Is it in the taxpayers interest to increase city labor costs be increasing the work load required for basic street maintenance.	Candace Oathout
800.01	Question/clarification	sidewalks-amend the language to the new practice of putting the sidewalks behind the curbs? Suggestion to have them either wider than 5 feet to accommodate the 24 hours that garbage cans are placed on them or figure out something else because truly on garbage days almost 2 days worth it is difficult to walk on the sidewalks...especially those in areas like mine that were only built to 4 1/2 feet. It is difficult on snow days for the city crew to clear the sidewalks as well with garbage cans there. Can the garbage haulers arms reach far enough if we place the cans in the grass behind the sidewalk?  This was just confusing. It seems like no matter if the road way was greater or less than 50 feet the curb to curb is 30 feet. Also I know that some roads have the side walk abutting the road and some have it in from the road so that the code should reflect that more.	Bonnie Bolash  Carolyn Maristany
800.09	Clarify	Did we want to mention gutter types here since we are using D type gutters as standard versus B or other types?	Carolyn Maristany
800.10, Subd. 2	Format and clarify	Definition section needs to be standardized with the other chapters. Also it would be usfult to define minor and arterial	Carolyn Maristany

		streets since I'm not sure of the difference and curb cuts reference them (800.10 subd 3 b5).	
800.10, Subd. 3	Simplify	I was wondering if there was a way to simplify this whole section. Maybe pictorially to show the limits. Also zoning code is referenced here, so any changes to that have to be changed here.	Carolyn Maristany
800.10, Subd. 3 a.4	Clarify  Amend	This language contradicts itself, either the length of the curb allowed each home is 22=44 ft or it is one curb @ 32 ft.  Curb cuts should be the same regardless of the garage stall type. The practice for 30 years was to allow everyone up to 22 feet. I understand environmental concerns to reduce hard space so displaced water has a place to go. But it is about functionality, aesthetics, and equal protection for property owners. I just want to make sure that all properties have the opportunity to have up to 22 feet.	Candace Oathout  Bonnie Bolash
800.10, Subd. 3a and Subd. 3b	Clarify  Clarify	These subdivisions are redundant re-word to eliminate duplicative language.  I just want to clarify that a 2nd curb cut would be allowed for example like a property like mine? If I wanted to add another garage on the north side of the property and maintain the current garage I would be able to apply for a 2nd curb cut? I was told previously that I could only have 1 curb cut to accommodate both garages and that I would have to run a driveway through my front yard as the only option. Does the current language allow for 2nd curb cut to accommodate both garages or is it still only 1 curb cut to serve the 2? I would like properties such as mine when there is reasonable space to put a garage in that is not close to the current driveway the opportunity to have the 2nd curb cut. The idea of having a driveway running through my front yard to accommodate both garages I don't	Candace Oathout  Bonnie Bolash

		think makes sense. This code will still continue to prohibit the circular driveway as well?	
800.11	Clarify	I would cite where the penalties for public nuisances are here.	Carolyn Maristany
800.11, Subd.2	Update	Archaic language. There is little need to prohibit sewage, slops, stable manure, soot, hay or excelsior by name in this day and time.	Candace Oathout
800.11, Subd. 2 and 7	Clarify/simplify	Isn't this covered under chapter 6 already (605.09 and 635.03), so does it have to be repeated or can that area just be referenced? Also this list of subdivisions seems like it could just be simplified to anything that would cause damage to the road or impeded usage or cause hazardous conditions on the road for by vehicles, bicycles and pedestrians.	Carolyn Maristany
800.11, Subd. 5 & 6	Too specific/edit	Why did food peels warrant inclusion in the code but not roller skates? Isn't there a general "don't leave stuff out on public streets/sidewalks/alleys etc. that could cause injury to person or conveyance" clause somewhere?	Kirsten Andersen
800.11, Subd. 6	Clarify	Doesn't this fall under dirt and litter and putrescible matter? Does it need to be a separate subdivision?	Candace Oathout
800.11, Subd, 7	Update	Update language see subd. 2 suggestion	Candace Oathout
800.11, Subd. 9	Redundant and vague	"It is unlawful to perform any of the acts prohibited by this subsection." My interpretation of this subsection is that either it used to have some extra detail, or else it is saying that all the things that were just reviewed in the previous subsections as being unlawful are, in fact, still unlawful.	Kirsten Andersen
800.13, .14,.17,..19	Format	Each of these ordinances are covered in other sections of code. Does it really need to be repeated here?	Candace Oathout
800.15	Clarify	Just wondering where it says it is unlawful to take public signs.	Carolyn Maristany
800.19, Subd. 2		This is requirement for air-entraining Portland cement concrete overly restrictive?	Candace Oathout

800.19, Subd. 3	Consistency	Make sure on par with previous escrow discussions	Carolyn Maristany
800.20	Format	when zoning 515.17 and chapter 640 are modified this section needs to be updated to reflect the new numbers.	Carolyn Maristany
802	Clarify, simplify	Strongly recommend this section be reviewed to remove redundancies and clarify language	Candace Oathout
	Edit	I would include Excavation in the title since this chapter goes into depth on that subject	Carolyn Maristany
802.01	Edit	If we're going to keep this section, I would suggest rewording this so that most people who read it will have a reasonable idea of what section 802 is going to cover.	Kirsten Andersen
	Format	Place with other purpose statements.	Carolyn Maristany
802.03	Format	Move definitions to previously determined location.	Candace Oathout
		Definition section that needs to be standardized with the rest of the text. Also if there are any definitions that could be removed that would be awesome or of something could be listed and blanket like terms are defined as makes sense in public right of way or excavation.	Carolyn Maristany
802.03, Subd. 2 c) and II)	Update	This is very specific compared to other MN statute references, so make sure current.	Carolyn Maristany
802.03 n)	Clarify	There is a substantial difference between this definition and MN 216D.3	Candace Oathout
802.03q)	Clarify	Do we really need to define a five year plan, a two year plan or a ten year plan?	Candace Oathout
802.03, Subd. 2 bb)	Format/clarify	Why do we need examples?	Carolyn Maristany
802.03, Subd. 2 ff)	Clarify	Is this the same as 802.03 Subd 2 a)?	Carolyn Maristany
802.03 jj)	Clarify	Definition is not clearly understandable	Candace Oathout

802.07	Format	Make sure in line with previous committee formatting and placement discussions	Carolyn Maristany
802.23, Subd. 3	Clarify	What does PUC stand for?	Carolyn Maristany
802.23, Subd. 4	Clarify	Do these guarantees apply to vegetation that is replaced as well or just roads?	Carolyn Maristany
802.47	Clarify	What is ROW? If we're shortening right of way to this it should be in the definition as such. Is this section an eminent domain thing if the city has to take land to make a project cheaper?	Carolyn Maristany
805.01	Clarify	Are corporate limits the same as city limits? If the county or state controls public transportation are they the ones responsible for the benches or do they have their own rules with regard to benches that would supersede ours? What about covered benches or park benches ae they covered here?	Carolyn Maristany
805.003	Clarify	What is R-4 because it was not in the zoning code we read.	Carolyn Maristany
810	Clarify	<p>The City of Crystal maintains the sidewalks in front of my property as per the agreement during construction to the homeowners. I would like language added to address the responsibility of the city for the maintenance of the sidewalks to be put into code. So we know that this is in fact what the agreement was. I know the City is responsible for clearing the streets but it is many times greater than 12 hours after the snow fall when sidewalks are cleared so I am wondering if maybe this would be addressed in code as well? If I were to sell my house the homeowner would naturally think they are responsible for the maintenance of the sidewalk per city code.</p> <p>How does this section pertain to sidewalks like the one on 54<sup>th</sup> Ave between Hampshire and Jersey? This one is behind the commercial area, but there aren't houses on it.</p>	<p>Bonnie Bolash</p> <p>Carolyn Maristany</p>

810.09	Clarify	I'm just confused if it's just going Jan -Sep of a year or if it starts whenever snows falls the previous year until September of this year (Oct 2015-Sept 2016) and you would be charged for that in 2016. Clarification of that would be great.	Carolyn Maristany
815	Clarify, simplify	Strongly recommend that this section be reviewed to remove redundancies and clarify language	Candace Oathout
815.05, Subd. 3		Can't we just say no overnight parking in parks or adjacent parking areas	Candace Oathout
815.0, Subd. 9	Edit	Delete first and second sentence, replace with "It is unlawful to expose or offer for sale, rent or hire any article or thing unless you have a permit to operate or license as required by law of city code."	Candace Oathout
820	Comment	I'm impressed with the clarity and understandability of Section 820	Candace Oathout
820.01	Format	Move to definitions location	Candace Oathout
830.01	Format	Delete or relocate not needed, statement of intent and purpose	Candace Oathout
830.03	Clarify	What is the Tree City USA Program and why are its provisions required?	Candace Oathout
830.11, Subd. 2	Edit	Remove or reword as it states intent	Candace Oathout
830.11, Subd. 2	Clarify	Clarify replacement tree requirements	Candace Oathout
830.17	Edit	Delete last sentence?	Candace Oathout