

**CITY OF PLYMOUTH  
AGENDA  
REGULAR COUNCIL MEETING  
APRIL 11, 2006, 7:00 PM  
(or immediately following Board of Equalization Meeting, whichever is later)**

**1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

**2. ROLL CALL**

**3. PLYMOUTH FORUM**—*Individuals may address the Council about any item not contained on the regular agenda. A maximum of 15 minutes is allotted for the Forum. If the full 15 minutes are not needed for the Forum, the City Council will continue with the agenda. The City Council will take no official action on items discussed at the Forum, with the exception of referral to staff or Commission for future report.*

**4. PRESENTATIONS AND PUBLIC INFORMATION ANNOUNCEMENTS**

4.01 Proclamation Declaring April 22-29, 2006 as “The Great Shingle Creek Watershed Cleanup Week” (Councilmember Ginny Black)

4.02 Proclamation Declaring May 20, 2006, as “Kids Day America/International Day”

4.03 Annual Presentation of Plymouth Senior Council (President Gene Kuehn)

4.04 Introduction of Jean McGann, Administrative Services Director (City Manager Ahrens)

4.05 Announcement of Yard and Garden Expo on April 22, 9:00 a.m.-3:00 p.m. at the Plymouth Creek Center (Park and Recreation Director Blank)

**5. APPROVE AGENDA**—*Councilmembers may add items to the agenda including items contained in the Council Information Memorandum for discussion purposes or staff direction only. The Council will not normally take official action on items added to the agenda.*

**6. CONSENT AGENDA**—*These items are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and placed elsewhere on the agenda.*

6.01 Approve Proposed City Council Minutes

6.02 Approve Disbursements (Res2006-148)

## REGULAR COUNCIL MEETING

April 11, 2006

Page 2

- 6.03 Approve Final Plat for “Larkin Ponds”, Four single-family Lots Located at 1010 Harbor Lane. *Floyd Calhoun Development*. (2005078-F – Res2006-149)
- 6.04 Approve Amendment to Contract for Deed with Family Hope Services (Res2006-150)
- 6.05 Approve Bid for Three-year Uniform Contract (Res2006-151)
- 6.06 Approve Construction Agreement for Carlson Real Estate Company (OTC Building - 12755 State Highway 55) (Res2006-152)
- 6.07 Approve Payment No. 2 and Final for Boulder Ridge Pond Outlet Structure (4133 – Res2006-153)
- 6.08 Approve Change Order No. 2, Payment No. 5, and Final for Highway 55/Vicksburg Lane Signal and Intersection Improvements (4134 – Res2006-154, Res2006-155)
- 6.09 Approve Payment No. 3 and Final for Well No. 6 Emergency Maintenance (5107 – Res2006-156)
- 6.10 Award Contract for County Road 6 Water Tower Rehabilitation (5124 – Res2006-157)
- 6.11 Acceptance of Streets and Utilities for Sunrise Marsh (2002012 – Res2006-158)
- 6.12 Approve Plans and Specifications for the Walnut Grove Lane Retaining Wall (6104 – Res2006-159)
- 6.13 Approve Plans and Specifications for 2006 Mill and Overlay Project, Pineview Lane and Schmidt Lake Road (6106 – Res2006-160)
- 6.14 Approve Purchase of Two Replacement Single-Axel Trucks with Related Equipment (Res2006-161)
- 6.15 Approve Resolution Setting June 13, 2006, as the Date to Hold a Public Hearing to Consider Establishing the Plymouth Housing and Redevelopment Authority Housing Tax Increment Financing District 1-2 (Res2006-162)

## **REGULAR COUNCIL MEETING**

**April 11, 2006**

**Page 3**

6.16 Approve Tobacco License for Walgreen Company d/b/a Walgreens #01002, 3255 Vicksburg Lane (Res2006-163)

6.17 Approve Change in Polling Location for Precinct Number 3 for 2006 and Future Elections (Res2006-164)

6.18 Accept Donation from LifeTime Fitness (Res2006-165)

### **7. PUBLIC HEARINGS**

### **8. GENERAL BUSINESS**

8.1 Consider Bids for City Center Entrance Sign Project (5120 – Res2006-166) (Tabled from March 28)

8.2 Set Future Study Sessions

### **9. REPORTS AND STAFF RECOMMENDATIONS**

9.1 Legislative Update

### **10. ADJOURNMENT**

4.1

## PROCLAMATION

WHEREAS, the City of Plymouth is dedicated to preserving and protecting the water resources in our watersheds; and

WHEREAS, litter and trash, washed into our lakes, rivers, and streams, pollutes and degrades their water quality and obstructs drainage through our storm sewers and storm drains; and

WHEREAS, citizens can take an active role in protecting water resources by picking up litter and trash and keeping our streets, parks, neighborhoods, and community clean; and

WHEREAS, the Shingle Creek and West Mississippi Watershed Management Commissions' annual event "The Great Shingle Creek Watershed Cleanup" will take place April 22-29, 2006, with citizens from Plymouth participating by picking up litter along Bass Creek, Plymouth's tributary to Shingle creek.

**NOW, THEREFORE, I, hereby proclaim,** April 22 through 29, 2006, to be

### "THE GREAT SHINGLE CREEK WATERSHED CLEANUP WEEK"

in the City of Plymouth and encourage all citizens to use The Great Shingle Creek Watershed Cleanup Week, 2006 to help prevent water pollution and preserve our watersheds by participating in a Cleanup Event or by using this time to pick up trash and clean up at our homes, businesses, streets, and neighborhoods.

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Judy A. Johnson  
Mayor



4.2

## PROCLAMATION

**Whereas**, The State of Minnesota has a vital interest in protecting the health and safety of our children to ensure they become active, productive citizens; and

**Whereas**, Health, safety, and the environment affect our children's well-being, safety, and intellectual and physical development; and

**Whereas**, More children die or are disabled from preventable causes each year than from all childhood diseases combined; and

**Whereas**, If started in childhood, proper health, safety, and environmental habits can be maintained for a lifetime; and

**Whereas**, Chiropractic doctors and staff throughout Minnesota are sponsoring the Twelfth Annual Kids Day America/ International event to help parents and children learn about health awareness, fire safety, recycling, drug awareness and many more important topics to keep our children safe and make the world a healthier and happier place;

Now therefore, I, Judy Johnson, Mayor of the City of Plymouth, do hereby proclaim May 20, 2006 to be

**“ KIDS DAY AMERICA/INTERNATIONAL DAY “**

In the City of Plymouth, and ask all citizens to join me in congratulating the *Kids Day America/International*.

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Judy Johnson, Mayor

**Proposed Minutes  
Regular Council Meeting  
March 28, 2006**

Mayor Johnson called a Regular Meeting of the Plymouth City Council to order at 7:00 p.m. in the Council Chambers of City Hall, 3400 Plymouth Boulevard, on March 28, 2006.

COUNCIL PRESENT: Mayor Johnson, Councilmembers Stein, Hewitt, Willis, Black, and Bildsoe.

ABSENT: Councilmember Slavik.

STAFF PRESENT: Fire Chief Kline, Police Chief Goldstein, City Attorney Knutson, Planning Manager Senness, Recreation Supervisor Greupner, Public Works Director Cote, and City Clerk Paulson.

**Plymouth Forum**

(There was no one present to address the Council).

**Presentations and Public Information Announcements**

(4.01) Recreation Supervisor Greupner announced this year's Pimavera to be held on March 31-April 4 at the Plymouth Creek Center.

The Council congratulated Fire Chief Kline for recently receiving the designation of Chief Fire Officer from the Commission on Fire Accreditation International, Inc.

**Approval of Agenda**

Motion was made by Councilmember Hewitt, and seconded by Councilmember Bildsoe, to approve the agenda. With all members voting in favor, the motion carried.

**Consent Agenda**

Motion was made by Councilmember Black, and seconded by Councilmember Bildsoe, to adopt the Consent Agenda that included the following items:

(6.01) Minutes of the Joint City Council/Planning Commission Meeting of March 9, Special Council Meetings of March 14 and March 21, and Regular Council Meeting of March 14.

(6.02) Resolution Approving Disbursements for the Period Ending March 17, 2006 (Res2006-135).

**Proposed Council Minutes**  
**Regular Meeting of March 28, 2006**  
**Page 2 of 4**

(6.03) Resolution Approving Consumption and Display License for the VFW Hamel (Res2006-136) and a Resolution Approving a Consumption and Display License for West Medicine Lake Community Club (Res2006-137).

(6.04) Resolution Renewing Garbage Hauler Licenses (Res2006-138).

(6.05) Resolution Approving Temporary 3.2 Liquor License for St. Mary of the Lake Catholic Church (Res2006-139).

(6.06) Ordinance Amending Section 900 of the City Code Concerning Homeland Security and Emergency Management (Ord2006-08).

(6.07) Ordinance Amending Chapter 21 of the City Code for a Lighting Zone Map Amendment for Plymouth Presbyterian Church located at 3755 Dunkirk Lane (2005149 – Ord2006-09) and a Resolution Approving Findings of Fact for a Zoning Ordinance Amendment to Repeal the Current Lighting Zone Map and adopt a New Lighting Zone Map (2005149 – Res2006-140).

(6.08) Resolution Approving Change Order No. 2 for Plymouth Metrolink Station 73 Transit Facility (3125 – Res2006-141).

(6.09) Resolution Approving Request for Payment No. 18 for the Central/Zachary Water Treatment Plants Improvements (2032 – Res2006-142).

(6.10) Resolution Approving Plans and Specifications and Ordering Advertisement for Bids for 2006 Street Reconstruction Project (6101 – Res2006-143).

(6.11) Resolution Approving Plans and Specifications and Ordering Advertisement for Bids for 2006 Seal Coat Program (6130E – Res2006-144).

(6.12) Resolution Authorizing the Acceptance of a Training Grant from the State of Minnesota Division of Homeland Security and Emergency Management (Res2006-145).

(6.13) Resolution Approving Wetland Replacement Plan Application for Taryn Hills (2005045 – Res2006-146).

(6.14) Resolution Approving Hot Mix Asphalt Bids for 2006 (Res2006-147).

Councilmember Hewitt registered a no vote for item No. 6.13.

Motion carried to approve the Consent Agenda.

**Public Hearings**

(There were no public hearings scheduled).

**General Business**

**(8.1) Reject Bids for City Center Entrance Sign Project (5120)**

Planning Manager Senness reported that bids were rejected October 11, 2005 for three City Center entrance signs. Two bids were received in the amount of \$346,667 and \$201,919. The Council directed staff to re-bid the project without the sign on the northeast corner of Vicksburg Lane and Highway 55, so bids would be submitted for signs to be located at the northwest corner of Vicksburg Lane and Highway 55 and at the northwest corner of Plymouth Boulevard and Highway 55.

She stated staff received one bid on March 14 from Environmental Associates, Inc. in the amount of \$294,700. She explained that current funding for the signs includes \$63,500 in City funds and \$25,000 in private funds received from North American Properties as a condition of approval for Plymouth Marketplace. This money was to pay for the entrance on the west side of Vicksburg Lane. She stated the Council could choose to award the bid to Environmental Associates, however, a funding source to fill the approximately \$200,000 gap (plus 25% in engineering, administration, legal, and contingency costs) would need to be found. Another alternative would be to re-bid the project a third time to include only the sign at Plymouth Boulevard. However, a single sign at Plymouth Boulevard would cost in excess of \$200,000, so there would still be a gap to fill. If the Council would choose that option and does not construct the sign on at the northwest corner of Vicksburg Lane and Highway 55, the money the City is holding from North American Properties would be returned as it specifically covers the construction of a sign on the west side of Vicksburg Lane. In addition, the easement that the City obtained for this sign is also of limited duration, and if a sign isn't constructed by July 1, the opportunity to construct that sign might be lost.

Councilmember Hewitt stated it would be acceptable to her to re-bid the project; however, she is concerned about losing the easement at Vicksburg Lane and Highway 55. She asked if the City could extend the easement. Planning Manager Senness replied the City has already extended the easement, and she noted that this has been a fairly extensive negotiating period with the property owner. City Attorney Knutson agreed and stated anytime they have to review the easement, it's a very lengthy process that costs the City approximately \$1,000.

Councilmember Black asked why there wasn't a breakdown in the price for just the sign at the northwest corner of Vicksburg Lane and Highway 55. She asked what a sign at that location would cost. Planning Manager Senness replied a sign at that site would cost approximately \$82,000 plus 25% in other fees, so there would be a funding gap of approximately \$15,000. She stated that since this would be a substantial change, the City might have to re-bid the project. City Attorney Knutson added the contractor would need to be contacted, but perhaps there could be a change order.

The suggestion was made to postpone this item to April 11 so staff could review options on funding just the one sign at the northwest corner of Vicksburg Lane and Highway 55, retaining the easement, etc.

Motion was made by Councilmember Willis, and seconded by Councilmember Bildsoe, to postpone this item to April 11 in order that staff could review options on funding just one sign at the northwest corner of Vicksburg Lane and Highway 55, retaining the easement, and change order options. With all members voting in favor, the motion carried.

**(8.2) Zoning Ordinance Text Amendment to allow Message Boards in the Public Institutional District**

Planning Manager Senness reported on the request of Mayor Johnson for the City to initiate a Zoning Ordinance Text amendment to allow message boards in the Public Institutional District. She stated Mayor Johnson was requested by the Wayzata School District to redo their Central Middle School sign so it's an electronic message board.

Mayor Johnson added that the current sign is very old, and their PTA is organized and willing to fund updating the sign electronically.

Councilmember Willis stated he would like to know where the P-I districts are located so if this is allowed, what unintended consequences would there be as well as the illumination of the signs in the residential area.

Dan Carlson, representing Central Middle School, illustrated the proposed design of the sign versus the current sign. He noted that the physical size of the sign wouldn't change (32 square feet). He stated they would probably only have one message up there during the day, and the sign wouldn't be operational from midnight until 6:00 a.m. He showed pictures of the current sign and stated that it's also a safety issue.

Motion was made by Councilmember Bildsoe, and seconded by Councilmember Willis, for the City to initiate a Zoning Ordinance Text Amendment to allow illuminated signage in the Public Institutional District. With all members voting in favor, the motion carried.

Mayor Johnson suggested to Mr. Carlson that the school district meet with the adjacent neighborhood.

**Report and Staff Recommendations**

**(9.1) Legislative Update**

(There were no reports and staff recommendations).

**Adjournment**

Mayor Johnson declared the meeting adjourned at 7:32 p.m.

**Proposed Minutes  
Special Council Meeting  
March 21, 2006**

Mayor Johnson called a Special Meeting of the Plymouth City Council to order at 7:15 p.m. in the Council Chambers of City Hall, 3400 Plymouth Boulevard, on March 21, 2006.

COUNCIL PRESENT: Mayor Johnson, Councilmembers Hewitt, Bildsoe, Slavik, Stein, Willis, and Bildsoe.

ABSENT: None.

STAFF PRESENT: City Manager Ahrens, Community Development Director Hurlburt, Planning Manager Senness, Communications Manager LaFave, Housing Manager Barnes, Captain Franz, Fire Chief Kline, Senior Planners Drill and Darling, Planners Noelting and Doty, Senior Appraiser Olsson, Assistant Building Official Farris, Public Works Director Cote, City Engineer Quanbeck, City Clerk Paulson.

Also Present: Consultant Dean Johnson from Resource Strategies Corporation.

**Review of Information Requested at March 9, 2006 Joint City Council/Planning Meeting**

Community Development Director Hurlburt stated at the March 9 Joint City Council/Planning Commission Meeting, there were a few areas that further information was requested.

She stated the first area involves the status of the natural resources inventory (NRI). This inventory would identify significant natural features that should be preserved, evaluate site suitability for particular land uses, evaluate and refine the Northwest Greenway plan, route transportation facilities (i.e. Peony Lane), and identify areas where natural features provide logical transitions between uses. The City is contracting with the Hennepin County Department of Environmental Services for the NRI. The County is committed to providing data and summary reports for the Northwest Planning Area by March 31. There is also the possibility that the entire project might be completed as soon as August, with the preliminary report on the Northwest Planning Area to staff sometime next week. This would allow staff to incorporate information into the draft plans that would be prepared for the May 1 and May 2 neighborhood meetings. A final report might be available as soon as August.

She stated the second area involves the land use designations for golf courses. She stated there are three privately owned golf courses (Elm Creek, Hollydale, and Begin Oaks) that

are currently guided P-I (Public-Institutional) by the City's Land Use Plan. At the March 9 Council/Planning Commission joint meeting on land use planning for Northwest Plymouth, a potential new approach to the land use designations for privately-owned golf course properties was briefly discussed. The Council also received correspondence from the owners of Hollydale indicating their desire to have their property guided for residential use. She noted that of the three privately owned golf courses, only Elm Creek is within the Northwest Planning Area.

She stated staff is suggesting a report be prepared for the Council that would contain some background on the issues of surrounding planning for golf courses and recent legal issues in other Minnesota communities. The report would outline several options for the land use plan, including retaining the currently P-I guiding, assigning them residential land use classifications, or using a new "golf-course" designation as described at the March 9 meeting. This report would be shared with the Council at a meeting in May. In June, a public meeting would be scheduled so that all property owners within 750 feet of the three existing courses would receive a mailed invitation, and the report and meeting announcement would be provided on the City's website and to the email notice list for the Comprehensive Plan update. Following the public meeting, a report would be provided to the Planning Commission with a request that they make a recommendation to the Council on a preferred approach to land use planning for the golf courses. Depending upon the date of the public meeting, this could occur at one of the Planning Commission's regular meetings on June 21 or July 5. Lastly, the Council could receive the Planning Commission's recommendation and give their direction on the preferred planning approach as early as the July 8 regular Council meeting.

Councilmember Hewitt requested that the neighborhoods specifically surrounding the Hollydale Golf Course receive this information as soon as possible.

The Council directed staff to set a public meeting in June for the golf courses.

Community Development Director Hurlburt presented further information regarding the Rural-to-Urban Transition Concept that was discussed at the March 9 Joint Meeting. She discussed basic information regarding trunk utility infrastructure, and she also discussed two different scenarios and their issues for development of Northwest Plymouth following the Rural-to-Urban Transition Concept. The two different scenarios were sequential sewer extension and assessing benefiting properties, and delaying assessments to properties that wouldn't develop. She discussed the following conclusions:

1. Assessment policies should reflect the preferred development approach. Either scenario could be financially feasible.
2. Area charges and connection fee rates could be set to ensure adequate cash flow for either scenario.
3. Detailed analysis of trunk system costs and rate structure must follow Land Use Plan and update of sewer and water system plans.

4. Rates might need to be slightly higher to compensate for delayed revenue from sites that are not assessed and/or do not develop.
5. Any rate increase would increase housing/development costs.
6. Development should pay its own way. The trunk funds should cash flow without impacts on taxpayers or utility ratepayers.

She then discussed issues (i.e. funding, assessing) surrounding improving current roadways as well as new roads that would be needed in the Northwest Planning Area.

Planning Manager Senness discussed how the "overlay" concept would work for the Rural-to-Urban Transition Concept. She explained the existing land use designations/areas outside of the overlay include LA-R (one unit per 20 acres), LA-1 (two to three units per acre), LA-2 (three to six units per acre), LA-3 (six to 12 units per acre), and LA-4 (12 to 20 units per acre). With the overlay concept, there would be LA-RT (one unit per 20 acres without utilities or up to 1.5 units per acre with utilities), LA-R1 (1.5 to 2.5 units per acre), LA-R2 (2.5 to five units per acre), and LA-R3 (five to 10 units per acre). She stated for each of the designations, there would be incentives to increase the density levels.

Councilmembers Slavik and Stein stated that the proposed density levels in the overlay seem very high and don't seem to be that much different from the remainder of the City. Mayor Johnson added that she would prefer the requirements rather than the incentives in the LA-RT. She stated she would like to preserve larger lots rather than making incentives. Councilmember Hewitt agreed.

Councilmember Slavik suggested the following density levels for the overlay areas:

1. LA-RT – up to one unit per acre.
2. LA-R1 – one to two units per acre.
3. LA-R2 – three to four units per acre.
4. LA-R3 – four to six units per acre.

She requested that there be no incentives and if possible, remove the LA-R3 designation.

Councilmember Willis agreed with the above comments. He noted that this area is unique, but the proposed density levels are higher than anticipated. He stated he didn't think there would be apartments, but according to the LA-R3 designation, there could be.

Councilmember Black commented that if the Council approves their suggested density levels in the overlay areas, that there wouldn't be very many opportunities for affordable housing.

Councilmember Hewitt stated it's a struggle to locate affordable housing where property is selling for \$200,000 to \$300,000 per acre. She stated it would also be very difficult to get transit in the Northwest Plymouth area in the next 20 years.

Mayor Johnson suggested LA-4 guiding along major roadways and placing the lower density guiding in the other areas. (Use traditional guiding with mandates for guiding). She explained as you would move into the interior portions of the Northwest Planning Area, the Rural-to-Urban Transition overlay land use designations could be used. She believes there would be good sites for affordable housing while still maintaining the larger lots.

Councilmember Willis stated the Council needs to know the NRI and any constraints which could suggest lower density levels.

Community Development Director Hurlburt stated the Council needs to discuss what density levels they would like in this area before they are applied to a map as there are too many variables. She stated there is a concern that the current guiding density levels are too high, so perhaps the incentives should be applied there. She stated that perhaps in the Rural-to-Urban Transition overlay areas, there should be lower densities, so that these areas wouldn't be developed as intense as the rest of the City. The areas located along the major roadways and where there aren't a lot of rural areas, there would be the higher density levels.

Councilmember Hewitt supported Councilmember Slavik's suggested density levels listed above for the Rural-to-Urban Transition overlay areas and making the high traffic areas along Vicksburg Lane, County Road 47, and Peony Lane either LA-3 or LA-R3 with incentives.

Mayor Johnson stated rather than incentives, she would prefer requirements, so it would be based on performance.

The Council requested that transit be included in the Land Use Plan.

Councilmember Hewitt stated the Council needs to look at road improvements for County Road 47 and Vicksburg Lane.

A discussion was held on the property owned by Speak the Word Church, and a majority of the Council stated they support the P-I guiding for the property.

The Council discussed the possible commercial/industrial locations the Northwest Planning Area at Lawndale, County Road 47, and Highway 101. The Council stated regarding the Hamel Lumber property, this area might have to be reviewed as a transition area to residential. There could possibly be a park and ride use if the transition use could be worked out.

Mayor Johnson suggested that staff schedule a bus tour of the Northwest Plymouth area in May or June. While on the tour, the Council could review maps of the area, and the topography and terrain of the area. The Council also suggested that the Planning Commissioners be invited. City Manager Ahrens stated staff would suggest a date and contact the Council.

**Adjournment**

Mayor Johnson adjourned the meeting at 9:15 p.m.

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Sandra R. Paulson, City Clerk

CITY OF PLYMOUTH  
CITY COUNCIL AGENDA REPORT

**TO:** Laurie Ahrens, City Manager  
**FROM:** Dale Hahn, Director of Administrative Services  
**SUBJECT:** Disbursements  
**DATE:** April 3, 2006 for the City Council Meeting April 11, 2006

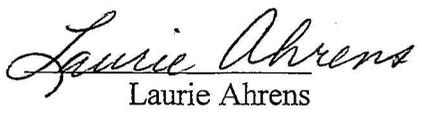
- 1. PROPOSED MOTION:** To adopt the attached resolution approving the disbursements for the period ending March 31, 2006.
- 2. DISCUSSION:** Shown below is a listing of disbursements for the various funds for the period ending March 31, 2006.

Anchor Bank

General & Special Revenue	\$195,996.31
Construction & Debt Service	28,612.86
Enterprise & Internal Service	1,139,256.22
Housing & Redevelopment Authority	<u>3,246.49</u>
<b>GRAND TOTAL FOR ALL FUNDS</b>	<b><u>\$1,367,111.88</u></b>

  
Larry Jacobson

**3. RECOMMENDATION:** I hereby approve the attached listing of disbursements and recommend same for payment.

  
Laurie Ahrens

CITY OF PLYMOUTH

RESOLUTION NO: 2006-

APPROVING DISBURSEMENTS FOR THE PERIOD  
ENDING MARCH 31, 2006

**WHEREAS**, a list of disbursements for the period ending March 31, 2006 was presented to the City Council for approval;

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA**, that the payment of the list of disbursements of the following funds is approved:

Anchor Bank

General & Special Revenue	\$195,996.31
Construction & Debt Service	28,612.86
Enterprise & Internal Service	1,139,256.22
Housing & Redevelopment Authority	<u>3,246.49</u>

GRAND TOTAL FOR ALL FUNDS \$1,367,111.88

Adopted by the City Council on April 11, 2006.

Invoice Expense Distribution for Period Ended 3/31/06

FUND	101	General Fund	177,088.49
	201	Recreation Fund	3,193.56
	202	Parker's Lake Cemetery Maint	0.00
	203	Transit System Fund	12,984.26
	204	Community Development Fund	0.00
	205	Diasaster Donation Manage Grant	2,730.00
	207	Economic Development Fund	0.00
	208	Specialized Equipment Replacement	0.00
	220	Comm Dev Block Grant Fund	0.00
	250	HRA Section 8 Fund	3,246.49
	251	HRA General Fund	0.00
	302	General Obligation Refunding D/S	0.00
	401	General Capital Projects Fund	4,974.06
	402	Minnesota State Aid Fund	0.00
	404	Building & Equipment Rev. Fund	749.43
	406	Park Replacement Fund	5,225.00
	407	Infrastrcture Replacement Fund	0.00
	408	Project Administration Fund	0.00
	409	City & Community Parks	0.00
	410	Neighborhood Parks	0.00
	411	Capital Improvement Fund	0.00
	413	Community Park Acquisition	0.00
	414	Neighborhood Park Acq/Dev	0.00
	415	2003 Street Reconstruction	0.00
	416	2004 Street Reconstruction	0.00
	421	Utility Trunk Fund	0.00
	422	Unfinanced Imp Construction	10,909.76
	425	Shenandoah Housing Imp. Area	0.00
	426	Shenandoah Administration	0.00
	428	Activity Center/Fieldhouse	0.00
	430	Public Safety Expansion	3,004.90
	431	HRA Senior Apt. Constr Fund	1,475.10
	440	Utility Trunk System Expansion	0.00
	470	TIF # 7-1 (Const)	0.00
	471	TIF # 7-2 O.S. (Const)	0.00
	472	TIF # 7-3 P.O.S. (Const)	0.00
	473	TIF #7-4 P.T.P (Const)	610.78
	474	TIF Dev. Exp. Bonds 95 (Const)	0.00
	475	TIF # 7-5 Rottlund (Const)	700.33
	476	TIF #7-6 Continental (Const)	465.24
	478	TIF #7-7 Stonecreek ('Const)	388.95
	479	TIF #7-8 Shops @ Plymouth Creek	109.31
	501	Water Fund	299,109.76
	502	Sewer Fund	509,199.39
	503	Solid Waste Management Fund	27,609.29
	504	Recreation Facility Fund	2,049.86
	505	Water Resources Fund	196,367.51
	506	Activity Center Fund	0.00
	507	Field House Fund	347.00
	601	Central Services Fund	353.17
	602	Central Equipment Fund	52,184.39
	603	Risk Management Fund	15,432.06
	604	Design Engineering Fund	0.00
	605	Employee Benefits Fund	6,232.20
	606	Information Technology Fund	253.91
	607	Public Facilities Fund	30,117.68
	720	Senior Housing Bond Trustee	0.00
	730	I-494 Corridor Commission	0.00

Total Invoice Expense Distribution: \$ 1,367,111.88

Date: 4/3/2006  
Time: 9:54:02 AM

<b>COUNCIL REPORT - CHECK REGISTER</b>
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3/18/2006 Through 3/31/2006

Vendor Name/ Invoice Description	Invoice Amount	Check #	Check Amount
<b>Advanced Drainage Systems</b> 460ft 24:N12 solid-ultra,3 can	\$6,820.81	80715	\$6,820.81
<b>Afton Alps Ski Area</b> 2.24.06 WEMS ski trip	\$1,286.00	80716	\$1,286.00
<b>Alonso, Rebecca</b> Park and Rec Refund	\$70.00	80657	\$70.00
<b>American Planning Assoc.</b> 4.'06/4.'07 Berglund Membershi	\$210.00	80717	\$210.00
<b>American Supply Group Inc</b> PW 3 9" ppr white plate	\$84.00	80718	\$84.00
<b>Anchor Paper</b> 2000-Lemon astrobrit/white exa	\$69.05	80658	\$69.05
<b>Andy's Lawncare</b> Mar06 Snowplowing	\$510.00	80719	\$510.00
<b>Aramark</b> PW Service charge	\$5.27	80721	\$5.27
<b>Arrow Terminal LLC</b> 4-4" stop/turn & tail/fuses	\$101.94	80723	\$101.94
<b>Artistic Moments</b> 3.16.06 Chalk Pastels 3.16.06 Chalk Pastels	\$50.00 \$140.00	80777	\$190.00
<b>Astech Corp</b> 1.12/3.1.06 63.41tn Patch grit	\$1,668.02	80724	\$1,668.02
<b>Auto Glass Specialists Inc.</b> 7.25.05 Unit 126 glass repair	\$215.49	80725	\$215.49
<b>Baldy Sanitation Co</b> Mar06 FS 123 Rubbish Removal	\$265.10	80726	\$265.10
<b>Balogun, Oluwatoyin</b> Mar06 HAP	\$59.00	80808	\$59.00
<b>Barr Engineering Co.</b> Proj3105 1.28/2.24.06	\$5,709.80	80854	\$5,709.80
<b>Beltrand, Kathy</b> Park and Rec Refund	\$11.00	80659	\$11.00
<b>Berkley Risk Administrators Co</b> Jan-Jun06 Admin Services	\$10,788.00	80728	\$10,788.00

<b>Biros, Colette</b> Park and Rec Refund	\$28.00	80729	\$28.00
<b>Bonestroo Rosene Anderlik&amp;Assc</b> Proj3132 Feb06 Well 14&15 Proj5133 Feb06 Well 7&12 Proj4135 Feb06	\$291.39 \$807.50 \$238.05	80730	\$1,336.94
<b>Boyer Trucks</b> Unit #275 repair engine miss	\$567.59	80731	\$567.59
<b>Braun Intertec</b> Proj5108 2.24.06	\$1,475.10	80660	\$1,475.10
<b>Busch, Richard J</b> 3.12/3.19 Mileage Reimb	\$37.38	80702	\$37.38
<b>C &amp; R Technology</b> IC install cat3 cable&jack for	\$345.00	80819	\$345.00
<b>Carlson, Barb</b> Park and Rec Refund	\$11.00	80662	\$11.00
<b>Carlson, Barb</b> Park and Rec Refund	\$11.00	80663	\$11.00
<b>CenterPoint Energy/Minnegasco</b> 1.23/2.27.06 Heating bill	\$41,454.20	80732	\$41,454.20
<b>Central Wood Products</b> 475yd rec-step certified plygr	\$7,562.83	80733	\$7,562.83
<b>City of Wayzata</b> Tabs#171,181,182,185,191,192	\$66.50	80664	\$66.50
<b>Coffee Mill Inc</b> IC Concession coffee resupply	\$121.30	80736	\$121.30
<b>Commercial Furniture Services</b> Proj2032 conf table	\$1,412.06	80737	\$1,412.06
<b>Commercial Refrigeration Syst</b> 3.2.06 IC suppressor kit on bo	\$421.36	80738	\$421.36
<b>Communities in Collaboration</b> '06 Service Agreement	\$5,887.00	80740	\$5,887.00
<b>Dalco</b> 12cs Twls @49.76,3cs Hand soap	\$852.94	80742	\$852.94
<b>Dama Company</b> Proj2032 WTP2 lockbox	\$206.61	80743	\$206.61
<b>Dehn Tree Company</b> Tree removal in frozen wetland	\$10,650.00	80744	\$10,650.00
<b>Designwrite Studios</b> New bus photo design	\$349.91	80745	\$349.91
<b>Dindorf, Carolyn</b> Park and Rec Refund	\$11.00	80666	\$11.00
<b>Dundee Nursery&amp;Landscaping Co.</b> Potting soil,seedling plant	\$21.03	80746	\$21.03

<b>Electrical Installation &amp; Mnt</b>			
Repair Pathway lighting at CC	\$1,440.00	80667	\$3,022.00
Repr Lighting @ Prkers Lk Pthw	\$1,395.00		
Signal relmps 55 & CSAH 9 OH G	\$187.00		
<b>Electrical Installation &amp; Mnt</b>			
Grn Lens brkn SE crnr carlson	\$90.00	80747	\$90.00
<b>Emergency Apparatus Maint.</b>			
Aerial 21 #20 Impeller corrosi	\$8,880.85	80748	\$9,339.95
Aerial 31 #28 Discharge valve	\$459.10		
<b>Emergency Medical Products Inc</b>			
1cs ea med,L,XL nitrile gloves	\$315.75	80749	\$315.75
<b>Erosion Protection &amp; Repair</b>			
R29214 4.22.92&R51066 9.17.96	\$487.50	80750	\$1,440.00
R34667 6.3.93&R45971 9.26.95	\$952.50		
<b>Evenflo</b>			
6 Triumph plywrght,4 Chase Boo	\$1,177.22	80751	\$1,177.22
<b>Evenson, Thomas</b>			
3.19/3.22 Lodge,meals,car rml	\$388.60	80841	\$388.60
<b>F &amp; F</b>			
Park and Rec Refund	\$130.00	80661	\$130.00
<b>Farris, Roberta Lynn</b>			
Payroll Generated Invoice	\$443.54	80704	\$443.54
<b>Ferguson Enterprises Inc</b>			
Wrot cxc slip coup/thrd 2pc fp	\$41.09	80752	\$457.91
Batry pwr 4CC Snsr	\$416.82		
<b>Fire Dept Training Network</b>			
06' membership R Kline	\$48.00	80668	\$48.00
<b>Fire Findings</b>			
'06 Subsc Renewal	\$49.00	80753	\$49.00
<b>Fireside Hearth And Home</b>			
R603747 overpay on permit	\$5.00	80754	\$5.00
<b>Fitzco Inc.</b>			
1 Bicycle impound srlzd	\$26.30	80755	\$26.30
<b>Fortin, Connie</b>			
Park and Rec Refund	\$11.00	80669	\$11.00
<b>Fritchley, Ken</b>			
3.2.06 Monarch Butterfly	\$300.00	80775	\$300.00
<b>G &amp; K Service Inc</b>			
Rugs Cntrl Wtr trtmnt plant	\$30.13	80756	\$30.13
<b>G L Contracting</b>			
Proj3126 #3/Final Nghbrhd Fld	\$17,172.09	80757	\$17,172.09
<b>GS Direct Inc</b>			
4-24lb color bond	\$201.60	80758	\$201.60
<b>Gopher State One-Call, Inc.</b>			
Feb06 11 CC locates	\$15.95	80759	\$406.00

Feb06 269 SW locates	\$390.05		
<b>Gouette, Kathe</b> Park and Rec Refund	\$11.00	80670	\$11.00
<b>Government Training Service</b> Ahrens/MCMA Brainerd Conf	\$325.00	80760	\$325.00
<b>Grainger</b> Ballast lamps-2 Paint spray safety red Cr inv 9057093792 safe See cr 9058858532 Safe Arrow pipe tape 1"	\$50.46 \$31.57 (\$105.44) \$105.44 \$44.39	80761	\$126.42
<b>Greenway Lawn Maint Inc</b> Mar06 Snowplowing	\$850.00	80762	\$850.00
<b>Gridor Construction Inc</b> Proj4116 #6 Bass Lk LS	\$143,584.00	80671	\$143,584.00
<b>Gross, Mary H.</b> Park and Rec Refund	\$1.00	80672	\$1.00
<b>GroundsCare Inc.</b> Mar06 Snowplowing	\$1,400.00	80763	\$1,400.00
<b>Hageman, Kristen</b> Party American/EQ Fair table c	\$21.19	80778	\$21.19
<b>Haseman, Angela</b> 2 Airfare/Explorer Phoenix con	\$610.00	80720	\$610.00
<b>Hasler Inc</b> Apr-Jun06 Pstg meter rental	\$305.12	80764	\$305.12
<b>Hawkins Water Treatment</b> 7168# Hydrof,8962.4# C-9,1000g	\$11,950.50	80765	\$11,950.50
<b>Healthfund of Minnesota</b> Payroll Generated Invoice Payroll Generated Invoice	\$4.85 \$2.00 \$2.00 \$1.00 \$1.00 \$7.00 \$5.00 \$39.88 \$2.00 \$6.00	80673	\$70.73
<b>Hennepin Co Info Tech Dept</b> Feb06 Fire Radio lease	\$3,580.83	80674	\$3,580.83
<b>Hennepin County Sheriff/Bookng</b> Jan06 Booking Fees prisoners Feb06 Booking fees prisoners	\$3,201.74 \$2,378.95	80675	\$5,580.69
<b>Hennepin County Treas/417 No15</b> Nov05 Utility Permits Dec05 Utility Permits	\$745.00 \$215.00	80766	\$960.00
<b>Hennepin County Treas/Taxpayer</b> '05 TIF admin costs	\$2,165.30	80767	\$2,165.30
<b>Hill, Amy</b>			

Park and Rec Refund	\$40.00	80676	\$40.00
<b>Hirschey, Sue</b> Park and Rec Refund	\$11.00	80677	\$11.00
<b>Hoffman, Kurt</b> 3.14/3.17 116 Mileage MCFOA	\$51.62	80779	\$51.62
<b>Hoffman, Kurt</b> 3.14/3.15 2 meals MCFOA conf	\$21.99	80855	\$21.99
<b>Hudson Map Co.</b> 6 '06 Hudson Street Atlas	\$116.11	80768	\$116.11
<b>ImageTech Services</b> 12.27.05 Safoo Ultima file	\$4,153.50	80769	\$4,153.50
<b>Insty Prints/ ck address</b> 600- Police brochure/fire broc	\$245.35	80770	\$245.35
<b>Interfaith Outreach&amp;Comm.Ptnrs</b> '06 Outreach/Comm Partner '06 CONECT serv agreement	\$20,613.00 \$10,100.00	80771	\$30,713.00
<b>J &amp; L Enterprises USA, Inc</b> Pymnt basic volleyball class	\$30.00	80772	\$30.00
<b>J. H. Larson Electrical Co.</b> Cr inv 40275240001 1 200W JAR 50-Eng duct seal 1lb	(\$37.98) \$80.81	80773	\$42.83
<b>Jacobson, Larry</b> MNGFOA 3.15/2.15 3.18 mileage	\$87.80	80678	\$87.80
<b>Jagerson, Christine</b> #37 3.15.06 mailbox damage	\$100.00	80735	\$100.00
<b>Knutson Construction Services</b> Proj2032 #18 WTP's upgrade	\$166,758.00	80776	\$166,758.00
<b>Landlogic</b> Bal owed/GPS Mapping Pack	\$5,225.00	80780	\$5,225.00
<b>Laska, Betty</b> Park and Rec Refund	\$6.00	80781	\$6.00
<b>Law Enforce Labor Serv./Union</b> Payroll Generated Invoice Payroll Generated Invoice Payroll Generated Invoice Payroll Generated Invoice Payroll Generated Invoice	\$148.00 \$13.14 \$777.00 \$37.00 \$148.00	80679	\$1,123.14
<b>League of Minnesota Cities</b> G Black '06 State of Cities J Johnson/'06 State of Cities 4.11&4.20 6 Registr Loss Cntrl 4.20 McMillin Loss Control Wrk 4.20 D Evans Loss Control Wrks 4.20 Franz,Webb Loss Control W 4.20 Luebeck Loss Control Wrks	\$80.00 \$80.00 \$120.00 \$20.00 \$20.00 \$40.00 \$20.00	80782	\$380.00
<b>Leitner, Barbara</b> Davannis/Safety Comm lunch	\$55.07	80727	\$55.07
<b>Leuer Farms</b>			

3.13/3.16.06 Snowplowing	\$37,817.63	80831	\$37,817.63
<b>LexisNexis</b>			
Feb06 PD On-Line	\$150.00	80783	\$150.00
<b>Lindberger, Miles J.</b>			
Park and Rec Refund	\$50.00	80784	\$50.00
<b>Litton, Tony</b>			
Park and Rec Refund	\$11.00	80680	\$11.00
<b>Lokkesmoe, Kay</b>			
Park and Rec Refund	\$11.00	80681	\$11.00
<b>MES Inc</b>			
Weatherproof cover red	\$30.70	80785	\$30.70
<b>MN AFSCME Council #5</b>			
Payroll Generated Invoice	\$96.78	80683	\$2,058.18
Payroll Generated Invoice	\$51.76		
Payroll Generated Invoice	\$266.10		
Payroll Generated Invoice	\$64.52		
Payroll Generated Invoice	\$212.88		
Payroll Generated Invoice	\$17.74		
Payroll Generated Invoice	\$25.36		
Payroll Generated Invoice	\$69.35		
Payroll Generated Invoice	\$80.65		
Payroll Generated Invoice	\$12.16		
Payroll Generated Invoice	\$48.39		
Payroll Generated Invoice	\$12.16		
Payroll Generated Invoice	\$145.17		
Payroll Generated Invoice	\$32.26		
Payroll Generated Invoice	\$17.74		
Payroll Generated Invoice	\$32.26		
Payroll Generated Invoice	\$64.52		
Payroll Generated Invoice	\$24.32		
Payroll Generated Invoice	\$96.78		
Payroll Generated Invoice	\$9.47		
Payroll Generated Invoice	\$12.16		
Payroll Generated Invoice	\$96.78		
Payroll Generated Invoice	\$16.13		
Payroll Generated Invoice	\$12.16		
Payroll Generated Invoice	\$12.16		
Payroll Generated Invoice	\$32.26		
Payroll Generated Invoice	\$24.32		
Payroll Generated Invoice	\$32.26		
Payroll Generated Invoice	\$41.64		
Payroll Generated Invoice	\$12.16		
Payroll Generated Invoice	\$229.01		
Payroll Generated Invoice	\$12.16		
Payroll Generated Invoice	\$35.48		
Payroll Generated Invoice	\$32.26		
Payroll Generated Invoice	\$12.10		
Payroll Generated Invoice	\$16.13		
Payroll Generated Invoice	\$24.32		
Payroll Generated Invoice	\$24.32		
<b>MN AFSCME Council #5</b>			
Payroll Generated Invoice	\$9.47	80786	\$111.34
Payroll Generated Invoice	\$9.47		
Payroll Generated Invoice	\$92.40		
<b>MN Assoc for Volunteer Admin</b>			
N Anderson 5.4.06 workshop	\$45.00	80787	\$45.00
<b>MN Child Support Payment Ctr</b>			
Payroll Generated Invoice	\$455.00	80685	\$1,555.59
Payroll Generated Invoice	\$198.43		
Payroll Generated Invoice	\$249.65		
Payroll Generated Invoice	\$652.51		

<b>MN Child Support Payment Ctr</b> Payroll Generated Invoice	\$235.57	80788	\$235.57
<b>MN Dept of Transportation</b> Proj4134 2.7.06	\$109.31	80739	\$109.31
<b>MN Environmental Fund</b> Payroll Generated Invoice	\$3.00	80686	\$34.93
Payroll Generated Invoice	\$7.00		
Payroll Generated Invoice	\$5.00		
Payroll Generated Invoice	\$1.00		
Payroll Generated Invoice	\$6.00		
Payroll Generated Invoice	\$2.00		
Payroll Generated Invoice	\$3.00		
Payroll Generated Invoice	\$1.93		
Payroll Generated Invoice	\$5.00		
Payroll Generated Invoice	\$1.00		
<b>MTI Distributing Inc</b> Toro Groundmaster 328D	\$31,974.50	80789	\$31,974.50
<b>MacQueen Equip. Inc</b> Gas tank cap	\$30.28	80790	\$30.28
<b>Magney Construction Inc</b> Proj 3108 #12 Vickbg pump stn	\$68,910.15	80687	\$68,910.15
<b>Marcus, Shannon</b> Park and Rec Refund	\$11.00	80688	\$11.00
<b>Martin, Charlyn</b> 3.11/3.24.06 Party America,Lks	\$259.96	80734	\$259.96
<b>McCombs Frank Roos Assoc</b> Proj5119 2.28.06 Greenwood pk	\$133.75	80791	\$133.75
<b>Meisnitzer, Sharon</b> #34 3.14.06 mailbox damage	\$50.00	80825	\$50.00
<b>Messiah United Meth. Church</b> '06 Pk&Ride lot lease	\$12,500.00	80792	\$12,500.00
<b>Metrocall</b> 3.22/4.21 22 RAD pager rentals	\$164.82	80722	\$164.82
<b>Metropolitan Council HRA</b> Port HAP overpymnt on J Swanbe	\$2,388.00	80690	\$2,388.00
<b>Metropolitan Council-Waste</b> Apr06 Wastewater service	\$348,730.57	80793	\$348,730.57
<b>Michaud, Regina</b> 3.22 Self Defense prog supplie	\$43.38	80701	\$43.38
<b>Mills, Missi</b> Park and Rec Refund	\$80.50	80794	\$80.50
<b>Mills, Missi</b> Park and Rec Refund	\$26.00	80795	\$26.00
<b>Minger Construction Inc</b> Proj4137 #1 Timber Crk Erosion	\$149,486.68	80856	\$149,486.68
<b>Minnesota AWWA</b> 4.5-6 registr Vetsch Metro Wtr	\$135.00	80691	\$135.00

<b>Minnesota Conway</b> 15 Unmarked squad exting	\$848.21	80796	\$848.21
<b>Minnesota Landscape Arboretum</b> Registr D Johnson 3.21.06	\$60.00	80692	\$60.00
<b>Mittelstaedt, Sara</b> 2.20/3.12 Cub/Office Depot/Mic	\$106.17	80706	\$106.17
<b>Mobile Lock And Safe Co.</b> IC move coach rm lock&skate rm	\$108.00	80797	\$108.00
<b>Monson, Terri</b> 2.1.06 Volunteer Breakfast	\$83.90	80838	\$83.90
<b>Muzak</b> Apr06 Muzak	\$71.33	80798	\$71.33
<b>Mysteries by Moushey</b> Spring Performance	\$150.00	80693	\$150.00
<b>NAVPLG</b> '06 N Anderson Membership	\$20.00	80799	\$20.00
<b>NSRMAA</b> '06 Membership	\$150.00	80800	\$150.00
<b>Nesbitt, Robert</b> 3.6/3.17.06 MN joint analysis	\$2,730.00	80703	\$2,730.00
<b>Neumann's Enterprise</b> 2.22/3.2.06 Proj6115 clean out	\$5,220.00	80801	\$5,220.00
<b>Nordquist, Gloria</b> Park and Rec Refund	\$1.00	80694	\$1.00
<b>Norsan</b> 2-container/2-top 6-container/top	\$170.40 \$511.20	80803	\$681.60
<b>North Memorial EMS Education</b> Evenson EMT refresher 3.7/3.9 3 Registr EMT Refresher 3.14/3	\$110.00 \$330.00	80802	\$440.00
<b>Northland Business Systems</b> 2 Olympus transcribers	\$499.73	80804	\$499.73
<b>Northwest Henn Human Svcs</b> '06 Leadership Serv agreement	\$1,500.00	80805	\$1,500.00
<b>Ochs, Tammy</b> Park and Rec Refund	\$11.00	80695	\$11.00
<b>Office Depot</b> Staple rmvr/compct staplr	\$28.21	80696	\$28.21
<b>Office Depot</b> USB attache Dual cartridge/bent scissors Badge clip Coffe pump pot,doorstop,alarm Crmr,Sgr,Sweetnlow,strg cntrs Astrobrt paper/cvr stk-4 Felt marker/binder/pip private	\$50.12 \$56.39 \$2.90 \$224.92 \$162.09 \$29.35 \$8.22	80806	\$767.39

Organizer/corr tape/stapler/ds	\$58.59		
Flair pens	\$8.73		
Pencil pouch/binder	\$22.56		
Ink stamp/adhesive/dsk directo	\$24.20		
Marker cd/dvd	\$5.57		
Binder clip/env/note pad/push	\$48.05		
Storage file	\$65.70		
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<b>Office of Enterprise Technolog</b>			
Feb06 PD Interpruter	\$83.51	80807	\$83.51
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<b>Olson, Barbara</b>			
Park and Rec Refund	\$11.00	80697	\$11.00
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<b>On Site Sanitation</b>			
2.11/3.10.06 Ridgemount plyfld	\$57.93	80809	\$360.16
2.11/3.10 Parkers Bch 1	\$244.30		
2.11/3.10.06 Dog Park	\$57.93		
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<b>Open Your Heart</b>			
Payroll Generated Invoice	\$1.00	80698	\$19.00
Payroll Generated Invoice	\$1.00		
Payroll Generated Invoice	\$5.00		
Payroll Generated Invoice	\$5.00		
Payroll Generated Invoice	\$6.00		
Payroll Generated Invoice	\$1.00		
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<b>Orbit Courier</b>			
3.15.06 To: Astleford	\$14.25	80810	\$14.25
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<b>Owens Services Inc.</b>			
Apr-Jun06 FS123 serv contract	\$1,043.00	80811	\$8,018.52
Apr-Jun06 Lacompte/Pavilion sv	\$125.00		
Apr-Jun06 PCC serv contract	\$834.75		
Apr-Jun06 CC service contract	\$2,084.25		
Apr-Jun06 Dome serv contract	\$347.00		
FS3 Radiant heat problem	\$1,019.52		
Apr-Jun06 PW service contract	\$1,271.25		
Apr-Jun06 PS service contract	\$1,293.75		
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<b>PRISM</b>			
'06 Contribution	\$14,000.00	80813	\$14,000.00
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<b>Park Nicollet Clinic</b>			
12.9/3.9.06 Empl Phys,MRO's	\$3,249.95	80857	\$3,249.95
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<b>Pearson Bros Inc</b>			
'05 #2/Final Seal Coat	\$9,276.04	80814	\$9,276.04
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<b>Perbix, Mary</b>			
Feb06 Twined rag rug weaving c	\$175.00	80689	\$175.00
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<b>Peterson, Cory</b>			
3.19/3.22 4 meals Ind.conf	\$97.62	80741	\$97.62
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<b>Plekkenpol, Daniel</b>			
Hpn Cnty Chfs mtg 1.5.06 lunch	\$13.00	80665	\$39.00
Hpn Cnty Cfs mtg 2.2.06 lunch	\$13.00		
Hpn Cnty Chfs mtg 3.2.06 lunch	\$13.00		
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<b>Professional Aquarium Mnt Inc</b>			
Mar06 PCC Aquarium maint +	\$414.78	80815	\$414.78
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<b>Qwest</b>			
Mar06 L Olson PD investigation	\$101.11	80699	\$101.11
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<b>Qwest</b>			
Mar06 FS 2 DSL	\$89.49	80816	\$170.61

Mar06 FS 1 DSL	\$81.12		
<b>R M R Services Inc</b> Feb06 6043 Meter reads	\$2,719.35	80817	\$2,719.35
<b>Ramsey County Sheriff's Dept</b> W#T702032030 R603363 bail	\$300.00	80700	\$300.00
<b>Reed Business Information</b> Proj5120 3.3.06 legal ad Proj5124 3.3.06 legal ad	\$118.72 \$122.96	80818	\$241.68
<b>S T S Consultants, Ltd.</b> Proj6104 retaining wall	\$3,830.00	80820	\$3,830.00
<b>SRF Consulting Group, Inc.</b> Proj6126 2.28.06 Proj6129 2.28.06	\$5,377.14 \$4,840.31	80705	\$10,217.45
<b>SRF Consulting Group, Inc.</b> Proj4130 Jan06 Taryn Trfc stdy	\$750.00	80821	\$750.00
<b>Schubert, Jo</b> 3.9.06 EQ Fair/String Beans	\$100.00	80774	\$100.00
<b>Selectaccount</b> Mar06 Participant	\$477.75	80822	\$477.75
<b>Sellnow, Bobbi Jo</b> Park and Rec Refund	\$8.70	80823	\$8.70
<b>Senior Community Services</b> '06 Sr Outreach '06 Sr HOME serv agreement	\$14,500.00 \$6,300.00	80824	\$20,800.00
<b>Short-Elliott-Hendrickson</b> Proj4143 Feb06	\$360.51	80707	\$360.51
<b>Short-Elliott-Hendrickson</b> Proj3126 Feb06	\$774.18	80826	\$774.18
<b>Shred N Go</b> 3-15 scheduled service	\$58.00	80708	\$58.00
<b>Snap-On Tools</b> Hose clamp/torx bits	\$84.99	80709	\$84.99
<b>SourceOne Graphics Inc</b> 3 8x8 engraved,6 Council Chmbr	\$311.17	80827	\$311.17
<b>Sowder Design &amp; Development</b> Proj3134 bldg signs	\$3,004.90	80828	\$3,004.90
<b>Sprint</b> 2.15/3.14 13PD cmprtr,3SW cards	\$753.37	80829	\$753.37
<b>St Louis Park HRA</b> Aug'03/Sep'04 HAP Adjustmnts	\$799.49	80830	\$799.49
<b>St. Croix Eclectic</b> Park and Rec Refund	\$40.50	80710	\$40.50
<b>Streicher's Inc</b> 3 volt lithium 3bx /3bx .38 spec prac 158gr	\$18.85 \$504.81	80832	\$845.30

9mm training ammo	\$67.10		
Hobble snap clip J Christianso	\$254.54		
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<b>Sudtelgte, Margaret</b>			
Park and Rec Refund	\$1.00	80711	\$1.00
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<b>Sun Newspapers/Notices</b>			
Proj 5120 Bids for brick signs	\$91.16	80833	\$495.14
Proj 6106 Street reconstructio	\$235.95		
PM uniforms bid	\$50.05		
Proj 5124 Cty Rd 6 Wtr twr reh	\$117.98		
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<b>Superior Ford, Inc.</b>			
Shaft as	\$68.54	80834	\$990.86
Repair steering #132	\$922.32		
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<b>Supreme Building Maintenance</b>			
Mar06 Janitorial	\$11,367.65	80835	\$11,367.65
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<b>TKDA &amp; Associates Inc</b>			
Feb06 Leak Locates/survey	\$666.75	80836	\$666.75
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<b>Teens Alone</b>			
'06 Service Agreement	\$2,000.00	80837	\$2,000.00
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<b>The Tape Company</b>			
50 60min DV Tape	\$144.50	80840	\$144.50
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<b>Tobin, Joan</b>			
Park and Rec Refund	\$45.00	80842	\$45.00
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<b>Toll Company</b>			
Placard flammable	\$1.28	80843	\$1.28
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<b>Total Control Systems Inc</b>			
Proj2032 Control syst work	\$5,265.40	80844	\$5,265.40
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<b>Twinwest Chamber of Commerce</b>			
G Black Mar03 Legl brkfst	\$25.00	80845	\$25.00
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<b>United Rentals</b>			
3.9.06 8 Safety School registr	\$319.60	80846	\$599.25
3.9.06 7 Safety School Registr	\$279.65		
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<b>United Way of Mpls</b>			
Payroll Generated Invoice	\$6.50	80712	\$102.43
Payroll Generated Invoice	\$4.00		
Payroll Generated Invoice	\$12.93		
Payroll Generated Invoice	\$4.00		
Payroll Generated Invoice	\$10.00		
Payroll Generated Invoice	\$5.00		
Payroll Generated Invoice	\$5.00		
Payroll Generated Invoice	\$3.00		
Payroll Generated Invoice	\$1.00		
Payroll Generated Invoice	\$10.00		
Payroll Generated Invoice	\$1.00		
Payroll Generated Invoice	\$4.00		
Payroll Generated Invoice	\$5.00		
Payroll Generated Invoice	\$1.00		
Payroll Generated Invoice	\$10.00		
Payroll Generated Invoice	\$12.00		
Payroll Generated Invoice	\$8.00		
<hr/>			
<b>Verizon Wireless</b>			
Mar06 Aerial 21	\$8.30	80847	\$52.31
Mar06 Rescue Vehicle 11	\$6.14		
Mar06 Rescue 11 Fax	\$6.14		
Mar06 Yard Waste	\$8.30		

Mar06 Tufte,Ahrens	\$21.24		
Mar06 IT Spare 590.8964	\$2.19		
<b>Viking Discount Blinds</b>			
Proj2032 Blinds for windows	\$1,841.60	80848	\$1,841.60
<b>Viking Trophies</b>			
2-8" oval male bsktball resin	\$99.36	80849	\$99.36
<b>Waste Management Services</b>			
Feb06 Dropoff-curb side -Jan06	\$26,848.50	80850	\$26,848.50
<b>Watson Company</b>			
IC Concession food resupply	\$743.78	80851	\$743.78
<b>Weir, Terry</b>			
#48 3.21.06 mailbox damage	\$50.00	80839	\$50.00
<b>Wichman, Dorothy</b>			
Park and Rec Refund	\$1.00	80713	\$1.00
<b>Xcel Energy</b>			
Mar06 Wells & Treatmnt Plants	\$26,237.01	80714	\$27,576.94
Mar06 Parks	\$1,339.93		
<b>Xcel Energy</b>			
Mar06 Traffic Signal	\$3,074.13	80852	\$14,460.94
Mar06 Lift Stations	\$11,315.24		
Mar06 Defense Siren	\$63.60		
1605 Troy/2.20/3.21Mooney Pump	\$7.97		
<b>Zarnoth Brush Works</b>			
24 disp gutter brm,4 refills,2	\$3,955.41	80853	\$3,955.41
<b>TOTAL AMOUNT:</b>			<b>\$1,367,111.88</b>

Agenda Number: 6.03

**CITY OF PLYMOUTH**  
**CITY COUNCIL AGENDA REPORT**

**TO:** Laurie Ahrens, City Manager

**FROM:** Joshua Doty, Planner (509-5453) through Anne  Hurlburt, Community Development Director

**SUBJECT:** **Calhoun Development.** Final Plat and development contract for "Larkin Pond", a subdivision of 4 lots for single-family dwellings, for property located at 1010 Harbor Lane North **(2005078-F)**

**REVIEW DEADLINE:** May 14, 2006

**DATE:** March 31, 2006 for the City Council Meeting of April 11, 2006

**1. PROPOSED MOTION:**

Move to adopt a resolution approving the final plat and development contract for "Larkin Pond".

The applicant is required to execute and return the development contract that staff prepared as a contingency of approval.

Approval of a final plat, development contract and assessment resolution requires a 4/7 vote of the City Council.

**2. BACKGROUND:**

The City Council approved a preliminary plat to subdivide the 5.7-acre parcel into four lots for single-family homes on October 11, 2005. This final plat consists of four lots.

The Development Review Committee has found the final plat application to be in conformance with the approved preliminary plat.

**3. RECOMMENDATION:**

Community Development Department staff recommends adoption of a resolution approving the final plat and development contract for "Larkin Pond".

**ATTACHMENTS:**

1. Development Contract
2. Applicant's Narrative
3. Location Map
4. Approved Preliminary Plat
5. Final Plat
6. Resolution Approving Final Plat and Development Contract

*(reserved for recording information)*

## **DEVELOPMENT CONTRACT**

*(Developer Installed Improvements)*

### **LARKIN POND (2005078F)**

**AGREEMENT** dated \_\_\_\_\_, 20\_\_, by and between the **CITY OF PLYMOUTH**, a Minnesota municipal corporation ("City"), and Floyd Calhoun Developments Larkin Pond, LLC (the "Developer").

1. **REQUEST FOR PLAT APPROVAL.** The Developer has asked the City to approve a plat for Larkin Pond (referred to in this Contract as the "plat"). The land is situated in the County of Hennepin, State of Minnesota, and is legally described as:  

Lot 1 and that part of Lot 2 lying North of the South 130 feet thereof, Block 1, Glen Grove Acres, Hennepin County, Minnesota
2. **CONDITIONS OF PLAT APPROVAL.** The City hereby approves the plat on condition that the Developer enter into this Contract, furnish the security required by it, and record the plat with the County Recorder or Registrar of Titles within (180) days after the City Council approves the final plat.
3. **RIGHT TO PROCEED.** Unless separate written approval has been given by the City, within the plat or land to be platted, the Developer may not grade or otherwise disturb the earth, remove trees, construct sewer lines, water lines, streets, utilities, public or private improvements, or any buildings until all the following conditions have been satisfied: 1) this agreement has been fully executed by both parties and filed with the City Clerk, 2) the necessary security has been received by the City, 3) the plat has been recorded with the Hennepin County Recorder's Office, and 4) the City's Community Development Director has issued a letter that all conditions have been satisfied and that the Developer may proceed.
4. **CHANGES IN OFFICIAL CONTROLS.** For two (2) years from the date of this Contract, no amendments to the City's Comprehensive Plan or official controls shall apply to or affect the use, development density, lot size, lot layout or dedications of the approved final plat unless required by

state or federal law or agreed to in writing by the City and the Developer. Thereafter, notwithstanding anything in this Contract to the contrary, to the full extent permitted by state law, the City may require compliance with any amendments to the City's Comprehensive Plan, official controls, platting or dedication requirements enacted after the date of this Contract.

5. **DEVELOPMENT PLANS.** The plat shall be developed in accordance with the following plans. The plans shall not be attached to this Contract. If the plans vary from the written terms of this Contract, the written terms shall control. The plans are:

Plan A - Plat  
Plan B - Final Grading, Drainage, and Erosion Control Plan  
Plan C - Tree Preservation and Reforestation Plan  
Plan D - Plans and Specifications for Public Improvements  
Plan E - Street Lighting Plan  
Plan F - Landscape Plan  
Plan G - Permanent Traffic Control Plan

6. **IMPROVEMENTS.** The Developer shall install and pay for the following:

A. Streets  
B. Sanitary Sewer  
C. Watermain  
D. Surface Water Facilities (pipe, ponds, rain gardens, etc.)  
E. Grading and Erosion Control  
F. Sidewalks/Trails  
G. Street Lighting  
H. Underground Utilities  
I. Street Signs and Traffic Control Signs  
J. Landscaping Required by Section 21130.03 of the Zoning Ordinance  
K. Tree Preservation and Reforestation  
L. Wetland Mitigation and Buffers  
M. Monuments Required by Minnesota Statutes  
N. Miscellaneous Facilities

The improvements shall be installed in accordance with the City subdivision ordinance and the City's Engineering Guidelines. The Developer shall submit plans and specifications which have been prepared by a competent registered professional engineer to the City for approval by the City Engineer. The Developer shall instruct its engineer to provide adequate field inspection personnel to assure an acceptable level of quality control to the extent that the Developer's engineer will be able to certify that the construction work meets the approved City standards as a condition of City acceptance. In addition, the City may, at the City's discretion and at the Developer's expense, have one or more City inspectors and a soil engineer inspect the work on a full or part-time basis. The Developer, its contractors and subcontractors, shall follow all instructions received from the City's inspectors. The Developer's engineer shall provide for on-site project management. The Developer's engineer is responsible for design changes and contract administration between the Developer and the Developer's contractor. The Developer or his engineer shall schedule a pre-construction meeting at a mutually agreeable time at the City Hall with all parties concerned, including the City staff, to review the program for the construction work.

All labor and work shall be done and performed in the best and most workmanlike manner and in strict conformance with the approved plans and specifications. No deviations from the approved plans and specifications will be permitted unless approved in writing by the City Engineer. The Developer agrees to furnish to the City a list of contractors being considered for retention by the Developer for the performance of the work required by the Contract. The Developer shall not do any work or furnish any materials not covered by the plans and specifications and special conditions of this Contract, for which reimbursement is expected from the City, unless such work is first approved in writing by the City Engineer.

7. **ADMINISTRATION OF DEVELOPMENT CONTRACT.** The Developer shall pay to the City of Plymouth the costs of administering the Development Contract. Administrative costs include but are not limited to monitoring of construction observation, consultation with Developer and his/her engineer on status or problems regarding the project, plan review, coordination for testing, final inspection and acceptance, project monitoring during the warranty period, and processing of requests for reduction in security, for all public improvements covered by the development contract. The fee for administrative costs is \$3,996.52.
8. **CONTRACTORS/SUBCONTRACTORS.** City Council members, City employees, and City Planning Commission members, and corporations, partnerships, and other entities in which such individuals have greater than a 25% ownership interest or in which they are an officer or director may not act as contractors or subcontractors for the public improvements identified in Paragraph 8 above.
9. **PERMITS.** The Developer shall obtain or require its contractors and subcontractors to obtain all necessary permits, including but not limited to:
  - *Minnesota Department of Health for Watermains*
  - *NPDES Permits*
  - *MPCA for Sanitary Sewer and Hazardous Material Removal and Disposal*
  - *MnDNR for Dewatering and Work in Protected Waters*
  - *City of Plymouth for Building Permits*
  - *MCES for Sanitary Sewer Connections*
  - *City of Plymouth's Right-of-Way Permit*
10. **TIME OF PERFORMANCE.** The Developer shall install all required public improvements by October 31, 2007, with the exception of the final wear course of asphalt on streets. The Developer shall have the option of installing the wearing course of streets within one (1) year following initial commencement of work on the required basic improvements or installing it after the first course has weathered a winter season, consistent with warranty requirements. The Developer may, however, request an extension of time from the City. If an extension is granted, it shall be conditioned upon updating the security posted by the Developer to reflect cost increases and the extended completion date. Final wear course placement outside of this time frame must have the written approval of the City Engineer.
11. **LICENSE.** The Developer hereby grants the City, its agents, employees, officers and contractors a license to enter the plat to perform all work and inspections deemed appropriate by the City in conjunction with plat development.

12. **CONSTRUCTION ACCESS.** Construction traffic access and egress for grading, public utility construction, and street construction is restricted to access the subdivision via Harbor Lane North. No construction traffic is permitted on other adjacent local streets.
13. **GRADING PLAN.** The plat shall be graded in accordance with the approved Grading Drainage and Erosion Control Plan, Plan "B". The plan shall conform to City of Plymouth standards. Within thirty (30) days after completion of the grading, the Developer shall provide the City with a "record" grading plan certified by a registered land surveyor or engineer that all ponds, swales, and ditches have been constructed on public easements or land owned by the City. The "record" plan shall contain site grades and field verified elevations of the following: a) cross sections of ponds; b) location and elevations along all swales, emergency overflows, wetlands, wetland mitigation areas if any, ditches, locations and dimensions of borrow areas/stockpiles; c) lot corner elevations and house pads; d) top and bottom of retaining walls.

All lots with house footings placed on fill must be monitored and constructed to meet or exceed FHA/HUD 79G specifications. The developer must certify that this has been done correctly.

14. **EROSION CONTROL.** Prior to initiating site grading, the Erosion Control Plan, Plan B, shall be implemented by the Developer and inspected and approved by the City. Erosion control practices must comply with the Minnesota Pollution Control Agency's Best Management Practices. The City may impose additional erosion control requirements if they would be beneficial. All areas disturbed by the excavation and backfilling operations shall be reseeded within 48 hours after the completion of the work or in an area that is inactive for more than five (5) days unless authorized and approved by the City Engineer in writing. Except as otherwise provided in the erosion control plan, seed shall be in accordance with the City's current seeding standards. All seeded areas shall be fertilized, mulched, and disc anchored as necessary for seed retention. The parties recognize that time is of the essence in controlling erosion. If the Developer does not comply with the erosion control plan and schedule or supplementary instructions received from the City, the City may take such action as it deems appropriate to control erosion at the Developer's expense. The City will endeavor to notify the Developer in advance of any proposed action, but failure of the City to do so will not affect the Developer's and City's rights or obligations hereunder. If the Developer does not reimburse the City for any cost the City incurred for such work within ten (10) days, the City may draw down the security to pay any costs. No development, utility or street construction will be allowed and no building permits will be issued unless the plat is in full compliance with the approved erosion control plan.
15. **STREET MAINTENANCE DURING CONSTRUCTION.** The Developer shall be responsible for all street maintenance until the streets are accepted by the City. Warning signs shall be placed when hazards develop in streets to prevent the public from traveling on same and to direct attention to detours. If and when streets become impassable, such streets shall be barricaded and closed. In the event residences are occupied prior to completing streets, the Developer shall maintain a smooth surface and provide proper surface drainage to insure that the streets are passable to traffic and emergency vehicles. The Developer shall be responsible for keeping streets within and without the subdivision swept clean of dirt and debris that may spill, track, or wash onto the street from Developer's operation. The Developer may request, in writing, that the City keep the streets open during the winter months by plowing snow from the streets prior to final acceptance of said streets. The City shall not be responsible for repairing damage in the development because of snow plowing

operations. Providing snow plowing service does not constitute final acceptance of the streets by the City. The Developer shall contract for street cleaning within and immediately adjacent to the development. At a minimum, scraping and sweeping shall take place on a weekly basis. A copy of this contract shall be approved by the City before grading is started. The contract shall provide that the City may direct the contractor to clean the streets and bill the Developer.

16. **OWNERSHIP OF IMPROVEMENTS.** Upon completion of the work and construction required by this Contract, the improvements lying within public easements or right-of-way shall become City property. Prior to acceptance of the improvements by the City, the Developer must furnish the following affidavits:

- Contractor's Certificate
- Engineer's Certificate
- Land Surveyor's Certificate
- Developer's Certificate

certifying that all construction has been completed in accordance with the terms of this Contract. All necessary forms will be furnished by the City of Plymouth. Upon receipt of affidavits and verification by the City Engineer, the City Engineer will accept the completed public improvements. Prior to acceptance of the improvements, the Developer shall supply the City with a complete set of reproducible mylar "record" plans, and an electronic file of the "record" plans in an AutoCad .DWG file or a .DXF file prepared in accordance with City standards.

17. **PARK DEDICATION.** The Developer shall pay a cash contribution of \$16,000 in satisfaction of the City's park dedication requirements. The charge was calculated in accordance with Section 528 of the City's Subdivision Regulations. The cash fee shall be payable prior to the City's release of the signed final plat mylars. The park dedication fee shall be calculated based on the "maximum cash payment per dwelling unit" in effect at the time the final plat is recorded. The "maximum payment per dwelling unit" is adjusted annually.

18. **BUILDING PERMITS/CERTIFICATES OF OCCUPANCY.**

- A. No building permits shall be issued until a contract has been awarded for sewer and water and the MPCA Permit has been issued. Prior to issuance of building permits, except those identified in Section 25.F, curbing, and one lift of asphalt shall be installed on all public and private streets serving the subject lot.
- B. Prior to issuance of building permits, wetland buffer monuments shall be placed in accordance with the City's zoning ordinance. The monument design shall be approved by the Community Development Department.
- C. Prior to issuance of building permits, written certification of the grading for the block where the building is to be located must be provided to the City.
- D. Breach of the terms of this Contract by the Developer, including nonpayment of billings from the City, shall be grounds for denial of building permits, including lots sold to third parties, and the halting of all work in the plat.

- E. If building permits are issued prior to the acceptance of public improvements, the Developer assumes all liability and costs resulting in delays in completion of public improvements and damage to public improvements caused by the City, Developer, their contractors, subcontractors, materialmen, employees, agents, or third parties. No sewer and water connection permits may be issued until the streets needed for access have been paved with a bituminous surface and the utilities are tested and approved by the City Engineer.
- F. After the plat is recorded and written certification of the grading for the block where the building is to be located, a building permit for one model home will be issued on a lot acceptable to the Building Official after building permit review and approval. For this action, the developer shall indemnify the City and hold the City harmless from any resulting property damage, personal injury or death or costs incurred by the City including reasonable attorney's fee except for the willful misconduct or gross negligence of the City. No sewer and water connection permits will be issued until the streets needed for access to each model home have been paved with a bituminous surface and the utilities are tested and approved by the City Engineer. No certificates of occupancy shall be issued until sewer and water service is provided to these model homes.

19. **STREET REGULATORY SIGNS/TRAFFIC CONTROL SIGNS** Street name signs shall be installed by the Developer. The signs shall be placed at all intersections or at such other locations as designated by the City Engineer. All street name signs must be installed prior to final building inspection approval.

The Developer shall install traffic control signs in accordance with the plan approved by the City Engineer and Minnesota Manual of Uniform Traffic Control Devices (MMUTCD). All signs must be installed prior to final building inspection approval or earlier if necessary as determined by the City Engineer.

20. **STREET LIGHT OPERATION COSTS.** The developer shall pay to the City the energy cost for the first two years of operation. Two (2) lights at a yearly cost of \$392.00 per year and a two year cost of \$784.00. The cost includes contingencies at \$1.20 per lot per year and sales tax. After the first two years the street lights will be billed on a bimonthly basis to all the lots in the addition, a total of four (4) lots, which results in an estimated cost of \$16.33 per lot per billing period. The rate quoted above is dependent upon the operation costs for Xcel Energy under contract franchise with the City of Plymouth.

21. **RESPONSIBILITY FOR COSTS.**

- A. In the event that the City receives claims from labor, materialmen, or others that work required by this Contract has been performed, the sums due them have not been paid, and the laborers, materialmen, or others are seeking payment from the City, the Developer hereby authorizes the City to commence an Interpleader action pursuant to Rule 22, Minnesota Rules of Civil Procedure for the District Courts, to draw upon the letters of credit in an amount up to 125 percent of the claim(s) and deposit the funds in compliance with the Rule, and upon such deposit, the Developer shall release, discharge, and dismiss the City from any further proceedings as it pertains to the letters of credit deposited with the District Court, except that the Court shall retain jurisdiction to determine attorneys' fees pursuant to this Contract.

- B. Except as otherwise specified herein, the Developer shall pay all costs incurred by it or the City in conjunction with the development of the plat, including but not limited to legal, planning, engineering and inspection expenses incurred in connection with approval and acceptance of the plat, the preparation of this Contract, review of construction plans and documents, and all costs and expenses incurred by the City in monitoring and inspecting development of the plat.
- C. The Developer shall hold the City and its officers, employees, and agents harmless from claims made by itself and third parties for damages sustained or costs incurred resulting from plat approval and development. The Developer shall indemnify the City and its officers, employees, and agents for all costs, damages, or expenses which the City may pay or incur in consequence of such claims, including attorneys' fees.
- D. The Developer shall reimburse the City for costs incurred in the enforcement of this Contract, including engineering and attorneys' fees.
- E. The Developer shall pay, or cause to be paid when due, and in any event before any penalty is attached, all special assessments referred to in this Contract. This is a personal obligation of the Developer and shall continue in full force and effect even if the Developer sells one or more lots, the entire plat, or any part of it.
- F. The Developer shall pay in full all bills submitted to it by the City for obligations incurred under this Contract within thirty (30) days after receipt. Bills not paid within thirty (30) days shall accrue interest at the rate of eight percent (8%) per year.
- G. In addition to the charges and special assessments referred to herein, other charges and special assessments may be imposed such as but not limited to sewer availability charges ("SAC"), City water connection charges, City sewer connection charges, and building permit fees.

**22. SPECIAL PROVISIONS.** The following special provisions shall apply to plat development:

- A. The Developer shall post a \$1,900 security for the final placement of all subdivision iron monuments. The security was calculated as follows: 19 irons at \$100.00 per iron. The security will be held by the City until the Developer's land surveyor certifies that all irons have been set following site grading and utility and street construction. In addition, the certificate of survey must also include a certification that all irons for a specific lot have either been found or set prior to the issuance of a building permit for that lot.
- B. The Developer must obtain a sign permit from the City Building Official prior to installation of any subdivision identification signs.
- C. Other Requirements:
  1. All hazardous trees shall be removed from the property at the owner's expense.
  2. No building permits shall be issued until the final plat is filed and recorded with Hennepin County.
  3. The watermain shall be looped through the development.

4. Access shall be denied to all adjacent properties south of the subject site
5. No parking signage shall be installed at the location of turnaround.
6. Prior to the issuance of a grading permit, the applicant shall install tree preservation fencing and such fencing shall be inspected and approved by City staff.
7. Prior to recording the final plat, the applicant shall receive approval of the fire flow calculations.
8. Prior to issuance of a grading permit, the applicant shall revise the plans in conformance with the Engineering Guidelines and as follows:
  - a.) Minimum floor elevations: Lots 1-4 Block 1 = 940.3.
  - b.) Show locations of wetland monument signs on the grading plan.
  - c.) Add a signature line for the City Engineer to the final plat mylars.
  - d.) Additional drainage and utility easement is required for Lot 1, Block 1 up to elevation 938.3. Show on mylar final plat and grading plan.
  - e.) On page C4.3 Identify curb type. B6-18 is required for east edge of 10<sup>th</sup> Avenue adjacent to storm sewer inlets.
  - f.) All off-site grading requires written approval from the affected private property owners.
  - g.) Revise the connection for the existing driveway and trail on the west side of the site to allow adequate driveway access including width and grades. Replace ribbon curb with concrete cross gutter per city detail STRT-11.
  - h.) Remove curb depression detail 9 on page C7.3. Use City detail STRT-6 for pedestrian curb ramp.
  - i.) Revise City detail W-1 updated in March 2006.
  - j.) Trees must be planted at least 10 feet away from all pipes.
  - k.) Revise City detail ST-3 to tie the last 6 joints on the storm sewer inlet and outlet pipes.
  - l.) The lowest opening for Lot 9, Block 1, Harbor Woods must be 1.5-feet higher than the emergency overflow elevation of 946.5 located south of 10<sup>th</sup> Avenue North.
9. Prior to recoding the final plat, the following easements are required:
  - a.) Standard drainage and utility easements (on the final plat): 1) a 10-foot drainage and utility easement adjacent to the street right-of-way, 2) a 6-foot easement for all side and rear property lines, 3) A 20-foot drainage and utility easement for the storm sewer pipe to the NURP pond, as well as the outlet control structure, 4) a drainage and utility easement to the NURP pond high water level, and 5) a drainage and utility easement for the wetland south of the Luce Line Trail as shown on the Preliminary Plat dated June 23, 2005.

- b.) Access easements (separate documents): a 15-foot access easement for maintenance to the NURP pond. The grade in the access area shall not exceed 15 percent and no plantings are permitted in the area.
- 10. Prior to recording the final plat, the applicant shall remove the existing homes and accessory buildings (garages and sheds) from the property currently addressed as 1010 Harbor Lane North. The appropriate permits shall be required prior to removal of the structures.
- 11. Prior to issuance of building permits, permanent wetland buffer monument signs must be installed pursuant to ordinance requirements.

### 23. MISCELLANEOUS.

- A. The Developer may not assign this Contract without the written permission of the City Council. The Developer's obligation hereunder shall continue in full force and effect even if the Developer sells one or more lots, the entire plat, or any part of it.
- B. Certain retaining walls will require a Building Permit. Retaining walls that require a building permit shall be constructed in accordance with plans and specifications prepared by a structural or geotechnical engineer licensed by the State of Minnesota. Following construction, a certification signed by the design engineer shall be filed with the Building Official evidencing that the retaining wall was constructed in accordance with the approved plans and specifications. All retaining walls identified on the development plans or by special conditions referred to in this Contract shall be constructed before any other building permit is issued for a lot on which a retaining wall is required to be built.
- C. Appropriate legal documents regarding Homeowner Association documents, covenants and restrictions, as approved by the City Attorney, shall be filed with the Final Plat.
- D. Developer shall take out and maintain or cause to be taken out and maintained until six (6) months after the City has accepted the public improvements, public liability and property damage insurance covering personal injury, including death, and claims for property damage which may arise out of Developer's work or the work of its subcontractors or by one directly or indirectly employed by any of them. Limits for bodily injury and death shall be not less than \$500,000 for one person and \$1,000,000 for each occurrence; limits for property damage shall be not less than \$200,000 for each occurrence; or a combination single limit policy of \$1,000,000 or more. The City shall be named as an additional insured on the policy, and the Developer shall file with the City a certificate evidencing coverage prior to the City signing the plat. The certificate shall provide that the City must be given thirty (30) days advance written notice of the cancellation of the insurance.
- E. Third parties shall have no recourse against the City under this Contract.
- F. If any portion, section, subsection, sentence, clause, paragraph, or phrase of this Contract is for any reason held invalid, such decision shall not affect the validity of the remaining portion of this Contract.

- G. The action or inaction of the City shall not constitute a waiver or amendment to the provisions of this Contract. To be binding, amendments or waivers shall be in writing, signed by the parties and approved by written resolution of the City Council. The City's failure to promptly take legal action to enforce this Contract shall not be a waiver or release.
- H. This Contract shall run with the land and may be recorded against the title to the property. The Developer covenants with the City, its successors and assigns, that the Developer has fee title to the property being final platted and/or has obtained consents to this Contract, in the form attached hereto, from all parties who have an interest in the property; that there are no unrecorded interests in the property being final platted; and that the Developer will indemnify and hold the City harmless for any breach of the foregoing covenants.
- I. Each right, power or remedy herein conferred upon the City is cumulative and in addition to every other right, power or remedy, express or implied, now or hereafter arising, available to City, at law or in equity, or under any other agreement, and each and every right, power and remedy herein set forth or otherwise so existing may be exercised from time to time as often and in such order as may be deemed expedient by the City and shall not be a waiver of the right to exercise at any time thereafter any other right, power or remedy.
- J. The Developer represents to the City that the plat complies with all city, county, metropolitan, state, and federal laws and regulations, including but not limited to: subdivision ordinances, zoning ordinances, and environmental regulations. If the City determines that the plat does not comply, the City may, at its option, refuse to allow construction or development work in the plat until the Developer does comply. Upon the City's demand, the Developer shall cease work until there is compliance.

**24. DEVELOPER'S DEFAULT.** In the event of default by the Developer as to any of the work to be performed by it hereunder, the City may, at its option, perform the work and the Developer shall promptly reimburse the City for any expense incurred by the City, provided the Developer, except in an emergency as determined by the City, is first given notice of the work in default, not less than forty-eight (48) hours in advance. This Contract is a license for the City to act, and it shall not be necessary for the City to seek a Court order for permission to enter the land. When the City does any such work, the City may, in addition to its other remedies, assess the cost in whole or in part.

**25. WARRANTY.** The Developer warrants all improvements required to be constructed by it pursuant to this Contract against poor material and faulty workmanship. The Developer shall submit either 1) a warranty/maintenance bond for 100% of the cost of the improvement, or 2) a letter of credit for twenty-five percent (25%) of the amount of the original cost of the improvements.

- A. The required warranty period for materials and workmanship for the utility contractor installing public sewer and water mains shall be two (2) years from the date of final written City acceptance of the work.
- B. The required warranty period for all work relating to street construction, including concrete curb and gutter, sidewalks and trails, materials and equipment shall be subject to one (1) year from the date of final written acceptance, unless the wearing course is placed during the same construction season as the bituminous base course. In those

instances, the subdivider shall guarantee all work, including street construction, concrete curb and gutter, sidewalks and trails, material and equipment for a period of two (2) years from the date of final written City acceptance of the work.

C. The required warranty period for sod, trees, and landscaping is one growing season following installation.

26. **SUMMARY OF SECURITY REQUIREMENTS.** To guarantee compliance with the terms of this agreement, payment of special assessments, payment of the costs of all public improvements, and construction of all public improvements, the Developer shall furnish the City with a letter of credit, in the form attached hereto, from a bank, cash escrow or a combination cash escrow and Letter of Credit ("security") for \$290,550. The amount of the security was calculated as follows:

**ESTIMATED COSTS**

ITEM	Developer		Total
	Installed (1)	Private (2)	
Street Construction	\$70,885	\$0	\$70,885
Sanitary Sewer System	22,518	0	22,518
Watermain System	12,730	0	12,730
Storm Sewer System	36,600	0	36,600
Boulevard and Drainage Swale Sod	0	1,000	1,000
NURP Pond	0	5,000	5,000
Street Lights	0	4,800	4,800
Signs	0	2,900	2,900
Side Walk, Ped Ramps, & Bit Trail Connection	0	16,137	16,137
Landscaping Improvements	0	18,315	18,315
Site Grading , Drainage Imp., & Site Demolition	0	66,635	66,635
Setting Iron Monuments	0	1,900	1,900
<b>SUB-TOTAL:</b>	<b>142,733</b>	<b>116,687</b>	<b>259,420</b>
Design, Admin., Insp., As-Builts, Fire Plan	17,128	14,002	31,130
<b>Total:</b>	<b>\$159,861</b>	<b>\$130,689</b>	<b>\$290,550</b>

- (1) Developer Installed Public Improvements. City to own and maintain after development complete.
- (2) Private - Property owner and/or property owners' association to maintain after development completed.

	Letter of Credit	Cash
Erosion Control @ \$1,500/acre of which \$1,000 is Cash and the remainder is a letter of credit in the amount of	\$23,000	\$1,000
Wetland Mitigation And Restoration will be held for a five year monitoring period.	\$0	\$0
Tree Preservation and Reforestation Letter of Credit	\$9,775	\$0

This breakdown is for historical reference; it is not a restriction on the use of the security. The bank shall be subject to the approval of the City Manager. The City may draw down the security, without notice, for any violation of the terms of this Contract or if the security is allowed to lapse prior to the end of the required term. If the required public improvements are not completed at least thirty (30) days prior to the expiration of the security, the City may also draw it down. If the security is drawn down, the proceeds shall be used to cure the default. Upon receipt of proof satisfactory to the City Engineer that work has been completed and financial obligations to the City have been satisfied, with City Engineer approval the security may be reduced from time to time by eighty percent (80%) of the financial obligations that have been satisfied. Twenty percent (20%) of the amounts certified by the Developer's engineer shall be retained as security until: (1) all improvements have been completed, (2) iron monuments for lot corners have been installed, (3) all financial obligations to the City satisfied, (4) the required "record" plans have been received by the City, (5) a warranty security is provided, and (6) the public improvements are accepted by the City.

27. **SUMMARY OF CASH REQUIREMENTS.** The following is a summary of the cash requirements under this Contract which must be furnished to the City at the time of final plat approval:

Park Dedication	\$ 16,000.00
Street Light Operating Fee	<u>784.00</u>
Administration of Development Contract	<u>3,996.52</u>
<b>TOTAL CASH REQUIREMENTS LEVIED:</b>	<b>\$ <u>20,780.52</u></b>

28. **NOTICES.** Required notices to the Developer shall be in writing, and shall be either hand delivered to the Developer, its employees or agents, or mailed to the Developer by certified mail at the following address:

Floyd Calhoun Development  
7825 Washington Avenue South #120  
Edina, MN 55349

29. Notices to the City shall be in writing and shall be either hand delivered to the City Manager, or mailed to the City by certified mail in care of the City Manager at the following address: Plymouth City Hall, 3400 Plymouth Boulevard, Plymouth, MN 55447.

The Developer shall notify the City within five (5) days of change of address.

**CITY OF PLYMOUTH**

BY: \_\_\_\_\_  
Judy A. Johnson, Mayor

AND \_\_\_\_\_  
Laurie Ahrens, City Manager

(SEAL)

**DEVELOPER:**

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MINNESOTA )  
( ss.  
COUNTY OF HENNEPIN )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,  
2\_\_\_\_\_, by \_\_\_\_\_ and by \_\_\_\_\_, the  
Mayor and City Manager of the City of Plymouth, a Minnesota municipal corporation, on behalf of the  
corporation and pursuant to the authority granted by its City Council.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF MINNESOTA )  
( ss.  
COUNTY OF HENNEPIN )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,  
2\_\_\_\_\_, by \_\_\_\_\_ the \_\_\_\_\_ of  
\_\_\_\_\_ on its behalf.

\_\_\_\_\_  
NOTARY PUBLIC

DRAFTED BY:  
CITY OF PLYMOUTH  
3400 Plymouth Boulevard  
Plymouth, MN 55447

**FEE OWNER CONSENT  
TO  
DEVELOPMENT CONTRACT**

\_\_\_\_\_, fee owners of all or part of the subject property, the development of which is governed by the foregoing Development Contract, affirm and consent to the provisions thereof and agree to be bound by the provisions as the same may apply to that portion of the subject property owned by them.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MINNESOTA    )  
  (ss.  
COUNTY OF HENNEPIN    )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, by

\_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

DRAFTED BY:  
CITY OF PLYMOUTH  
3400 Plymouth Boulevard  
Plymouth, MN 55447

**ATTACHMENT A**

**ASSESSMENT FOR CITY PROJECT NO. \_\_\_\_\_**



**CONTRACT PURCHASER CONSENT  
TO  
DEVELOPMENT CONTRACT**

\_\_\_\_\_, which/who has a contract purchaser's interest in all or part of the subject property, the development of which is governed by the foregoing Development Contract, hereby affirms and consents to the provisions thereof and agrees to be bound by the provisions as the same may apply to that portion of the subject property in which there is a contract purchaser's interest.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MINNESOTA    )  
  (ss.  
COUNTY OF HENNEPIN    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
2\_\_\_\_, by \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

DRAFTED BY:  
CITY OF PLYMOUTH  
3400 Plymouth Boulevard  
Plymouth, MN 55447

2005078F



**LANDFORM**  
MINNEAPOLIS · PHOENIX

February 10, 2006



Josh Doty  
Community Development Department  
3400 Plymouth Boulevard  
Plymouth, MN 55447

RE: Final Plat application for 1010 Harbor Lane – PID #: 33-118-22-110002  
*Landform Project CAL05005*

Dear Mr. Doty,

Landform, on behalf of the applicant, Calhoun Development, is pleased to submit this application for a final plat for a 5.72-acre property located at 1010 Harbor Lane. The proposed four-lot, detached, single-family subdivision is designed to minimize impact to the site's natural resources. No wetland impact is proposed and every effort has been taken to preserve as many existing trees on the site as possible.

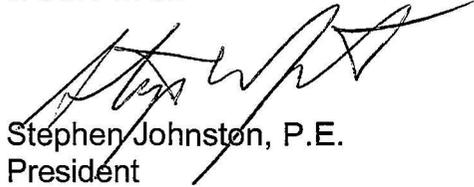
The plat is in conformance with the approved preliminary plat. The amount of grading on adjacent properties has been minimized to the greatest extent possible. We will be approaching the residents in the coming week and will provide you with a copy of their written permission as soon as it is available. The retaining wall at the end of the street has been designed to stay out of the wetland, right of way and drainage/utility easement. This wall is being designed by Anchor Wall Systems. Those plans will be submitted to the building department for permit review. This wall will be heavily landscaped with native plants at its base to minimize the visual impact on neighbors to the east. Native overstory and understory plant species are utilized throughout the project in an attempt to keep as much of the existing wooded character intact as possible.

The Plat boundary has been revised to reflect the addition of half of the former Harbor Lane street right-of-way.

The watershed has reviewed the drainage calculations for this project and these plans reflect their comments.

We respectfully request review and approval of the final plat at the next City Council meeting. Please feel free to contact me if you have any questions.

Sincerely,  
LANDFORM\*



Stephen Johnston, P.E.  
President

COPY: File CAL05005

ENCL: Final Plat Application documents and fee

\*Landform Engineering Company doing business as Landform



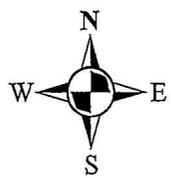
**Location Map - 2005078F**  
**Floyd Calhoun**  
**Larkin Pond**  
**1010 Harbor Lane**  
**Request for Final Plat**

**Land Use Guide Plan**

-  C, Commercial
-  CC, City Center
-  CO, Commercial Office
-  IP, Planned Industrial
-  LA-1, Living Area 1
-  LA-2, Living Area 2
-  LA-3, Living Area E
-  LA-4, Living Area 4
-  LAR, Living Area Rural
-  P-I, Public/Semi-Public/Institutional
-  MED LK



City of  
Plymouth, Minnesota



# LARKIN POND

CR. DOC. NO.

KNOW ALL PERSONS BY THESE PRESENTS: That Floyd Calhoun Development - Larkin Pond, LLC, a Minnesota limited liability company, fee owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

Lot 1 and that part of Lot 2 lying North of the South 130 feet thereof, Block 1, GLEN GROVE ACRES,

And that part of Harbor Lane North formerly known as Glen Grove Avenue, lying northerly of westerly extremities of the south line of Lot 1, Block 1, GLEN GROVE ACRES FIRST SUBDIVISION, Hennepin County, Minnesota

Has caused the same to be surveyed and platted as LARKIN POND and does hereby donate and dedicate to the public for public use forever the avenue and the easements for drainage and utility purposes as shown on the plat. In witness whereof said Floyd Calhoun Development - Larkin Pond, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

Floyd Calhoun Development - Larkin Pond, LLC, a Minnesota limited liability company

\_\_\_\_\_, its Chief Manager  
Floyd Calhoun

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, by Floyd Calhoun, Chief Manager, Floyd Calhoun Development - Larkin Pond, LLC, a Minnesota limited liability company, on behalf of the company.

Notary Public, \_\_\_\_\_ County,  
My Commission Expires \_\_\_\_\_

I hereby certify that I have surveyed and platted the land described on this plat as LARKIN POND; that this plat is a correct representation of the survey; that all distances are correctly shown on the plat in feet and hundredths of a foot; that all monuments have been correctly placed in the ground as shown or will be placed as required by the local governmental unit and that the outside boundary lines are correctly designated on the plat.

Jonathan M. Pittmann, Land Surveyor  
Minnesota License No. 44647

STATE OF MINNESOTA  
COUNTY OF HENNEPIN  
The foregoing Surveyor's Certificate was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, by Jonathan M. Pittmann, Land Surveyor.

Notary Public, Hennepin County, Minnesota  
My Commission Expires \_\_\_\_\_

PLYMOUTH, MINNESOTA  
This plat of LARKIN POND was approved and accepted by the City Council of the City of Plymouth, Minnesota, at a regular meeting thereof held this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received by the City or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minnesota Statutes, Section 505.03, Subdivision 2.

CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA  
By \_\_\_\_\_ Mayor By \_\_\_\_\_ Clerk

TAXPAYER SERVICES DEPARTMENT, Hennepin County, Minnesota  
I hereby certify that taxes payable in \_\_\_\_\_ and prior years have been paid for land described on this plat. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

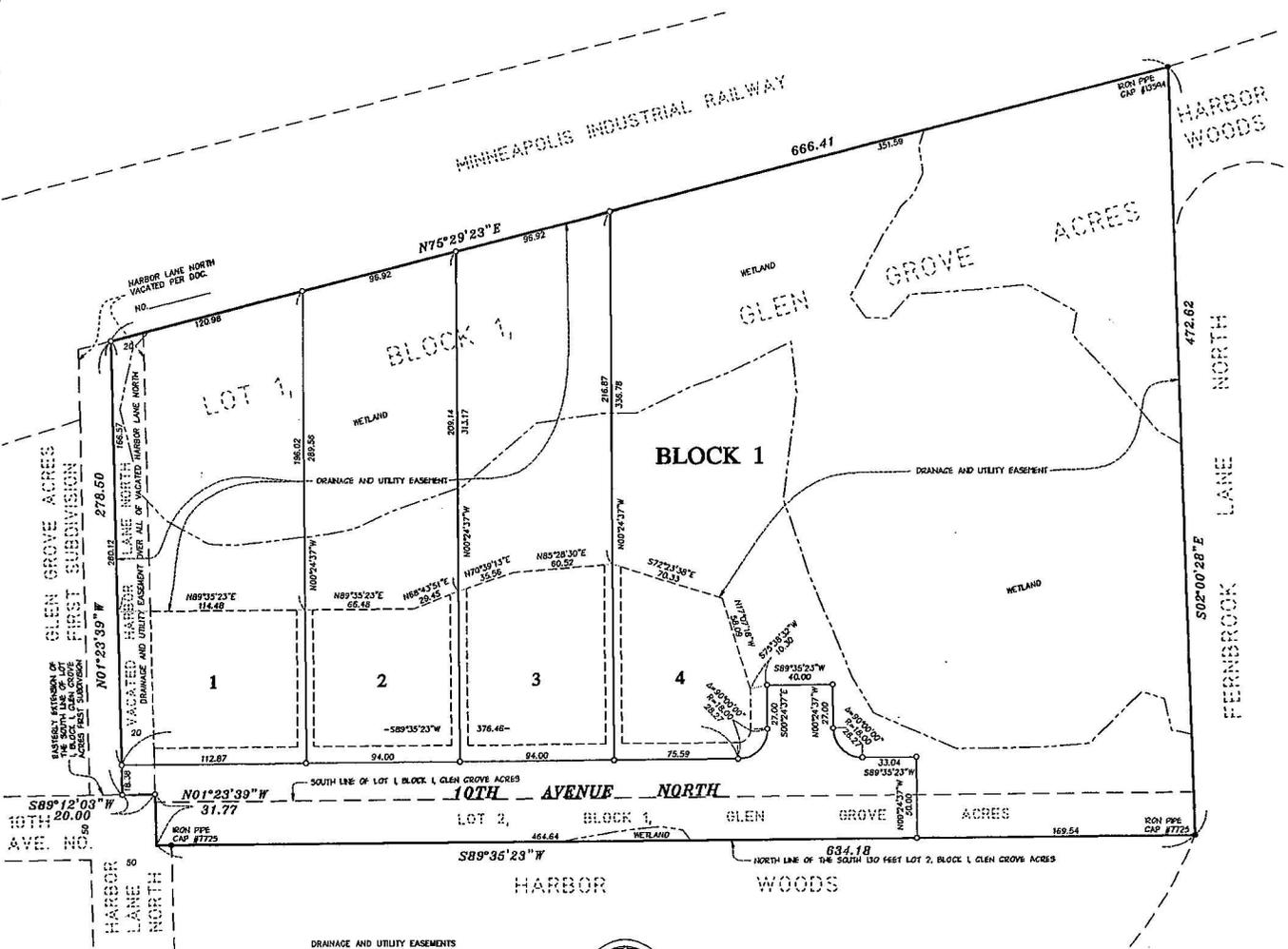
Patrick H. O'Connor, Hennepin County Auditor; By \_\_\_\_\_ Deputy

SURVEY DIVISION, Hennepin County, Minnesota  
Pursuant to Minnesota Statutes 383B.565 (1969) this plat has been approved this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

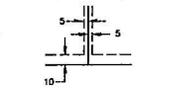
William P. Brown, County Surveyor  
By \_\_\_\_\_

COUNTY RECORDER, Hennepin County, Minnesota  
I hereby certify that the within plat of LARKIN POND was filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

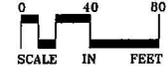
Michael E. Caniff, County Recorder  
By \_\_\_\_\_ Deputy



DRAINAGE AND UTILITY EASEMENTS  
ARE SHOWN AS THUS:  
(NOT TO SCALE)



BEING 5 FEET IN WIDTH AND ADJOINING  
LOT LINES AND 10 FEET IN WIDTH AND  
ADJOINING RIGHT-OF-WAY LINES UNLESS  
OTHERWISE INDICATED



BEARINGS ARE BASED ON THE HENNEPIN  
COUNTY COORDINATE SYSTEM.

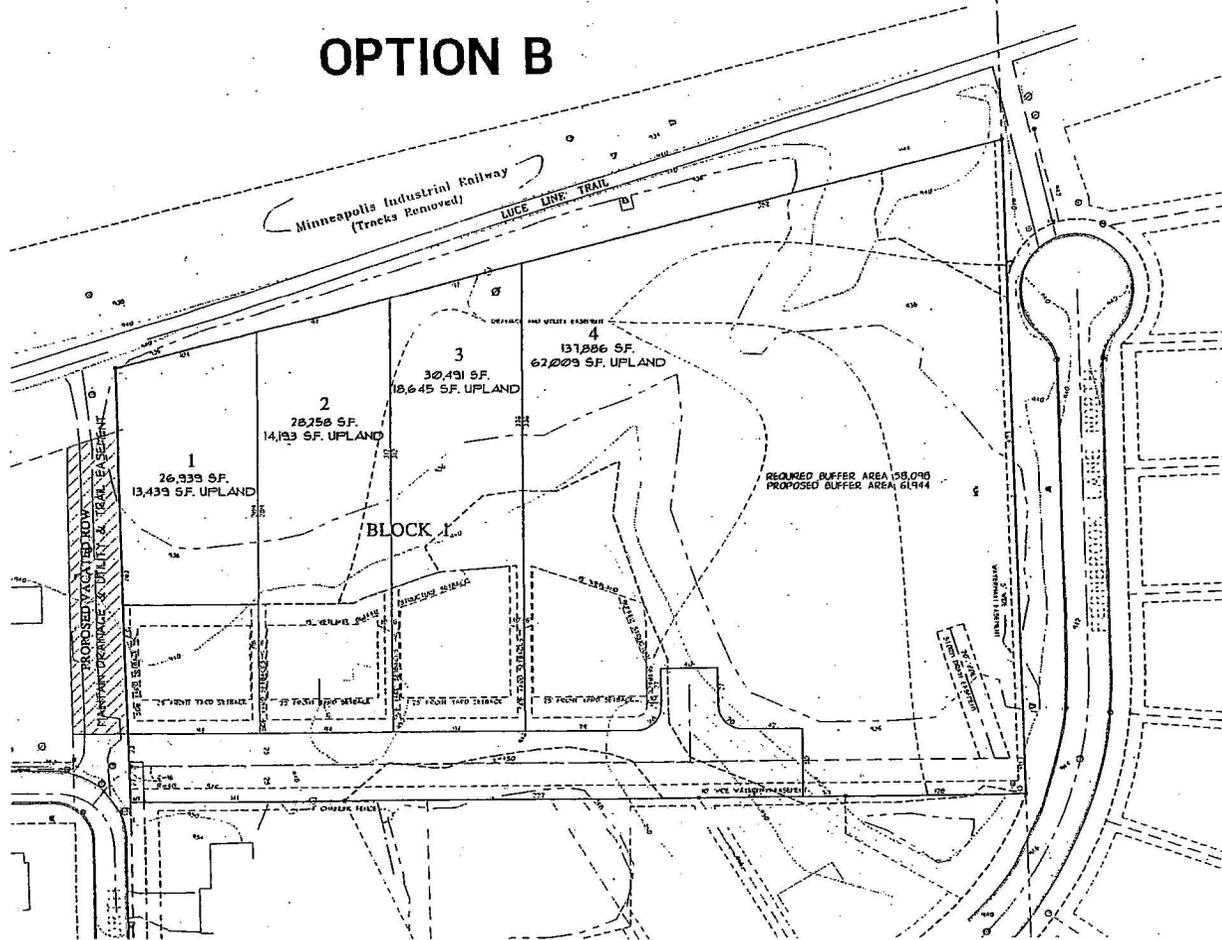
- DENOTES 1/2 INCH IRON PIPE SET  
MARKED WITH CAP NUMBER 44647
- DENOTES 1/2 INCH IRON PIPE FOUND



MAR 28 2006

# LARKIN POND PRELIMINARY PLAT

## OPTION B



### GENERAL NOTES

1. BACKGROUND INFORMATION FROM RECORD PLATS AND INFORMATION SUPPLIED BY LANDFORM PROFESSIONALS, INC. HAS BEEN REVIEWED BY LANDFORM PROFESSIONALS, INC. THE SITE SURVEY WAS PERFORMED BY LANDFORM PROFESSIONALS, INC. IN FEBRUARY & 2005. AERIAL PHOTOGRAPHS WERE OBTAINED BY GDT & COMPANY, INC. FOR THE SITE SURVEY. THE LOCATION OF THE WICE LINE TRAIL IS SHOWN FOR INFORMATION. THE LOCATION OF THE TRAIL IS SHOWN FOR INFORMATION. THE LOCATION OF THE TRAIL IS SHOWN FOR INFORMATION.

### DESIGN STANDARD

LAND USE CODE	LA-2, UPLAND AREA 2
EXISTING EASEMENT	10'-0" WIDE DRIVEWAY
LOT AREA	26,939 SF. LOT
LOT WIDTH	100 FEET MIN.
LOT DEPTH	100 FEET MIN.
FRONT SETBACK	10 FEET
SIDE SETBACK	5 FEET - MINIMUM SIDE
REAR SETBACK	10 FEET - MINIMUM REAR

### LEGAL DESCRIPTION

LOT 1 AND THAT PART OF LOT 2 LYING NORTH OF THE SOUTH 130 FEET TRIBUTARY, BLOCK 1, GLEN GROVE ACRES

### PROPOSED RIGHT OF WAY VACATION

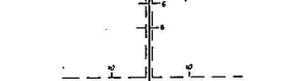
THAT PART OF HARBOR LANE LYING NORTH OF THE WESTERLY EXTENSION OF A LINE DRAWN 50 FEET NORTHERLY OF THE NORTHERLY LINE OF THE RECORDED PLAT OF HARBOR WOODS, ALL IN GLEN GROVE ACRES, HENNEPIN COUNTY, MINNESOTA.

### SITE STATISTICS

TOTAL GROSS AREA	3.7 AC.
TOTAL WETLAND AREA	2.6 AC.
NET AREA	1.1 AC.
COAST FRONT	0.7 LINE/AC.
LOT FRONT	1.2 LINE/AC.
PROPOSED FRONT YARD WIDE	27 AC.
COASTED WETLAND BUFFER AREA (10% 50')	1.2 AC.
PROPOSED WETLAND BUFFER AREA (10% 50' & 60')	1.1 AC.

### STANDARD EASEMENTS

PROPOSED EASEMENTS AND UTILITY EASEMENTS ARE SHOWN THERE.



5 FEET BUFFER IS WETLAND BUFFER AREA REQUIRED FOR WETLAND LOT BUFFER, AND 5 FEET IS FEET IN WETLAND BUFFER AREA REQUIRED AND PROTECTIVE BUFFER AREA BUFFER, AS SHOWN ON THE PLAN.

OWNER/DEVELOPER  
**FLOYD CALHOUN COMPANIES**  
11210 SHIMMELTREE LANE  
SUITE 100  
LYNN WATKINS, MN 55044  
TEL: 612-888-8888 FAX: 612-888-1111



### CPL SHEET INDEX

SHEET	FILE
C51	C51 - C51 - C51
C52	C52 - C52 - C52
C53	C53 - C53 - C53
C54	C54 - C54 - C54
C55	C55 - C55 - C55
C56	C56 - C56 - C56
C57	C57 - C57 - C57
C58	C58 - C58 - C58
C59	C59 - C59 - C59
C60	C60 - C60 - C60

### REVISION HISTORY

NO.	REVISION	DATE

DATE: 09/23/05 ALTERNATIVE TURNAROUND DESIGN

### PROJECT MANAGER REVIEW

DATE: 09/23/05	BY: [Signature]
----------------	-----------------

### CERTIFICATION

I, the undersigned, being a duly qualified and licensed professional engineer, do hereby certify that the foregoing is a true and correct copy of the original and as the same appears on the original and as the same appears on the original and as the same appears on the original.

### ALTERNATIVE TURNAROUND DESIGN

SEPTEMBER 23, 2005

### PROJECT

LARKIN POND  
PLYMOUTH, MN



### FILE NAME

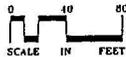
C501A05.DWG

### PROJECT NO.

CAL05005

### PRELIMINARY PLAT

C5.1



IF THE ABOVE OBJECTS HAVE BEEN MOVED OR DELETED, THIS DRAWING IS VOID. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE SURVEYOR TO REQUEST ADDITIONAL DOCUMENTS.

**CITY OF PLYMOUTH**

**RESOLUTION 2006-**

APPROVING A FINAL PLAT AND DEVELOPMENT CONTRACT FOR FLOYD CALHOUN DEVELOPMENT FOR "LARKIN POND", A SUBDIVISION OF 4 LOTS FOR SINGLE-FAMILY DWELLINGS LOCATED AT 1010 HARBOR LANE NORTH (2005078-F)

WHEREAS, Floyd Calhoun Development. has requested approval of a final plat for Larkin Pond, a plat of 4 lots for single-family dwellings on 5.7 acres located at 1010 Harbor Lane North; and

WHEREAS, the property is legally described as follows:

Lot 1 and that part of Lot 2 lying North of the South 130 feet thereof, Block 1, Glen Grove Acres, Hennepin County, Minnesota

WHEREAS, City staff has prepared a development contract covering the improvements related to said plat.

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA, that it should and hereby does approve the request by Floyd Calhoun Development for a final plat for Larkin Pond, subject to the following conditions:

1. This final plat approves 4 single-family lots, in accordance with the application received by the City on March 28, 2006, except as amended by this Resolution.
2. Approval of the final plat is contingent upon the applicant executing the Development Contract.
3. Prior to recording the final plat, the developer shall receive City approval of the fire flow calculations showing that water pressure meets City requirements.

4. Prior to recording the final plat, the developer shall add a signature line for the City Engineer to the final plat mylars.
5. Prior to the issuance of a grading permit, provide written permission from the two adjacent property owners on the southeast side of the site to allow the proposed grading or retaining walls on their lots or submit a revised grading plan in compliance with City requirements.
6. Prior to the issuance of a grading permit, the applicant shall identify the lowest floor elevation for Lots 1 through 4, Block 1 at a minimum of 940.3.
7. Prior to issuance of a grading permit, the applicant shall revise the grading plan to show wetland monument signs in compliance with City requirements.
8. Prior to issuance of a grading permit, the applicant shall revise the plans in conformance with the Engineering Guidelines and as follows:
  - a. Identify curb type on page C4.3. B6-18 is required for east edge of 10<sup>th</sup> Avenue adjacent to storm sewer inlets.
  - b. Revise the connection for the existing driveway and trail on the west side of the site to allow adequate driveway access including width and grades. Replace ribbon curb with concrete cross gutter per City detail STRT-11.
  - c. Remove curb depression detail 9 on page C7.3. Use City detail STRT-6 for pedestrian curb ramp.
  - d. Revise City detail W-1 updated in March 2006.
  - e. Revise City detail ST-3 to tie the last six joints on the storm sewer inlet and outlet pipes.
  - f. Identify all trees located at least 10 feet from all water, sanitary, and storm sewer lines.
  - g. The lowest opening for Lot 9, Block 1, Harbor Woods must be 1.5-feet higher than the emergency overflow elevation of 946.5 located south of 10<sup>th</sup> Avenue North.
9. Prior to recoding the final plat, the following easements are required:
  - a. Standard drainage and utility easements (on the final plat): 1) a 10-foot drainage and utility easement adjacent to the street right-of-way, 2) a 6-foot easement for all side and rear property lines, 3) a 20-foot drainage and utility easement for the storm sewer pipe to the NURP pond, as well as the outlet control structure, 4) a drainage and utility easement to the NURP pond high water level, and 5) a drainage and utility easement for the wetland south of the Luce Line Trail as shown on the Preliminary Plat dated June 23, 2005.
  - b. Additional drainage and utility easement for Lot 1, Block 1 up to elevation 938.3. This easement shall be added to the final plat mylar and the grading plan.
  - c. Access easements (separate documents): a 15-foot access easement for maintenance to the NURP pond. The grade in the access area shall not exceed 15 percent and no plantings are permitted in the area.

10. Prior to recording the final plat, the applicant shall remove the existing homes and accessory buildings (garages and sheds) from the property currently addressed as 1010 Harbor Lane North. The appropriate permits shall be required prior to removal of the structures.
11. The developer shall obtain the necessary permits and approvals as follows: Department of Natural Resources, MPCA, Minnesota Department of Health, Army Corps of Engineers, NPDES and City of Plymouth right-of-way permit.
12. Prior to recording the final plat, the developer shall pay the park dedication fees, pursuant to City Code at the time the final plat is approved, for the total number of units shown on the plans.
13. Prior to issuance of building permits, permanent wetland buffer monument signs must be installed pursuant to ordinance requirements.
14. The sidewalk shall be constructed to meet City requirements.
15. Access to the public street shall be denied to all adjacent properties south of the subject site.
16. "No parking" signage shall be installed at the location of turnaround.
17. Development standards shall be as required by the RSF-2 district. No variances are granted or implied.
18. Standard Conditions:
  - a. All hazardous trees shall be removed from the property at the owner's expense.
  - b. No building permits shall be issued until the final plat is filed and recorded with Hennepin County.
  - c. The watermain shall be looped through the development.
  - d. A reproducible 8 ½ x 11 inch "As Built" Fire Protection Plan shall be submitted prior to the release or reduction of any site improvement financial guarantees.
  - e. Prior to the issuance of a grading permit, the applicant shall install silt/tree preservation fencing and such fencing shall be inspected and approved by City staff. Such fencing shall remain in place until all construction in the area is complete.
  - f. Any subsequent phases or expansions are subject to required reviews and approvals per Ordinance provisions.
  - g. Signs shall require separate permits prior to installation.
  - h. This final plat approval shall expire two years from the date approved, unless the developer has recorded the final plat with Hennepin County, or unless prior to expiration, the developer submits a written request for an extension not to exceed one additional year, as regulated under Section 512 of the City Code.

APPROVED by the City Council on April 11, 2006.

STATE OF MINNESOTA)  
COUNTY OF HENNEPIN) SS.

The undersigned, being the duly qualified and appointed City Clerk of the City of Plymouth, Minnesota, certifies that I compared the foregoing resolution adopted at a meeting of the Plymouth City Council on April 11, 2006, with the original thereof on file in my office, and the same is a correct transcription thereof.

WITNESS my hand officially as such City Clerk and the Corporate seal of the City this  
\_\_\_\_\_ day of \_\_\_\_\_.

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

CITY OF PLYMOUTH  
CITY COUNCIL AGENDA REPORT

**TO:** Laurie Ahrens, City Manager  
**FROM:** Anne Hurlburt, Community Development Director  
**SUBJECT:** Amendment to Contract for Deed with Family Hope Services Incorporated  
**DATE:** March 30, 2006 for the City Council Meeting of April 11, 2006

**1. PROPOSED ACTION**

Adopt a resolution approving an amendment to the contract for deed between the City of Plymouth and Family Hope Services, to extend the time for commencing development of their "Tree House" project for a one-year period (until October 12, 2007.)

**2. BACKGROUND**

In 2003, the City Council approved a purchase agreement and contract for deed to sell two city-owned properties on Highway 101 to Family Hope Services (FHS) for their development of a "Tree House" youth counseling facility. The contract for deed (Addendum, paragraph H, subparagraph 3) provides that the purchaser shall obtain all necessary approvals for the project, including a building permit, within three years of the date of the contract, which is October 12, 2006. Family Hope services has requested a one-year extension to this date due to recent executive changes in their organization which has caused a delay in the completion of their capital fundraising and in their design process for the project (see letter dated March 13, 2006, attached.) The City Attorney has prepared an amendment to the contract for deed, which would grant the extension as requested. It has been signed by Family Hope Services.

**3. ALTERNATIVES**

The Council could decide not to extend the date in the contract, or grant a shorter extension than requested.

**4. RECOMMENDATION**

I recommend that the City Council adopt the attached resolution authorizing the Mayor and City Manager to sign the amendment to the contract for deed with Family Hope Services Incorporated.

**ATTACHMENTS:**

1. Letter from Family Hope Services
2. Contract for Deed Second Amendment
3. Draft Resolution

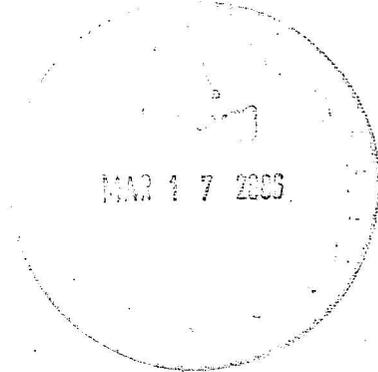


3315 Fernbrook Lane North  
Plymouth, MN 55447-5327  
Phone: 763.557.8670

Fax: 763.557.8673  
www.familyhopeservices.org  
information@familyhopeservices.org

March 13, 2006

Ms. Laurie Ahrens  
City Manager  
City of Plymouth  
3400 Plymouth Blvd  
Plymouth, MN 55447-1482



Dear Ms. Ahrens:

Family Hope Services Incorporated entered into a Contract for Deed dated October 11, 2003 with the City of Plymouth for a parcel of land on Highway 101 for the purpose of constructing a TreeHouse youth and family counseling facility. Construction of the building was scheduled to commence on or before October 11, 2006.

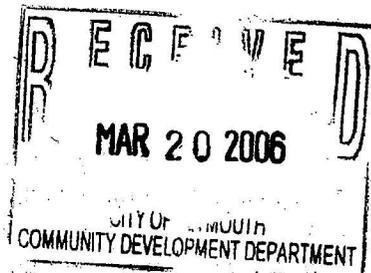
Several recent executive changes have occurred at Family Hope Services causing a delay in the completion of Capital Fund Campaign and the work on the Plymouth TreeHouse design process. The Contract for Deed requires under paragraph H, subparagraph 3 in the Addendum that the Purchaser "shall obtain all necessary approvals, architectural reviews, licenses, building permits, environmental permits, ... (collectively referred to as "Permits")" within three years of the date of the Contract.

Family Hope Services respectfully requests an extension of one year for the completion of the necessary design process and securing of the Permits. It is the intent of Family Hope Services to complete the process as soon as possible and is making this request merely to insure adequate time for completion.

Thank you for your consideration. If please feel free call me, if you have any questions regarding this matter.

Sincerely,

Mark Thompson, Chair  
Board of Directors



Bloomington TreeHouse  
9030 W Bloomington Freeway  
Bloomington, MN 55431  
952.253.0812

Brooklyn Park TreeHouse  
7520 Brunswick Ave N  
Brooklyn Park, MN 55443  
763.560.2334

Chaska TreeHouse  
3740 Chestnut, Hwy. 41  
Chaska, MN 55318  
952.368.2813

Minnetonka TreeHouse  
17800 Hutchins Dr  
Minnetonka, MN 55345  
952.470.1945

New Hope TreeHouse  
4203 Boone Ave N  
New Hope, MN 55428  
763.533.9667

*"Serving Youth & Their Families"*

## CONTRACT FOR DEED SECOND AMENDMENT

**THIS CONTRACT FOR DEED SECOND AMENDMENT** made this \_\_\_\_\_ day of \_\_\_\_\_, 2006, by and between the **CITY OF PLYMOUTH**, a Minnesota municipal corporation (“Seller”) and **FAMILY HOPE SERVICES INCORPORATED**, a Minnesota nonprofit corporation (“Purchaser”).

**WHEREAS**, the parties entered into a Contract for Deed dated October 13, 2003 which was recorded with the Hennepin County Recorder on December 11, 2003 as Document No. 8249262; and

**WHEREAS**, the Contract for Deed was amended by a First Amendment to Contract for Deed amending the legal description to read Lot 1, Block 1, Family Hope 2<sup>nd</sup> Addition, Hennepin County, Minnesota, which was recorded with the Hennepin County Recorder on August 24, 2004 as Document No. 8424130; and

**WHEREAS**, the parties wish to further amend the Contract for Deed.

**NOW, THEREFORE**, Seller and Purchaser, for good and valuable consideration, receipt of which is hereby acknowledged, do hereby amend the Contract for Deed as follows:

1. Amendment. Paragraph H(3) of the Addendum to Contract for Deed is amended to read as follows:

On or before October 12, 2007, unless an extension of time is agreed to by the parties, Purchaser, at its sole cost and expense, shall obtain all necessary approvals, architectural reviews, licenses, variances, building permits, environmental permits, environmental approvals, and all other necessary permits, licenses and approvals (collectively referred to as “Permits”) for the construction of a 4,800 square foot building, with related parking lot and landscape improvements, containing offices and meeting rooms for the purpose of conducting “Tree House” youth and family counseling services (open to all without discrimination). Purchaser shall promptly proceed to obtain such Permits. Seller shall assist Purchaser in applying for such Permits for the development of the property as Purchaser may determine to be necessary, but at no cost to Seller. If Purchaser fails to timely proceed within the time frame identified herein to take all necessary steps for the issuance of the Permits, or if Purchaser is unable to obtain all necessary Permits, then in addition to the remedies available to Seller under the Contract, Purchaser shall pay Seller, within 60 days of the default, for the following fees actually incurred: planning and zoning application fees, platting/surveying/recording fees, building permit/plan check/state surcharge, local sewer/water REC fee, city utility area charges, sewer and water permit, plumbing permit, mechanical permit, and fire protection permit.

2. No Other Amendments. All original terms of the Contract for Deed and First Amendment shall remain in effect except as amended hereby, and the parties agree to be bound and to perform all of the covenants and agreements in the Contract for Deed and First Amendment at the time and in the manner therein provided. The recital paragraphs herein are fully incorporated into the terms of this Second Amendment.

**IN WITNESS WHEREOF**, the parties have executed this Second Amendment as of the day and year set forth above.

**SIGNATURE PAGE TO  
SECOND AMENDMENT TO CONTRACT FOR DEED**

**CITY OF PLYMOUTH**

BY: \_\_\_\_\_  
Judy A. Johnson, Mayor

AND \_\_\_\_\_  
Laurie Ahrens, City Manager

STATE OF MINNESOTA    )  
                                  (ss.  
COUNTY OF HENNEPIN    )

The forgoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2006, by Judy A. Johnson and by Laurie Ahrens, respectively the Mayor and City Manger of the City of Plymouth, a Minnesota municipal corporation, on behalf of the corporation and pursuant to the authority granted by its City Council.

\_\_\_\_\_  
Notary Public

**SIGNATURE PAGE TO  
SECOND AMENDMENT TO CONTRACT FOR DEED**

**FAMILY HOPE SERVICES  
INCORPORATED**

BY: Joyce D. Nedbalek  
Joyce D. Nedbalek, Director  
of Finance and Administration

STATE OF MINNESOTA    )  
  ( ss.  
COUNTY OF HENNEPIN    )

The forgoing instrument was acknowledged before me this 27<sup>th</sup> day of March, 2006, by Joyce D. Nedbalek, the Director of Finance and Administration of Family Hope Services Incorporated, a Minnesota nonprofit corporation, on behalf of the corporation.

Kathie E Anderson  
Notary Public



DRAFTED BY:  
CAMPBELL KNUTSON  
*Professional Association*  
317 Eagandale Office Center  
1380 Corporate Center Curve  
Eagan, Minnesota 55121  
Telephone: (651) 452-5000  
RNK

**CITY OF PLYMOUTH  
RESOLUTION 2006 -**

**APPROVING AMENDMENT TO CONTRACT FOR DEED  
WITH FAMILY HOPE SERVICES INCORPORATED**

WHEREAS, in 2003 the City of Plymouth sold two properties located at 3950 and 3960 County Road 101, now known as Lot 1, Block 1, Family Hope 2<sup>nd</sup> Addition to Family Hope Services Incorporated for the purpose of development of a building with related parking lot and landscape improvements, containing offices and meeting rooms for the purpose of conducting its "Tree House" youth and family counseling services; and

WHEREAS, the contract for deed (Addendum, paragraph H, subparagraph 3) provides that the purchaser shall obtain all necessary approvals for the project, including a building permit, within three years of the date of the contract, which is October 12, 2006; and

WHEREAS, Family Hope services has requested a one-year extension of this date;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA, that it should and hereby does authorize the Mayor and City Manager to sign the Second Amendment to the Contract for Deed to grant a one year extension.

Adopted by the City Council on April 11, 2006.

STATE OF MINNESOTA)  
COUNTY OF HENNEPIN) SS.

The undersigned, being the duly qualified and appointed City Clerk of the City of Plymouth, Minnesota, certifies that I compared the foregoing resolution adopted at a meeting of the Plymouth City Council on January 7, 2003, with the original thereof on file in my office, and the same is a correct transcription thereof.

WITNESS my hand officially as such City Clerk and the Corporate seal of the City this  
\_\_\_\_\_ day of \_\_\_\_\_.

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

**CITY OF PLYMOUTH  
CITY COUNCIL AGENDA REPORT**

**For Expenditures Exceeding \$50,000**

**DATE:** March 24, 2006 for Council Meeting of April 11, 2006  
**TO:** Laurie Ahrens, City Manager through Eric Blank, Director of Park & Recreation  
**FROM:** Mark S. Peterson, Superintendent of Parks  
**SUBJECT: APPROVAL OF BIDS FOR THREE-YEAR UNIFORM CONTRACT**

**PROPOSED MOTION:** Make a motion to adopt a resolution approving the bid from G&K Services for the new **Three-Year Uniform Contract**.

**IDENTIFY AND DOCUMENT THE NEED FOR THE EXPENDITURE:** The City of Plymouth provides uniforms for all Maintenance Employees as per contract negotiations. The length of that contract is three years and the current contract period is up.

**ALTERNATIVES:** Renew existing contract, which would result in an additional cost to the City of approximately 15% per year over the course of three years. Accept the new contract at a savings of 15% per year over the course of three years. Do not provide uniforms.

**DISCUSSION:** Advertisement for the three-year uniform contract was published on March 9, 2006 in the City's official newspaper. We received bids from the following:

1. **AmeriPride Linen and Apparel Services**
2. **G&K Services**
3. **Unifirst Corporation**

The bids are per item i.e. shirts, pants, jackets, matts, etc. They are too numerous to list however the bottom line is that G&K Services is low by approximately \$1,365.00 per the three-year contract.

The approximate cost to the City would be \$22,000 per year for a three-year contract price of \$66,000.00.

**BUDGET IMPACT:** The maintenance budgets contain sufficient funds for the proposed laundry services contract. Therefore there will be no negative impact on any of the various maintenance budgets.

**RECOMMENDATION:** I recommend that the City Council approve the three year Uniform Contract with G&K Services.

A handwritten signature in cursive script that reads "Eric Blank". The signature is written in black ink and is positioned above a solid horizontal line.

**Eric Blank**

ATTACHMENTS: RESOLUTION

**CITY OF PLYMOUTH**  
**RESOLUTION NO. 2006-**

**APPROVAL OF THREE YEAR UNIFORM CONTRACT**

WHEREAS, the City Council has authorized the receipt of bids for the rental of uniforms for approval of three year uniform contract; and

WHEREAS, in accordance with State Statute bid specifications were prepared and distributed and bid proposals were received and opened on March 21, 2006 for the Three Year Uniform Contract and

WHEREAS, the following bids were received:

1. **AmeriPride Linen and Apparel Services**
2. **G&K Services**
3. **Unifirst**

The bids are per item i.e. shirts, pants, jackets, matts, etc. They are to numerous to list however the bottom line is that G&K Services is low by approximately \$1,365.00 per the three-year contract. The approximate cost to the City would be \$22,000 per year for a three-year contract price of \$66,000.00.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA, that the bid from AmeriPride is declared the lowest responsible bidder for a three year uniform contract and accepts their bid for the Three Year Uniform Contract.

FURTHER, that funding is from all maintenance budgets Accounts 7711.

Adopted by the City Council on \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

CITY OF PLYMOUTH  
CITY COUNCIL AGENDA REPORT

**TO:** Laurie Ahrens, City Manager

**FROM:** Larry Farris, Assistant Building Official, through Anne Hurlburt,  
Community Development Director

**SUBJECT:** Construction Agreement for Carlson Real Estate Company  
(**OTC Building** – 12755 State Highway 55)

**DATE:** March 28, 2006, for the City Council Meeting of April 11, 2006

**1. PROPOSED MOTION:**

Adopt the attached resolution authorizing the Mayor and City Manager to sign an agreement establishing a no build area between the OTC building (12755 State Highway 55) owned by Carlson Real Estate, and the vacant parking lot (Lot 3, Block 6, Minneapolis Industrial Park) owned by Carlson Real Estate.

**2. BACKGROUND:**

The OTC Building is an existing building that was built prior to the adoption of a State Building Code in Minnesota. It is unknown whether the building was built according to any recognized codes at the time of initial construction.

Carlson Real Estate has submitted a permit application for an interior remodel and subsequent lease of a large portion of the building to a new and separate tenant, thus initiating the need for interior fire rated construction. In order to comply with the current building code, the OTC building would need interior compartmentalization with fire walls, or, as an alternative, establish a 60 foot clear yard space around the entire perimeter of the building. Carlson Real Estate wishes to establish the 60 foot clear yard space.

Since the west wall of the building is less than 60 feet to the adjacent property line, Carlson Real Estate has agreed to burden their interests in their respective Lots, with a restrictive covenant, and establish and create a "No Build Area" between the OTC building and the adjacent lot. The building code authorizes the building official to grant modifications for individual cases that make the strict letter of the code impractical, considering that the modification is in conformance with the purpose and intent of the code and that such modification does not lessen any fire protection requirements or any degree of structural integrity. The Building Official has determined that a prohibition on building between the two properties would be an acceptable alternative method for compliance with the Code.

The agreement which would be executed following City Council approval, has been reviewed by our City Attorney, and signed by the property owners.

**3. RECOMMENDATION:**

Staff recommends approval of the agreement which will allow the no build area between the OTC building (12755 State Highway 55) and the adjacent property described as (Lot 3, Block 6, Minneapolis Industrial Park )

**ATTACHMENTS:**

1. Draft Resolution and Proposed Agreement

## **AGREEMENT**

THIS AGREEMENT is made and entered into this \_\_\_ day of \_\_\_\_\_, 2006, by and between Carlson Real Estate Company, a Minnesota Limited Partnership ("Carlson"), and the City of Plymouth, a Minnesota municipal corporation ("City").

### **WITNESSETH:**

WHEREAS, Carlson owns fee simple title to the real property located in the City of Plymouth, Minnesota, that is legally described in the attached Exhibit A (the "Carlson Lot"); and

WHEREAS, Carlson also owns fee simple title to the unimproved real property located in the City of Plymouth, Minnesota that is legally described in the attached Exhibit B (the "Carlson Parking Lot"); and

WHEREAS, Carlson owns and maintains the building on the Carlson Lot and the building in located substantially as described in Exhibit "C" (the "Building"); and

WHEREAS, Carlson wishes to establish an unlimited "allowable area" for the purpose of eliminating the need for area separation for the building on the Carlson Lot; and

WHEREAS, the fully sprinklered building which presently exists on the Carlson Lot is closer than sixty feet to the property line between the Carlson Lot and the Carlson Parking Lot, both of which are owned by Carlson.

WHEREAS Section 507.3 of the Minnesota State Building Code requires such sixty foot separation for the building to be of unlimited "allowable area".

WHEREAS, Carlson has agreed to burden their interests in their respective Lots, with a restrictive covenant, to run with the land, which will prohibit the construction of any building or structure on the Carlson Lot or Carlson Parking Lot that would cause the Buildings to violate the "public way" or "yard" provisions of Section 507.2 and 507.3 of the IBC; and

WHEREAS, the City has approved the establishment of the "No Build Area" by virtue of the City of Plymouth Resolution 99-460 attached as Exhibit "D"; and

NOW, THEREFORE, in consideration of the foregoing premises, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Carlson hereby agrees as follows, and imposes the following restrictive covenant upon the Carlson Lot and Carlson Parking Lot:

1. NO BUILD AREA. Building in the area described in the attached Exhibit "C" is prohibited (the "No Build Area").

2. EXCEPTIONS. Notwithstanding the prohibition on building in the No Build Area, the following are permitted: utilities, driveways, sidewalks, curb and gutter, parking, landscaping or any other uses which do not constitute buildings or structures.

3. TERMINATION. The restrictive covenant contained herein shall be perpetual but shall terminate automatically upon the occurrence, subsequent to the date hereof, of an amendment, revision, change, or improvement of the State Building Code so that the maintenance of a yard or public way is no longer required in order to maintain the Buildings in conformance with the State Building Code. Additionally, the restrictive covenant contained herein shall automatically terminate in the event Carlson elects to redevelop the Carlson Lot and Carlson Parking Lot as one project.

5. MISCELLANEOUS.

A. The restrictive covenant contained herein is intended to be a servitude running with the land, and shall bind Carlson and all future owners and occupants of the Carlson Lot and Carlson Parking Lot, shall be for the benefit of the City of Plymouth, and, subject to Section 3 above, shall not be amended, revoked or altered except by written instrument containing the written consent of the City of Plymouth and recorded with the Hennepin County Registrar of Titles.

B. In the event of a breach of the restrictive covenant contained herein, the City of Plymouth shall have standing to enforce the said restrictions, and upon competent proof of a breach of the restrictive covenant, shall be entitled to injunctive relief and reasonable attorney's fees and costs advanced in enforcing the said restrictions.





## EXHIBIT A

### Legal Description of Carlson Lot

Parcel 1:

Lot 1, Block 6, Minneapolis Industrial Park, except that part of said Lot 1 which lies Northerly of the following described line: Beginning at a point on the Northwesterly line of said Lot 1, distant 40 feet Southwesterly of the most Northerly corner thereof; thence run Easterly to a point on the Northeasterly line of said Lot 1, distant 20 feet Southeasterly of the most Northerly corner thereof and there terminating; also except vacated 16<sup>th</sup> Avenue North, according to the recorded plat thereof, and situate in Hennepin County, Minnesota.

Parcel 2:

The Northeast Quarter of the Southeast Quarter (NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ) of Section 27, Township 118 North, Range 22 West, which lies Southeasterly of a line run parallel with and distant 65 feet Northwesterly of the following described line:

Beginning at a point on Line "A" described below, distant 1177.1 feet Southeasterly of its point of beginning (when measured along said Line "A"); thence run Southwesterly at right angles to the tangent of said 2 degrees 00 minutes circular curve at said point for 192.2 feet; thence deflect to the right on a 7 degree 00 minutes curve (delta angle 37 degrees 10 minutes) for 507.8 feet and there terminating;

Line "A": From a point on the East and West Quarter line of said Section 27, distant 363.2 feet West of the East Quarter corner thereof, run Southeasterly at an angle of 61 degrees 40 minutes with said East and West Quarter line for 608.8 feet; thence deflect to the left on a ten chord spiral curve of decreasing radius (spiral angle 2 degrees 00 minutes) for 200 feet; thence deflect to the left on a 2 degrees 00 minutes circular curve (delta angle 8 degrees 3 minutes) for 400 feet and there terminating.

**EXHIBIT B**

Legal Description of Carlson Parking Lot

Lot 3, Block 6, Minneapolis Industrial Park, according to the recorded plat thereof, and situate in Hennepin County, Minnesota.

**EXHIBIT "C"**  
**SITE PLAN**



**EXHIBIT "D"**

City of Plymouth Resolution 99-460

**CITY OF PLYMOUTH**

**RESOLUTION 2006-**

APPROVING AN AGREEMENT FOR BUILDING CONSTRUCTION AT 12755 STATE HIGHWAY 55, PLYMOUTH.

WHEREAS, Carlson Real Estate Company has requested approval to execute a construction agreement; and,

WHEREAS, the property is legally described as:

Lot 1, Block 6, Minneapolis Industrial Park, except that part of said Lot 1 which lies Northerly of the following described line: Beginning at a point on the Northwestern line of said Lot 1, distant 40 feet Southwesterly of the most Northerly corner thereof; thence run Easterly to a point on the Northeasterly line of said Lot 1, distant 20 feet Southeasterly of the most Northerly corner thereof and there terminating; also except vacated 16<sup>th</sup> Avenue North, according to the recorded plan thereof, and situate in Hennepin County, Minnesota; and

The Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of Section 27, Township 118 North, Range 22 West, which lies Southeasterly of a line run parallel with and distant 65 feet Northwesterly of the following described line:

Beginning at a point on Line "A" described below, distant 1177.1 feet Southeasterly of its point of beginning (when measured along said Line "A"); thence run Southwesterly at right angles to the tangent of said 2 degrees 00 minutes circular curve at said point for 192.2 feet; thence deflect to the right on a 7 degree 00 minutes curve (delta angle 37 degrees 10 minutes) for 507.8 feet and there terminating;

Line "A": From a point on the East and West Quarter line of said Section 27, distant 363.2 feet West of the East Quarter corner thereof, run Southeasterly at an angle of 61 degrees 40 minutes with said East and West Quarter line for 608.8 feet; thence deflect to the left on a ten chord spiral curve of decreasing radius (spiral angle 2 degrees 00 minutes) for 200 feet; thence deflect to the left on a 2 degrees 00 minutes circular curve (delta angle 8 degrees 3 minutes) for 400 feet and there terminating.

WHEREAS, the City finds the agreement to be in the best interest of the property owner, subject to the conditions stated therein, and;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA, that the Mayor and City Manager are hereby authorized to sign, on behalf of the City of Plymouth, an agreement that will establish a "No Build Area" to allow construction within a building for property located at 12755 Highway 55, Plymouth.

Adopted by the City Council this 11<sup>th</sup> day of April, 2006

STATE OF MINNESOTA)  
COUNTY OF HENNEPIN) SS.

The undersigned, being the duly qualified and appointed City Clerk of the City of Plymouth, Minnesota, certifies that I compared the foregoing resolution adopted at a meeting of the Plymouth City Council on March 14, 2006, with the original thereof on file in my office, and the same is a correct transcription thereof.

WITNESS my hand officially as such City Clerk and the Corporate seal of the City this \_\_\_\_\_ day of \_\_\_\_\_.

---

City Clerk

6.7

**CITY OF PLYMOUTH**  
**CITY COUNCIL AGENDA REPORT**

**DATE:** March 27, 2006 for the City Council Meeting of April 11, 2006

**TO:** Laurie Ahrens, City Manager through  
Doran Cote, P.E., Director of Public Works

**FROM:** Dave Taylor, Senior Engineering Technician

**SUBJECT:** PAYMENT NO. 2 AND FINAL  
BOULDER RIDGE POND OUTLET STRUCTURE PROJECT  
CITY PROJECT NO. 4133

**ACTION REQUESTED:** Make a motion to adopt the attached resolution approving Payment No. 2 and Final to G. F. Gedlicki, Inc., for the Boulder Ridge Pond Outlet Structure Project.

**BACKGROUND:** Attached is a Resolution for Payment No. 2 and Final for the Boulder Ridge Pond Outlet Structure Project. This resolution releases the 5% retainage, in the amount of \$1,223.10.

All work on this project has been completed and certified by the Engineering Division as meeting project specifications, and Payment No. 2 and Final is recommended. The original contract amount for this project was \$24,462.00. The final amount of work completed is \$24,462.00 and equals the original contract amount.

**RECOMMENDATIONS AND CONCLUSIONS:** I recommend that the City Council accept the project and adopt the attached resolution approving Payment No. 2 and Final for the Boulder Ridge Pond Outlet Structure Project, City Project No. 4133. The final payment is in the amount of \$1,223.10. This final payment includes all work per original contract.

attachments: Resolution for Payment No. 2 and Final  
Engineer's Certification Letter of November 16, 2005  
Request for Payment and Cost Breakdown from Contractor

**CITY OF PLYMOUTH**

**RESOLUTION NO. 2006 -  
REQUEST FOR PAYMENT NO. 2 AND FINAL  
BOULDER RIDGE POND OUTLET STRUCTURE PROJECT  
CITY PROJECT NO. 4133**

WHEREAS, the City of Plymouth as owner and G.F.Gedlicki, Inc., as contractor, have entered into an agreement for the Boulder Ridge Pond Outlet Structure Project, City Project No. 4133, said agreement being dated September 13, 2005; and

WHEREAS, the Engineering Division has certified acceptance of the work and approval of the final request for payment.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA:

1. That the original contract amount was \$24,462.00. The work to date is \$24,462.00 and is herewith approved. This project does not exceed the contract amount.
2. That the work performed by the contractor for the Boulder Ridge Pond Outlet Structure Project (4133) and certified to the Council by the Engineering Division as acceptable, being the same, is hereby released from the Engineering Division as acceptable from the contract except as to the conditions of the performance bond, any and all legal rights of the owner, required guarantees and correction of faulty work after final payment.
3. Request for Payment No. 2 and Final in the amount of \$1,223.10 to G.F. Gedlicki, Inc. for the Boulder Ridge Pond Outlet Structure Project is hereby approved and the City Finance Director is hereby authorized and directed to pay the same forthwith.

Adopted by the City Council on April 11, 2006.



2335 West Highway 36 • St. Paul, MN 55113

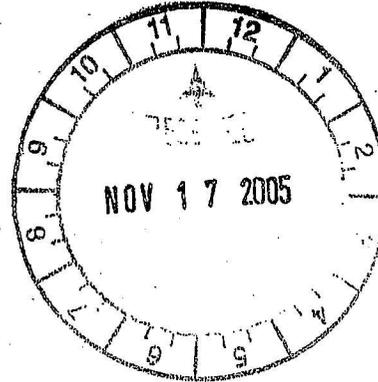
Office: 651-636-4600 • Fax: 651-636-1311

www.bonestroo.com

COPY

November 16, 2005

Mr. Dave Taylor  
Senior Engineering Technician  
City of Plymouth  
3400 Plymouth Boulevard  
Plymouth, MN 55447



Re: Boulder Ridge Pond Outlet Structure  
Certification of Project Completion  
Bonestroo File No. 70-04-135

Dear Mr. Taylor:

Work has been completed on the Boulder Ridge Pond Outlet Structure and the request for payment has been received from G.F. Jedlicki, the Contractor. Based on our on-site observations we hereby certify to the Owner that the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the full amount of the Contract.

If you have any questions, please contact me at (651) 604-4766 or at [pcaswell@bonestroo.com](mailto:pcaswell@bonestroo.com).

Sincerely,

BONESTROO, ROSENE, ANDERLIK & ASSOCIATES, INC.

By: Philip J. Caswell  
Philip J. Caswell, P.E.  
Bonestroo Rosene Anderlik & Assoc.

Date: 11/16/05

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

Enclosure

Cc: Dan Edgerton - Bonestroo Rosene Anderlik

# COPY

**G. F. JEDLICKI, INC.**  
**SEWER & WATER CONTRACTOR**  
**EXCAVATING**  
14203 West 62<sup>nd</sup> Street  
Eden Prairie, MN 55346

Phone: 952-934-7272

Fax: 952-934-7273

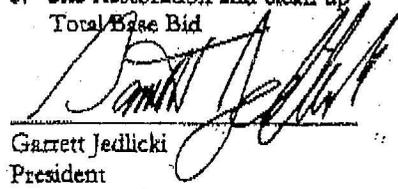
### STATEMENT

November 15, 2005

Mr. Dave Taylor  
City of Plymouth  
3400 Plymouth Boulevard  
Plymouth, MN 55447

Re: Boulder Ridge Pond Outlet Structure

<u>ITEM/NO.</u>	<u>ITEM</u>	<u>UNITS</u>	<u>QTY</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>
<b>Base Bid:</b>					
1.	Erosion and sediment control	L.S.	1	\$ 600.00	\$ 600.00
2.	Remove and dispose of existing Concrete pipe outlet weir	L.S.	1	\$ 2,500.00	\$ 2,500.00
3.	Perform earthwork and install Steel sheet piling outlet weir	L.S.	1	\$18,362.00	\$18,362.00
4.	Install geotextile filter fabric, Fine filter aggregate, and rip rap	L.S.	1	\$ 1,500.00	\$ 1,500.00
5.	Site Restoration and clean up	L.S.	1	\$ 1,500.00	\$ 1,500.00
	Total Base Bid			Total Due:	\$24,462.00

  
Garrett Jedlicki  
President

Approved  
PJC  
11/16/05

6.8

**CITY OF PLYMOUTH**  
**CITY COUNCIL AGENDA REPORT**

**DATE:** March 29, 2006 for the City Council Meeting of April 11, 2006

**TO:** Laurie Ahrens, City Manager through  
Doran Cote, P.E., Director of Public Works

**FROM:** Daniel K. Campbell, Sr. Engineering Technician

**SUBJECT:** CHANGE ORDER NO. 2 AND PAYMENT NO. 5 AND FINAL  
HIGHWAY 55 / VICKSBURG LANE SIGNAL AND INTERSECTION  
IMPROVEMENTS PROJECT  
CITY PROJECT NO. 4134

**ACTION REQUESTED:** Make a motion to adopt the attached resolutions approving Change Order No. 2 and Payment No. 5 and Final for the above project.

**BACKGROUND:** Attached is Change Order No. 2 and Payment No. 5 and Final for the above project. Change Order No. 2 in the amount of \$13,248.51 provides for additional compensation for the contractor for the installation of a hydrant on a Saturday in order to not disturb the operations of the adjacent business. It also includes reimbursement for additional materials needed for traffic signal revisions at the intersection of Highway 55 and Vicksburg Lane as requested by MnDOT. Net increases in the project quantities are also included in this change order.

All work on this project has been completed and certified by SRF Consulting Group, Inc. as meeting project specifications. The original contract amount for this project was \$568,467.27. Two change orders for additional work were requested in the amount of \$88,237.16, making the final contract amount \$656,704.43. The final amount of work completed is also \$656,704.43. Final payment in the amount of \$62,280.58 is being requested.

**RECOMMENDATIONS AND CONCLUSIONS:** I recommend that the City Council accept the project and adopt the attached two resolutions approving Change Order No. 2 and Payment No. 5 and Final for the Highway 55 / Vicksburg Lane Signal and Intersection Improvements Project, City Project No. 4134, with final payment in the amount of \$62,280.58.

attachments: Change Order No. 2  
Payment No. 5 and Final  
Map  
Letter  
Resolutions (2)

March 24,2006

**CHANGE ORDER NO. 2**

CITY OF PLYMOUTH  
3400 Plymouth Boulevard  
Plymouth, MN 55447

**DRAFT**

PROJECT: TH 55 AND VICKSBURG LANE  
CITY PROJECT NO. 4134  
S.A.P NO.'s 155-010-03 & 155-156-15

CONTRACTOR: HARDRIVES, INC  
14475 QUIRAM DRIVE  
ROGERS, MN 55374

WHEREAS: Due to hydrant relocation required on a Saturday

WHEREAS: Due to additional materials needed for traffic signal revisions at the intersection of TH 55 and Vicksburg Ln.

WHEREAS: Due to a net increase in project quantities. See "Statement of Work Performed"

THEREFORE: In accordance with the terms of the Contract, you are hereby authorized and instructed to perform the improvements as follows.

**\*\*\*INCREASE\*\*\***

Item No.	Item Description	Unit	Unit Price	Estimated Quantity	Amount
2504.602	Relocate Hydrant & Valve	L.S.	\$ 4802.31	1	\$ 4802.31
2565.616	Revise Signal System	L.S.	\$ 6300.00	1	\$ 6300.00
-	Net Quantity Difference	L.S.	\$ 2146.20	1	\$ 2146.20

NET INCREASE IN CONTRACT AMOUNT.....\$ 13,248.51

**DRAFT**

CONTRACT SUMMARY:

ORIGINAL CONTRACT AMOUNT.....\$ 568,467.27  
TOTAL INCREASE CHANGE ORDER NO. 1.....\$ 74,988.65  
TOTAL INCREASE CHANGE ORDER NO. 2.....\$ 13,248.51  
**REVISED CONTRACT AMOUNT.....\$ 656,704.43**

ISSUED BY:

\_\_\_\_\_  
SRF CONSULTING GROUP, INC

\_\_\_\_\_  
DATE

ACCEPTED BY:

\_\_\_\_\_  
HARDRIVES, INC

\_\_\_\_\_  
DATE

APPROVED BY:

\_\_\_\_\_  
CITY MANAGER, CITY OF PLYMOUTH

\_\_\_\_\_  
DATE

APPROVED BY:

\_\_\_\_\_  
MAYOR, CITY OF PLYMOUTH

\_\_\_\_\_  
DATE



# REQUEST FOR PAYMENT

DATE: March 31, 2006

FOR PERIOD:

From: November 11, 2005

To: March 31, 2006

OWNER: City of Plymouth, 3400 Plymouth Boulevard  
Plymouth, MN 55447-1482

PROJECT: Vicksburg Lane and TH 55

SPECIFIED CONTRACT  
COMPLETION DATE: **July 15, 2005**

CITY PROJECT NO. 4134

CONTRACTOR: Hardrives, Inc., 14475 Quiram Drive, Rogers, MN 55374

## REQUEST FOR PAYMENT NO. 5 (Final)

### SUMMARY:

1.	Original Contract Amount	\$568,467.27
2.	Contract Revisions	\$ 88,237.16
3.	Revised Contract Amount	\$656,704.43
4.	Value Completed-to-Date	\$656,704.43
5.	Material on Hand	\$ 0.00
6.	Amount Earned	\$656,704.43
7.	Less Retainage	\$ 0.00
8.	Subtotal	\$656,704.43
9.	Less Amount Paid Previously	<u>\$594,423.85</u>
10.	AMOUNT DUE THIS REQUEST FOR PAYMENT NO. 5 (Final)	<b>\$ 62,280.58</b>

RECOMMENDED FOR APPROVAL BY:

**SRF CONSULTING GROUP, INC.**

BY: \_\_\_\_\_

APPROVED BY OWNER:

CONTRACTOR:

**CITY OF PLYMOUTH**

**HARDRIVES, INC.**

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

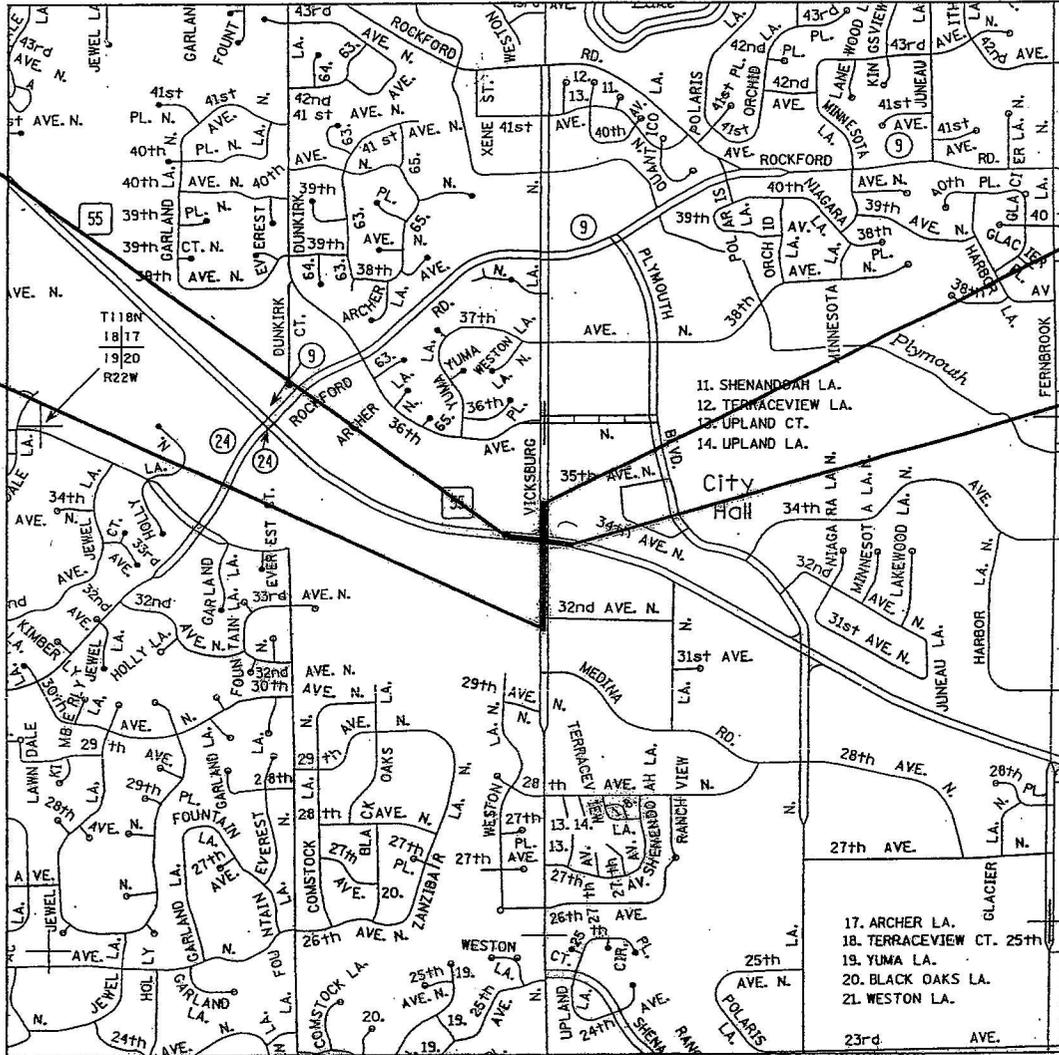


# CITY OF PLYMOUTH

HENNEPIN COUNTY, MINNESOTA  
 PLANS FOR: GRADING, STORM SEWER, BITUMINOUS PAVING,  
 CONCRETE CURB & GUTTER, SIGNAL IMPROVEMENTS

## VICKSBURG LANE & T.H. 55

CITY OF PLYMOUTH PROJECT NO. 4134



55-010-03  
 9+82.40

55-156-15  
 12.70

END S.A.P. 155-15  
 ROAD STA. 15+18.

END S.A.P. 155-01  
 ROAD STA. 212+96

SCALES

INDEX MAP	1" = 100'
PLAN	1" = 50'
PROFILE	1" = 50' HORIZ.
X-SECTION	1" = 10' HORIZ.

**DESIGNATION FOR:**

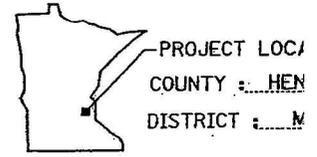
**VICKSBURG LN.**

15
13,900
18,500
10 TON
HIGH DENSITY ARTERIAL
4
1,640,000
50 MPH
STOPPING
3.5' / 2.0'

**DESIGNATION FOR:**

**T.H. 55**

15
39,000
53,000
10 TON
PRINCIPAL ARTERIAL
4
8,740,000
60 MPH
STOPPING
3.5' / 2.0'



Current Year) 2004 =  
 Future Year) 2024 =  
 TRAFFIC DESIGN  
 FUNCTIONAL CLASSIFICATION  
 TRAFFIC LANES  
 (20)  
 Speed  
 on Sight Distance  
 of eye / Height of Object

PLAN REVISIONS		
DATE	SHEET NO.	API

THIS PLAN AND/OR SPECIFICATION WAS PREPARED SPECIFICALLY FOR THIS PROJECT, AND ANY RE-USE OF DETAILS OR SPECIFICATIONS ON OTHER PROJECTS IS NOT INTENDED OR AUTHORIZED BY THE DESIGNER. LIABILITY FOR ANY RE-USE ON OTHER PROJECTS IS THE RESPONSIBILITY OF THE PERSON, AGENCY, OR CORPORATION USING PLAN OR SPECIFICATION DATA FROM THIS PROJECT.

**CITY OF PLYMOUTH**  
**S.A.P. 155-156-15**



CONSULTING GROUP, INC.

Transportation • Civil • Structural • Environmental • Planning • Traffic • Landscape Architecture • Parking • Right of Way

SRF No. 0045179

April 6, 2006

Mr. Ron Quanbeck  
City Engineer  
CITY OF PLYMOUTH  
3400 Plymouth Boulevard  
Plymouth, Minnesota 55447

Dear Mr. Quanbeck:

SUBJECT: TH 55 AND VICKSBURG LANE  
CITY OF PLYMOUTH PROJECT NO. 4134

Four (4) copies of the final Request for Payment and the Item Record Account for the above-referenced project will be sent upon approval from Hardrives, Inc. Mylar as-builts have previously been submitted to your staff.

We hereby certify that we have observed construction of the referenced project, all work has been completed in accordance with the approved plans, the project is in compliance with the specifications and Special Provisions, and inspection has been performed to assure the quality of materials and workmanship.

If you have any questions, please contact us.

Sincerely,

SRF CONSULTING GROUP, INC.

Michael C. Aaron, P.E.  
Senior Associate

MCA/bls

Enclosures

cc: Dan Campbell, City of Plymouth  
Dave Pribnow, Hardrives, Inc.  
Greg Eckblad, SRF Consulting Group, Inc.

*SRF.Vol3\FH\Projects\5179\HI-MU\Doc\LetterCityofPlymouth040606.doc*

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Minneapolis, Minnesota 55447-4443  
Tel: 763-475-0010 • Fax: 763-475-2429

[srfconsulting.com](http://srfconsulting.com)

Case Plaza, One North Second Street  
Fargo, North Dakota 58102-4807  
Tel: 701-237-0010 • Fax: 701-237-0017

*An Equal Opportunity Employer*

**CITY OF PLYMOUTH**

**RESOLUTION NO. 2006 -**

**APPROVING CHANGE ORDER NO. 2  
TH 55/VICKSBURG LANE  
SIGNAL AND INTERSECTION IMPROVEMENTS  
CITY PROJECT NO. 4134**

WHEREAS, Change Order No. 2 has been prepared providing for the following:

Compensation to the contractor for a hydrant relocation, materials needed for traffic signal revisions and a net increase in project quantities; and

WHEREAS, Change Order No. 2 for TH 55/Vicksburg Lane Signal and Intersection Improvements, City Project No. 4134, is recommended for approval;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA: That Change Order No. 2 for TH 55/Vicksburg Lane Signal and Intersection Improvements, City Project No. 4134, by adding \$13,248.51 is approved:

Original Contract Amount		\$568,467.27
Previous Change orders	- Add	74,988.65
THIS CHANGE ORDER NO. 2	- Add	<u>13,248.51</u>
REVISED CONTRACT AMOUNT		\$656,704.43

FURTHER BE IT RESOLVED: that additional funding in the amount of \$13,300 be from the TIF Fund.

Adopted by the City Council on April 11, 2006.

**CITY OF PLYMOUTH**  
**RESOLUTION NO. 2006 -**  
**REQUEST FOR PAYMENT NO. 5 AND FINAL**  
**TH 55/VICKSBURG LANE**  
**SIGNAL AND INTERSECTION IMPROVEMENTS PROJECT**  
**CITY PROJECT NO. 4134**

WHEREAS, the City of Plymouth as owner and Hardrives, Inc., as contractor, have entered into an agreement for TH 55/Vicksburg Lane Signal and Intersection Improvements, City Project No. 4134, said agreement being dated March 24, 2005; and

WHEREAS, the Engineer has certified his acceptance of the work and his approval of the final request for payment;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA:

1. That the original contract amount was \$568,467.27. Two change orders were approved in the amount of \$88,237.16 and the value of the work to date is \$656,704.43 and is herewith approved. This project does not exceed the revised contract amount.
2. That the work performed by the contractor for TH 55/Vicksburg Lane Signal and Intersection Improvements Project and certified to the Council by the Engineer as acceptable, being the same, is hereby released from the contract except as to the conditions of the performance bond, any and all legal rights of the owner, required guarantees and correction of faulty work after final payment.
3. Request for Payment No. 5 and Final in the amount of \$62,280.58 to Hardrives Inc. for TH 55/Vicksburg Lane Signal and Intersection Improvements is hereby approved and the City Finance Director is hereby authorized and directed to pay the same forthwith.

Adopted by the City Council on April 11, 2006.

6.9

**CITY OF PLYMOUTH**  
**CITY COUNCIL AGENDA REPORT**

**DATE:** March 31, 2006 for the City Council Meeting of April 11, 2006

**TO:** Laurie Ahrens, City Manager through  
Doran Cote, P.E., Director of Public Works

**FROM:** Daniel K. Campbell, Sr. Engineering Technician

**SUBJECT:** PAYMENT NO. 3 AND FINAL  
WELL 6 EMERGENCY MAINTENANCE PROJECT  
CITY PROJECT NO. 5107

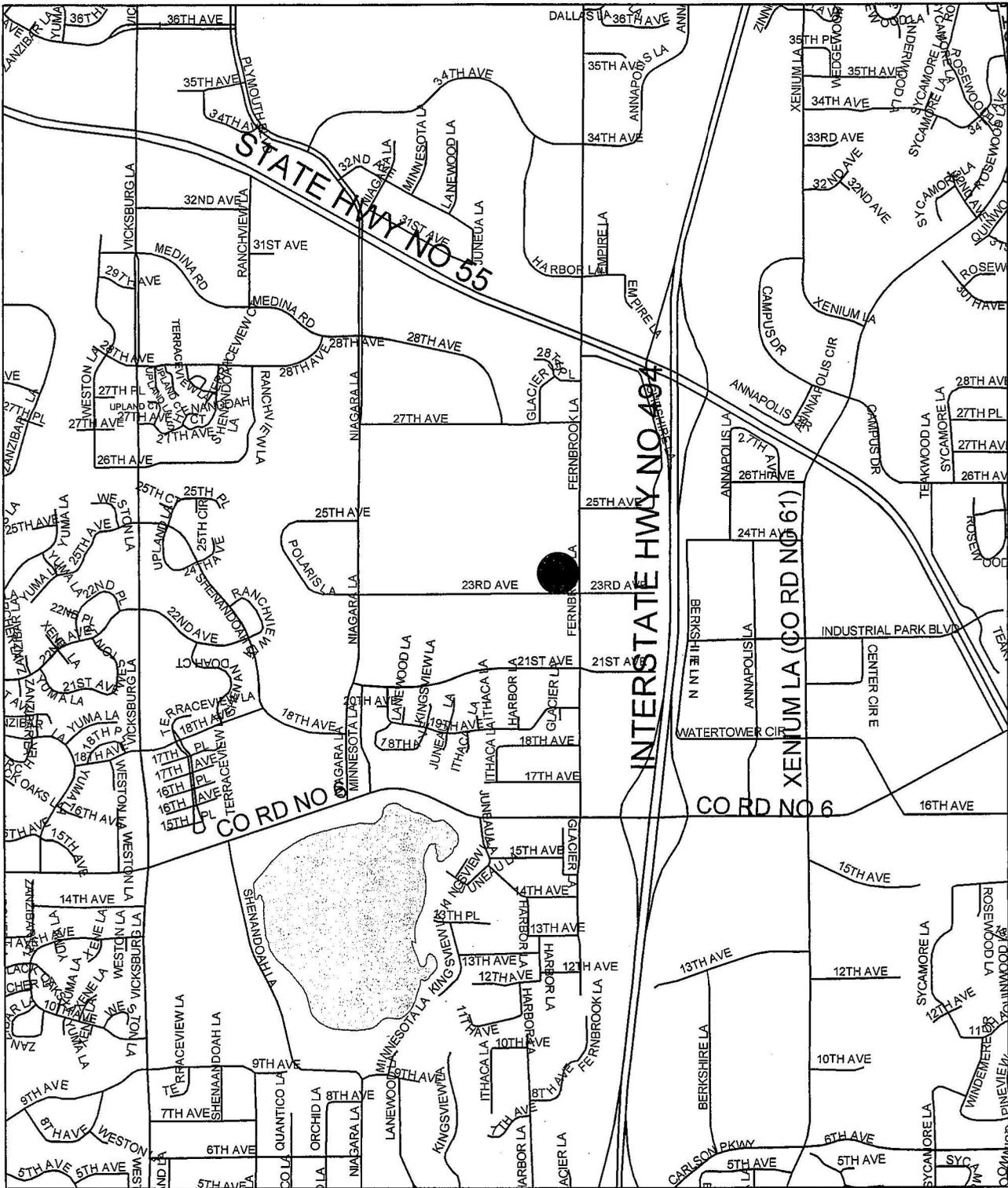
**ACTION REQUESTED:** Make a motion to adopt the attached resolution approving Payment No. 3 and Final for the above project.

**BACKGROUND:** Attached is Payment No. 3 and Final for the Well 6 Emergency Maintenance Project. All work on this project has been completed and certified by Bonestroo, Rosene, Anderlik & Assoc. Inc. (BRA) as meeting project specifications. The original and final contract amount for this project is \$75,974. Final payment in the amount of \$3,798.70 is being requested.

**RECOMMENDATIONS AND CONCLUSIONS:** I recommend that the City Council accept the project and adopt the attached resolution approving Payment No. 3 and Final for the Well 6 Emergency Maintenance Project, City Project No. 5107, with final payment in the amount of \$3,798.70.

attachments: Payment No. 3 and Final  
Map  
Letter  
Resolution

# Well 6



# Location

**CITY OF PLYMOUTH**

**RESOLUTION NO. 2006 -  
REQUEST FOR PAYMENT NO. 3 AND FINAL  
WELL 6 EMERGENCY MAINTENANCE PROJECT  
CITY PROJECT NO. 5107**

WHEREAS, the City of Plymouth as owner and In Control, Inc., as contractor, have entered into an agreement for Well 6 Emergency Maintenance Project, City Project No. 5107, said agreement being dated March 7, 2005; and

WHEREAS, the Engineer has certified his acceptance of the work and his approval of the final request for payment;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA:

1. That the original contract amount was \$75,974 and the value of the work to date is \$75,974 and is herewith approved. This project does not exceed the contract amount.
2. That the work performed by the contractor for Well 6 Emergency Maintenance Project and certified to the Council by the Engineer as acceptable, being the same, is hereby released from the contract except as to the conditions of the performance bond, any and all legal rights of the owner, required guarantees and correction of faulty work after final payment.
3. Request for Payment No. 3 and Final in the amount of \$3,798.70 to In Control, Inc. for Well 6 Emergency Maintenance Project is hereby approved and the City Finance Director is hereby authorized and directed to pay the same forthwith.

Adopted by the City Council on April 11, 2006.

6.10

**CITY OF PLYMOUTH**  
**CITY COUNCIL AGENDA REPORT**

**DATE:** March 31, 2006 for the City Council Meeting of April 11, 2006

**TO:** Laurie Ahrens, City Manager through  
Doran Cote, P.E., Director of Public Works

**FROM:** Daniel K. Campbell, Sr. Engineering Technician

**SUBJECT:** AWARD CONTRACT  
COUNTY ROAD 6 WATER TOWER REHABILITATION  
CITY PROJECT NO. 5124

**ACTION REQUESTED:** Make a motion to adopt the attached resolution awarding a contract for the construction of the above project.

**BACKGROUND:** Bids were received for the County Road 6 Water Tower Rehabilitation Project on Monday, March 27, 2006. Attached is a letter from the City's consulting engineer, Short, Elliott, Hendrickson, Inc. (SEH), recommending that the contract be awarded to the low bidder, M.K. Painting, Inc. for the base bid amount of \$284,655. A responsible bidder evaluation was completed by the contractor and they are deemed a responsible bidder. The low bid is \$3,795 or 1.4% under the engineer's estimate of \$288,450.

**BUDGET IMPACT:** \$250,000 was included in the 2005 / 2006 Capital Improvement Program (CIP) for this project. With the low bid, the total project cost is estimated to be \$341,600 which includes \$34,900 for the consulting engineer and 10% for administration, legal and contingencies. When the Council approved plans and specifications and ordered advertisements for bids for this project, our recommendation was to receive bids to see if there would be some cost savings. We do not believe that re-bidding this project would provide for any additional cost savings. We therefore recommend proceeding with award of contract. We will attempt to find cost savings in other areas in order to fund this project. A budget amendment may be required at a future date to fully fund this project if adequate savings are not realized.

**RECOMMENDATIONS AND CONCLUSIONS:** I recommend that the City Council adopt the attached resolution awarding the contract for the County Road 6 Water Tower Rehabilitation Project, City Project No. 5124, to the low bidder, M.K. Painting, Inc. in the base bid amount of \$284,655.

attachments: Letter  
Map  
Resolution



March 31, 2006

Re: Plymouth, Minnesota  
County Road 6 Water Tank Rehabilitation  
SEH No. A-PLYMO0606.00

Mr. Dan Campbell  
City of Plymouth  
3400 Plymouth Boulevard  
Plymouth, Minnesota 55447-1448

Dear Mr. Campbell,

On Monday, March 27, 2006 Four (4) bids were received for the above-referenced project. The bids ranged from a low of \$284,655 to a high of \$377,800. The low bid was submitted by M K Painting, Inc. of Wyandotte, Michigan. A bid tabulation is attached for your review. M K Painting's bid included an alternate bid which would at the City's option, extend the warranty from two years to five years at an additional cost of \$10,000.

M K Painting has not previously worked in Minnesota; however, they are an established painter of water storage facilities in Michigan and several eastern states. References from other engineering and inspection firms indicate that they have the necessary equipment and experience to satisfactorily perform this work. A copy of their bid, bid bond, project references and other bid attachments is enclosed for your review.

In considering this award, please review the provisions that are detailed in Article 19 of the Instructions for Bidders on page 00200-7 of the Project Manual. Accordingly, we recommend that you proceed with the award.

Please call if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Steve Campbell".

Steve Campbell PE  
Principal/Senior Project Manager

djm

c: Sue Mason, CSM  
X:\PT\Plymo\060600\recaward2033106.doc



**CITY OF PLYMOUTH**

**RESOLUTION NO. 2006 -  
RESOLUTION AWARING CONTRACT  
COUNTY ROAD 6 WATER TOWER REHABILITATION  
CITY PROJECT NO. 5124**

WHEREAS, pursuant to an advertisement for bids for County Road 6 Water Tower Rehabilitation Project and all necessary appurtenances, bids were received, opened and tabulated according to law, and the following bids were received complying with the advertisement:

<u>COMPANY</u>	<u>BASE BID</u>	<u>Alt. No. 1</u>
M.K. Painting Inc.	\$284,655	\$10,000
LeadCon Inc.	\$332,735	\$5,000
Classic Protective Coatings Inc.	\$340,375	\$39,622
TMI Coatings, Inc.	\$377,800	\$23,000

WHEREAS, it appears that M.K. Painting, Inc., Inc. of Wyandotte, MI is the lowest responsible bidder, complying with the minimum specifications;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA:

1. The Mayor and City Manager are hereby authorized and directed to enter into the contract with M.K. Painting Inc. of Wyandotte, MI in the name of the City of Plymouth for County Road 6 Water Tower Rehabilitation Project according to the plans and specifications therefore approved by the City Council and on file in the office of the City Engineer in the Base Bid amount of \$284,655.
2. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.
3. Funding will be from the Water Fund in the amount of \$341,600.

Adopted by the City Council on April 11, 2006.

Agenda Number:

6.11

**CITY OF PLYMOUTH**  
**CITY COUNCIL AGENDA REPORT**

**DATE:** March 31, 2006, for Council Meeting of April 11, 2006

**TO:** Laurie Ahrens, City Manager, through  
Doran Cote, P.E., Director of Public Works

**FROM:** Ross A. Beckwith, P.E., Assistant City Engineer ~~W~~

**SUBJECT:** ACCEPTING STREETS AND UTILITIES FOR CONTINUAL MAINTENANCE

**ACTION REQUESTED:** We have received a request from a developer to accept public improvements for continual maintenance, which reflects completed work in their development. The City has made inspections of the work and I recommend that the attached resolution be adopted. The development is:

1. SUNRISE MARSH (2002012)

attachment: Resolution

**RESOLUTION NO. 2006 -**

**ACCEPTANCE OF STREETS AND UTILITIES FOR CONTINUAL MAINTENANCE  
SUNRISE MARSH (2002012)**

WHEREAS, in accordance with the development contract dated September 4, 2002, 3Z Holdings, LLC, developer of Sunrise Marsh (2002012), has agreed to install certain improvements for said development; and

WHEREAS, the developer has completed a portion of the street, utility and site grading as noted below; and

WHEREAS, the developer has requested a reduction of the required financial guarantee to reflect the completed work;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA; that the financial guarantee requirements remain as follows:

<u>ITEM</u>	<u>ORIGINAL AMOUNT</u>	<u>CURRENT AMOUNT</u>	<u>NEW AMOUNT</u>
Street Construction	\$ 41,892	\$ 8,378	\$ 8,378
Sanitary Sewer	35,600	7,120	7,120
Watermain	53,400	10,680	10,680
Storm Sewer	114,000	22,800	22,800
Boulevard and Drainage Swale Sod	5,000	2,500	1,200
Pond Construction	-0-	-0-	-0-
Mitigation Pond Construction	4,000	4,000	4,000
NURP Pond Construction	7,000	1,400	1,400
Street Signs (1 x 200)	200	200	-0-
Park and Trail Improvements	9,500	9,500	9,500
Site Grading and Drainage Improvements	24,000	12,000	3,000
Setting Iron Monuments	2,500	2,500	2,500
Design, Administration, Inspection, As-Builts	<u>35,651</u>	<u>9,729</u>	<u>8,469</u>
<b>TOTAL</b>	<b>\$ 332,743</b>	<b>\$90,807</b>	<b>\$ 79,047</b>

That the required financial guarantee for the above items be reduced as detailed above from \$90,807 to \$79,047 to reflect the completed work. Letter of Credit No. 332 may be reduced accordingly.

**RESOLUTION NO. 2006-  
SUNRISE MARSH (2002012)  
Page Two**

FURTHER BE IT RESOLVED that the financial guarantee requirements for the following items per Section 8.1 of the approved development contract be reduced as follows:

<u>ITEM</u>	<u>ORIGINAL AMOUNT</u>	<u>CURRENT AMOUNT</u>	<u>NEW AMOUNT</u>
Maintenance of Erosion and Sediment Control Plan, Street Sweeping, and Storm Sewer Cleaning (see Grading Permit for Financial Guarantee Requirements)			
Cash:	\$ 11,500	\$ 11,500	\$ 11,500
 Curb Cut Financial Guarantee			
Cash:	\$5,500	\$5,500	-0-

FURTHER, that the utility construction is accepted for continual maintenance as of April 11, 2006 subject to the two-year guarantee by the Developer per the \$40,600 being held as part of Letter of Credit No. 332 under the three utility items.

FURTHER, that the street construction is accepted for continual maintenance as of April 11, 2006 subject to the one-year guarantee by the Developer per the \$8,378 being held as part of Letter of Credit No. 332 under the street construction item.

Adopted by the City Council on April 11, 2006.

6.12

**CITY OF PLYMOUTH**  
**CITY COUNCIL AGENDA REPORT**

**DATE:** March 31, 2006 for the City Council Meeting of April 11, 2006

**TO:** Laurie Ahrens, City Manager through  
Doran Cote, Director of Public Works

**FROM:** Ross A. Beckwith, P.E., Assistant City Engineer

**SUBJECT:** APPROVE PLANS AND SPECIFICATIONS  
WALNUT GROVE LANE RETAINING WALL PROJECT  
CITY PROJECT NO. 6104

**ACTION REQUESTED:** Make a motion to adopt the attached resolution approving plans and specifications and ordering advertisement for bids for the above referenced project.

**BACKGROUND:** This project is located on the east side of Walnut Grove Lane, just south of 23<sup>rd</sup> Avenue. It involves removal of an existing 150-foot long wooden retaining wall that is near failure, and replacing it with a block wall. The material for the new block wall will be the same large block that was used on the Pineview Retaining Wall Project in 2005. Due to the height of the wall, a two-tiered wall design will be constructed to allow for easier, less disruptive construction as well as provide a more aesthetic finished product. URS, Inc. is the City's consultant on this project and has prepared the plans and specifications.

A meeting was held on-site with City staff, URS staff and the adjacent property owner to discuss the project scope, construction limits and tree impacts associated with the project. The property owner is in favor of the project and the two-tiered wall design. The entire new wall will remain within City right-of-way, however a temporary right-of-entry will be needed from the property owner and the neighbor to the north for construction. City staff has been in contact with these two property owners and should be receiving the signed right-of-entry documents soon.

**BUDGET IMPACT:** The project was included in the 2006 Capital Improvement Program (CIP) for a total project cost of \$140,000. The total estimated construction cost is \$110,000 and the estimated total project cost is \$140,000, which includes 25% for contingencies, design, administration and inspection and will be financed out of the Street Replacement Fund.

**RECOMMENDATIONS AND CONCLUSIONS:** I recommend that the City Council adopt the attached resolution approving plans and specifications and ordering advertisement for bids with bids to be received May 10, 2006.

attachments: Map  
Resolution

# Walnut Grove Lane Retaining Wall City Project 6104



**CITY OF PLYMOUTH**

**RESOLUTION NO. 2006 -  
APPROVING PLANS AND SPECIFICATIONS AND  
ORDERING ADVERTISEMENT FOR BIDS  
WALNUT GROVE LANE RETAINING WALL PROJECT  
CITY PROJECT NO. 6104**

WHEREAS, the City's Engineering Consultant, URS, Inc. has prepared plans and specifications for removal and replacement of a retaining wall along the east side of Walnut Grove Lane south of 23<sup>rd</sup> Avenue and has presented such plans and specifications to the Council for approval;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA:

1. Such plans and specifications, copies of which are on file in the City Engineer's office and made a part hereof, are hereby approved.
2. The City Clerk shall prepare and cause to be inserted in the official paper and in The Construction Bulletin an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published two times, shall specify the work to be done, shall state that bids will be received by the City Clerk until 10:00 a.m. on May, 10, 2006 at which time they will be publicly opened in the City Council Chambers of the Plymouth City Center building at 3400 Plymouth Boulevard, Plymouth, Minnesota, by the City Manager and that no bids will be considered unless sealed and filed with the City Clerk and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the City Clerk for five percent of the amount of such bid.

Adopted by the City Council on April 11, 2006

**CITY OF PLYMOUTH**  
**CITY COUNCIL AGENDA REPORT**

**DATE:** March 31, 2006 for the City Council Meeting of April 11, 2006

**TO:** Laurie Ahrens, City Manager through  
Doran Cote, Director of Public Works

**FROM:** Ross A. Beckwith, P.E., Assistant City Engineer

**SUBJECT:** APPROVE PLANS AND SPECIFICATIONS  
2006 MILL AND OVERLAY PROJECT  
PINEVIEW LANE AND SCHMIDT LAKE ROAD  
CITY PROJECT NO. 6106

**ACTION REQUESTED:** Make a motion to adopt the attached resolution approving plans and specifications and ordering advertisement for bids for the above referenced project.

**BACKGROUND:** On March 14, 2006, City Council ordered the preparation of plans and specifications of the above project after the Improvement Public Hearing. The Engineering Department has since prepared the plans and specifications for this project. The mill and overlay project area includes Pineview Lane from Schmidt Lake Road to Northwest Boulevard, and portions of Schmidt Lake Road from Fernbrook Lane to Pineview Lane.

A mill and overlay removes and replaces the wearing course or top 1.5" of bituminous on the street. In addition, any settled, cracked or heaved concrete curb and gutter is removed and replaced to properly convey water to the storm sewer system. Storm and sanitary sewer structures are also repaired as needed.

In addition to resurfacing Pineview Lane, two concrete medians will be installed both 100 feet north and south of the Canadian Pacific Railway (CP Rail) tracks. This improvement, City Project No. 6105, is also in the CIP for 2006. By combining these two projects, the City should benefit from an overall cost savings. This is also the first step in becoming compliant with the more stringent Federal Railroad Administration (FRA) Quiet Zone Regulations. The medians will prevent traffic from simply driving around the gate when it is down, adding overall safety to the crossing. Regarding the roughness of the crossing, CP Rail has scheduled a repair of the crossing to take place the first week in July. The mill and overlay project and installation of the medians will therefore be scheduled for later in July, so that any work done by CP Rail can be properly matched.

**SUBJECT:** APPROVE PLANS AND SPECIFICATIONS  
2006 MILL AND OVERLAY PROJECT  
PINEVIEW LANE AND SCHMIDT LAKE ROAD

Page 2

Per the City's current Street Reconstruction Assessment Policy, the City assesses 35% of the total cost of a mill and overlay project to the adjacent benefiting property owners. Given the chosen streets in the 2006 project, only portions of Pineview Lane and Schmidt Lake Road can be assessed, as the majority of the adjacent properties are not benefiting. In addition, Bass Lake Park has an access onto Pineview Lane and will be included in the assessment, and the City's excess material waste site will be included in the Schmidt Lake Road assessment. There will be no assessments for the Railroad Crossing Improvement, City Project No. 6105.

**BUDGET IMPACT:** The proposed project was included in the 2006 Capital Improvements Program (CIP) for a total project cost of \$440,000. The total estimated project cost including engineering, administration and contingencies for mill and overlay of these streets is \$445,000. Of this amount, \$43,000 would be assessed and the remainder would come from the Street Reconstruction Fund. Since Campus Drive was eliminated from the Mill and Overlay Project, the estimated assessments are significantly less than identified in the CIP.

The Railroad Crossing Improvement at Pineview Lane, City Project No. 6105, has an estimated total project cost of \$50,000 and was also included in the 2006 CIP for a total project cost of \$50,000. Financing will come from the Municipal State Aid Fund and the Community Improvement Fund.

**RECOMMENDATIONS AND CONCLUSIONS:** I recommend that the City Council adopt the attached resolution approving plans and specifications and ordering advertisement for bids with bids to be received May 8, 2006.

attachments: Project Location Map  
Resolution



**CITY OF PLYMOUTH**

**RESOLUTION NO. 2006 -  
APPROVING PLANS AND SPECIFICATIONS AND  
ORDERING ADVERTISEMENT FOR BIDS  
2006 MILL AND OVERLAY PROJECT  
CITY PROJECT NO. 6106**

WHEREAS, pursuant to a resolution passed by the Council on March 14, 2006 the City Engineering Division has prepared plans and specifications for the improvement of Pineview Lane from Schmidt Lake Road to Northwest Boulevard and portions of Schmidt Lake Road from Fernbrook Lane to Pineview Lane by bituminous resurfacing of streets, replacement of concrete curb and gutter, and all necessary appurtenances and has presented such plans and specifications to the Council for approval;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA:

1. Such plans and specifications, copies of which are on file in the City Engineer's office and made a part hereof, are hereby approved.
2. The City Clerk shall prepare and cause to be inserted in the official paper and in The Construction Bulletin an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published three times, shall specify the work to be done, shall state that bids will be received by the City Clerk until 10:00 a.m. on May 8, 2006 at which time they will be publicly opened in the City Council Chambers of the Plymouth City Center building at 3400 Plymouth Boulevard, Plymouth, Minnesota, by the engineer and City Clerk, will then be tabulated, and will be considered by the council at 7 p.m. on May 23, 2006, in the council chambers. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the council on the issue of responsibility. No bids will be considered unless sealed and filed with the City Clerk and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the City Clerk for five percent of the amount of such bid.

Adopted by the City Council on April 11, 2006

**CITY OF PLYMOUTH**  
**CITY COUNCIL AGENDA REPORT**

**DATE:** April 3, 2006 for Council Meeting of April 11, 2006

**TO:** Laurie Ahrens, City Manager through Doran Cote, Director of Public Works

**FROM:** Thomas Vetsch, Public Works Superintendent.

**SUBJECT:** Purchase of two replacement Single Axle trucks with related equipment

**PROPOSED MOTION:** Make a motion to adopt the attached resolution approving the purchase of two Single Axle Trucks with related equipment.

**BACKGROUND:** The 2006 Central Equipment budget includes the replacement of two Single Axle trucks with related equipment. The trucks to be replaced are 16 and 18 years old. The related equipment is snowplow, snow wing, sander, under body plow, brine applicators, hydraulic cylinders, controls and safety strobes. One truck will have the tradition 5-6 yard dump box mounted on it. The second truck will be fitted with a "Swaploader" hook. The money for the Swaploader (\$20,000) was approved as part of the Street Maintenance budget. In 2005 we purchased the first Swaploader. A Swaploader is a hydraulic arm that allows the user to attach and detach a variety of different attachments. This is similar to how dumpsters are loaded and unloaded. In addition to the Swaploader, attachments purchased were a contractor dump body, a V style salt spreader box and a hot box attachment to keep asphalt material at a working temperature. The attachments purchased with this truck will be a V style salt spreader box and a 14' flatbed. After this purchase there will be 2 Swaploader hooks with 5 attachments making each truck more versatile.

These trucks will be available for use by all maintenance divisions (Water, Sewer, Streets, Park Maintenance, Forestry and Water Resources). All these divisions have materials to haul. The trucks are ordered with equipment to perform snow removal/ice control functions which is their primary purpose.

**BUDGET IMPACT:** The City's purchasing policy allows purchases off a State or County contract. Boyer Ford Trucks, has a contract with the state for Single Axle Truck Chassis (contract # 435523). The City is able to purchase both of these two Single Axle Truck Chassis meeting our specifications for \$122,824.00 less state sales tax. Sales tax will be paid with registration after we receive the chassis. J-Craft has a contract with the state (contract # 435403) for plows and sanders etc to complete the trucks. Our cost to J-Craft will be \$168,354.14 including state sales tax. Both of these trucks are over budget primarily due to price of steel and the new engine requirements to burn lower sulfur in diesel fuel. The equipment replacement fund can support these purchases because a snow blower will not be replaced this budget year.

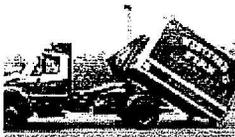
**RECOMMENDATION:** I recommend the City Council approve the purchase of two current model Single Axle Truck Chassis from Boyer Ford Trucks and related equipment to complete the truck with hauling and snow plowing/ice control equipment from J-Craft.

attachments: Picture  
Resolution



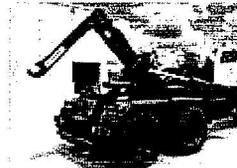
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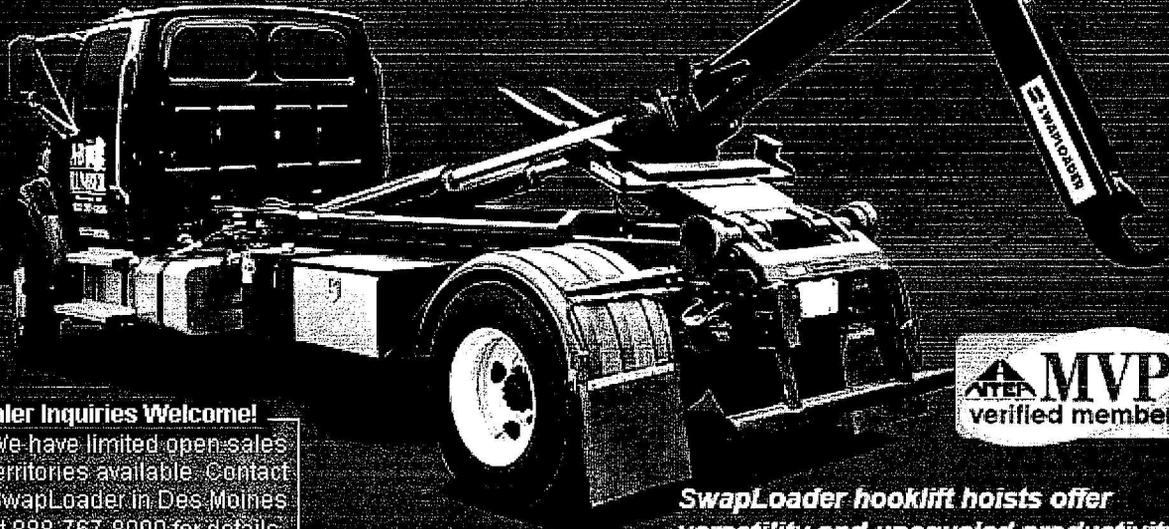
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**CITY OF PLYMOUTH**

**RESOLUTION NO. 06-**

**APPROVAL OF**

**TWO CURRENT MODEL SINGLE AXLE DUMP TRUCK CHASSIS AND RELATED  
HAULING AND SNOW PLOWING/ICE CONTROL EQUIPMENT**

**WHEREAS**, The City council has approved funds to purchase two replacement current model single axle dump truck chassis and related hauling and snow plowing/ice control equipment; and

**WHEREAS**, The Central Equipment budget has funding to pay for the replacement of two current model single axle dump truck chassis and related hauling and snow plowing/ice control equipment, and

**WHEREAS**, The Street Maintenance Division budget includes funds to upgrade one truck to a swap loader (\$20,000), and

**WHEREAS**, The City may purchase off State contracts, and

**WHEREAS**, Boyer Ford Trucks. has a contract with the State for this piece of equipment meeting the City's specifications, Contract # 435523 and

**WHEREAS**, J-Craft has a contract with the State for this piece of equipment meeting the City's specifications, Contract # 435403

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA**, to purchase two current model Single Axle Truck Chassis from Boyer Ford Trucks and related equipment to complete the truck with hauling and snow plowing/ice control equipment from J-Craft. The dollar amount due to Boyer Ford Trucks is, \$122,824.00 less state sales tax and the dollar amount due to J-Craft is \$168,354.14 including sales tax for a total cost of \$291,178.14.

**FURTHER BE IT RESOLVED**, the funding will be from fund 602-1760-8004 (\$271,178.14) and fund 101-1610-8004 (\$20,000.00)

Adopted by the City Council on April 11, 2006

CITY OF PLYMOUTH  
CITY COUNCIL AGENDA REPORT

**TO:** Laurie Ahrens, City Manager

**FROM:**  Jim Barnes, Housing Programs Manager through  Anne Hurlburt,  
Community Development Director

**SUBJECT:** **Plymouth Housing and Redevelopment Authority TIF District 1-2 – Adopt the attached resolution calling for the public hearing to consider establishing a Plymouth HRA TIF Housing district.**

**DATE:** March 29, 2006, for the City Council Meeting of April 11 2006

**1. PROPOSED ACTION:**

That the City Council approve the attached resolution setting June 13, 2006 as the date to hold a public hearing to consider establishing the Plymouth Housing and Redevelopment Authority Housing Tax Increment Financing District 1-2.

**2. BACKGROUND:**

In December of 2005, the City Council approved the Final Plat for the Taryn Hills development. As part of the overall development, Lundgren Brothers has agreed to sell a portion of the site to CommonBond Communities to construct a rental housing development. The proposed development will consist of 50 rental town home units serving households with lower incomes. CommonBond has submitted their plans to the Planning division and staff is currently in the process of reviewing the plans.

As part of this project, CommonBond has requested financial assistance from a variety of sources. The Minnesota Housing Finance Agency has awarded tax credits, subordinate financing and will provide a first mortgage. Additionally the Metropolitan Council has awarded the project \$300,000 and they currently have a grant application in to Hennepin County.

In order to complete the financing package, CommonBond has submitted an application to the Plymouth Housing and Redevelopment Authority for Tax Increment Financing in the amount of \$518,000. This request would be a pay-as-you-go method which will minimize and risk to the HRA and the City. Although this is a HRA Tax Increment District, the statutes require that the municipality's elected officials hold a public hearing and approve the district.

**3. NEXT STEPS:**

Attached is a time schedule for the Tax Increment Financing District. The Planning division anticipates bringing this project to the Planning Commission on May 17<sup>th</sup> with final action by the Council on June 13<sup>th</sup>. We have tried to coordinate the two processes so the Council will be hearing both items on the same night.

**4. RECOMMENDATION:**

That the City Council approve the attached resolution setting June 13, 2006 as the date to hold a public hearing to consider establishing the Plymouth Housing and Redevelopment Authority Housing Tax Increment Financing District 1-2.

**5. ATTACHMENTS:**

1. HRA Tax Increment Financing Redevelopment District 1-2 Map.
2. Time Schedule
3. Resolution Setting the Date for the Public Hearing for the HRA Housing District 1-2.



Plymouth HRA - City of Plymouth, Minnesota  
Establishment of  
Tax Increment Financing (Housing) District No. 1-2  
within  
Redevelopment Project Area No. 1  
(Common Bond Project)

Time Schedule – Public Hearing June 13, 2006

Thursday, March 16	Site Plan submitted to City for Review
Tuesday, April 11 @ 7 pm	City Council calls for public hearing (resolution provided by Dorsey & Whitney)
On/Before April 11	County and School District <u>receive</u> initial request for information letter (sent by SPRINGSTED) <b>Prior to receipt of impact letters &amp; draft TIF plan</b>
Thursday, April 20	<i>HRA reviews TIF documents</i>
On/Before Friday, April 28	County Commissioner <u>receives</u> notification letter (sent by SPRINGSTED) <b>30 days prior to publication of notice of public hearing</b>
Wednesday, May 3 @ 7pm	City Planning Commission reviews TIF documents (TIF documents provided by SPRINGSTED) (resolution provided by Dorsey & Whitney)
Tuesday, May 9	<i>City Council reviews TIF Documents</i>
On/Before May 11	County and School District <u>receive</u> impact letters & draft TIF plan (sent by SPRINGSTED) <b>30 days prior to public hearing</b>
Thursday, May 18	HRA approves TIF Plan and Housing Program (TIF documents provided by SPRINGSTED) (resolution provided by Dorsey & Whitney)

Thursday, May 25  
Deadline: Thurs., May 18

Publication of notice of public hearing In Plymouth Sun Sailor  
(arrangements made by SPRINGSTED)  
**10-30 days prior to public hearing**

Tuesday, June 13  
@ 7 pm

City Council holds public hearing, and adopts resolution  
establishing TIF District (resolution provided by Dorsey & Whitney)

City Council approves Housing Program

After June 13

State filing and request for county certification  
(completed by SPRINGSTED)

CERTIFICATE AS TO RESOLUTION

I, the undersigned, being the duly qualified and acting recording officer of the City of Plymouth, Minnesota (the "City"), hereby certify that the attached resolution is a true copy of Resolution No. \_\_\_\_\_, entitled: "RESOLUTION CALLING FOR A PUBLIC HEARING ON APPROVAL OF A HOUSING PROGRAM AND A TAX INCREMENT FINANCING PLAN FOR TAX INCREMENT FINANCING (QUALIFIED HOUSING) DISTRICT NO. 1-2" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a meeting on April 11, 2006, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

WITNESS my hand officially this \_\_\_ day of \_\_\_\_\_, 2006.

---

RESOLUTION CALLING FOR A PUBLIC HEARING ON  
APPROVAL OF A HOUSING PROGRAM AND A TAX  
INCREMENT FINANCING PLAN FOR TAX INCREMENT  
FINANCING (QUALIFIED HOUSING) DISTRICT NO. 1-2

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

1. Proposed Housing Program and Tax Increment Financing Plan. The Housing and Redevelopment Authority in and for the City of Plymouth, Minnesota (the "Authority") has prepared a plan (the "Redevelopment Plan") for redevelopment activities to be undertaken in Redevelopment Project Area No. 1 (the "Project Area"). The Redevelopment Plan was approved on November 16, 2004. In order to finance public housing costs to be incurred in connection with the Redevelopment Plan, the Authority has prepared and will present to the Council for approval, a housing program, as described in Minnesota Statutes, Section 462C.03, Subdivision 1a (the "Housing Program"), and a Tax Increment Financing Plan, as described in Minnesota Statutes, 469.175, Subdivision 1 (the "TIF Plan"). The TIF Plan will establish a tax increment financing district, as defined in Minnesota Statutes, Section 469.174, Subdivision 9, designated as Tax Increment Financing (Qualified Housing) District No. 1-2, within the Project Area. It has been proposed that this Council hold a public hearing on the Housing Program and the TIF Plan as required by Minnesota Statutes, Sections 462C.04, Subdivision 2, and 469.175, Subdivision 3; and further, that the Board of Commissioners of the Authority and the Council approve the Housing Program and the TIF Plan.

2. Public Hearing. A public hearing is hereby scheduled to be held on the Housing Program and TIF Plan at 7:00 p.m. on Tuesday, June 13, 2006, at the Plymouth City Hall, 3400 Plymouth Boulevard, Plymouth, Minnesota. The Community Development Director is hereby authorized and directed to cause notice of such public hearing in substantially the form of Exhibit A attached hereto to be published in the official newspaper of the City not less than 15 days nor more than 30 days prior to the date of the hearing, and to provide the information required by Minnesota Statutes, Section 469.175, Subdivision 2, to the appropriate governmental bodies.

Attest:

---

Community Development Director

---

Mayor

EXHIBIT A

NOTICE OF PUBLIC HEARING ON APPROVAL OF A  
HOUSING PROGRAM AND A TAX INCREMENT  
FINANCING PLAN FOR TAX INCREMENT FINANCING  
(QUALIFIED HOUSING) DISTRICT NO. 1-2 IN THE CITY OF  
PLYMOUTH

NOTICE IS HEREBY GIVEN that the City Council of the City of Plymouth, Minnesota (the "City"), will hold a public hearing on the approval of a Housing Program (the "Housing Program") and a Tax Increment Financing Plan (the "TIF Plan") for Tax Increment Financing (Qualified Housing) District No. 1-2 (the "TIF District") in Redevelopment Project Area No. 1 (the "Project Area") in the City at 7:00 p.m. on Tuesday, June 13, 2006, at the Plymouth City Hall, 3400 Plymouth Boulevard, Plymouth, Minnesota.

The Housing Program and TIF Plan provide for the financing, with tax increment revenues, of a 50-unit town home development designed and intended for occupancy by low and moderate income persons and public improvements directly related thereto.

Accompanying this notice is a map of a portion of the City. The map shows the area encompassed by the Project Area and the TIF District from which tax increment may be collected, pursuant to the TIF Plan, and the area in which such tax increment may be expended.

All who wish to be heard as to the Housing Program and the TIF Plan will be given an opportunity to express their views at the time of the public hearing or may file written comments with the Community Development prior to the public hearing.

By /s/ Anne Hurlburt, Community Development Director

Agenda Number: 6.16

CITY OF PLYMOUTH  
CITY COUNCIL AGENDA REPORT

**TO:** Laurie Ahrens, City Manager  
**FROM:** Sandy Paulson, City Clerk, through Larry Jacobson, Acting Administrative Services Director  
**SUBJECT:** TOBACCO LICENSE APPROVAL FOR WALGREEN CO. d/b/a WALGREENS #01002, 3255 VICKSBURG LANE  
**DATE:** April 4, 2006 for City Council Meeting of April 11, 2006

1. **ACTION REQUESTED:** Adopt the attached resolution approving a Tobacco License for Walgreen Co., d/b/a Walgreens #01002, 3255 Vicksburg Lane.
2. **BACKGROUND:** The City has received an application for a Tobacco License from Walgreen Co., d/b/a Walgreens #01002, 3255 Vicksburg Lane. This is a new business in the Shops at Plymouth Creek. The store manager has received materials regarding the City's Best Practices program, but has not yet made a commitment to participate.
3. **ALTERNATIVES:** The Council could deny the license request.
4. **BUDGET IMPACT:** The license fee has been received.
5. **RECOMMENDATION:** Adopt the attached resolution approving the Tobacco License.

CITY OF PLYMOUTH

RESOLUTION NO. 2006-  
APPROVING TOBACCO LICENSE FOR WALGREEN CO.  
d/b/a WALGREENS #01002, 3255 VICKSBURG LANE

BE IT RESOLVED by the City Council of the City of Plymouth that a tobacco license is issued for the period April 12, 2006, through December 31, 2006, for Walgreen Co. d/b/a Walgreens #01002, 3255 Vicksburg Lane.

Adopted by the Plymouth City Council on April 11, 2006.

CITY OF PLYMOUTH  
CITY COUNCIL AGENDA REPORT

**TO:** Laurie Ahrens, City Manager  
**FROM:** Sandy Paulson, City Clerk, through Jean McGann, Administrative Services Director  
**SUBJECT:** Amend Polling Location for Precinct 3  
**DATE:** April 5, 2006 for Council Meeting of April 11, 2006

- 1. ACTION REQUESTED:** Adopt attached Resolution Amending the Polling Location for Precinct No. 3.
- 2. BACKGROUND:** Up until this year, the Hennepin County Library has served as a polling location for Precinct No. 3. Due to the proposed remodeling of the library, the City was notified that it wouldn't be able to use their facility for the 2006 elections. With the new front lobby and conference room addition to City Hall, staff is recommending that City Hall be designated as the polling location for Precinct No. 3 for all future elections. Another benefit to having a polling location at City Hall is the ample parking in the parking lot for voters.
- 3. DISCUSSION:** In reviewing sites for polling locations, a number of factors are considered. These factors include whether the facility is handicap accessible, provides ample parking, and the type of traffic pattern near the site which could impede easy access for the voters. In reviewing the limited public buildings in and near Precinct 3, none of them meet all the criteria. City Hall is very familiar to residents and is not that much further distance wise from the Hennepin County Library. Staff recommends that City Hall would be the polling site not only for the 2006 elections, but for all future elections. All registered voters in Precinct No. 3 would receive a mailed notice prior to the Primary Election that their polling location has been changed.
- 5. BUDGET IMPACT:** There would be no savings as the County hasn't charged the City for use of the library.
- 6. RECOMMENDATION:** Adopt the attached Resolution Designating City Hall as the Polling Location for Precinct No. 3.

**CITY OF PLYMOUTH**

**RESOLUTION NO. 2006-**

**DESIGNATING POLLING LOCATION  
FOR CITY PRECINCT NO. 3**

WHEREAS, the Hennepin County Library has been used as a polling location for Precinct No. 3;  
and

WHEREAS, due to proposed remodeling at the library, the City was informed that they would  
not be able to use the site for the 2006 Elections,

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY  
OF PLYMOUTH, MINNESOTA, that City Hall, 3400 Plymouth Boulevard, has been designated  
as the Polling Location for Precinct No. 3 for the 2006 Elections and all future elections.

Adopted by the City Council on April 11, 2006.

CITY OF PLYMOUTH  
CITY COUNCIL AGENDA REPORT

**TO:** Laurie Ahrens, City Manager  
**FROM:** Eric Blank, Director of Parks and Recreation  
**DATE:** April 6, 2006, for Council Meeting of April 11  
**SUBJECT:** Accept Donation from Life Time Fitness



- 1. ACTION REQUESTED:** The City Council should pass the attached resolution accepting \$2,500 from Life Time Fitness.
- 2. BACKGROUND:** Life Time Fitness has made an offer to donate \$10,000 to the Millennium Garden fund in the calendar year 2006. The money will come in \$2,500 increments each quarter throughout the year. Life Time wishes the money to be used for the acquisition of art or sculpture for the garden, and they also wish to be informed of the selection of the art or sculpture before it is installed. Staff is currently working on a public art policy, which should be through the Park Commission and back to the City Council by January 2007. I anticipate that we would begin looking into the acquisition of this art work later this year with the anticipation of a purchase in '07. It is possible there may be future contributions from Life Time Fitness to the Millennium Garden or other projects.
- 3. RECOMMENDATION:** Staff recommends the City Council accept the \$2,500 contribution and direct that a letter of appreciation be sent from the City to Life Time Fitness thanking them for their contribution.

EB/np

**CITY OF PLYMOUTH**

**RESOLUTION 2006-**

**ACCEPTING CONTRIBUTION FROM LIFE TIME FITNESS**

WHEREAS, Life Time Fitness will donate a total of \$10,000 during 2006 to be used for the Millennium Garden, and

WHEREAS, the City Council has graciously accepted the donation;

NOW, THEREFORE, BE IT RESOLVED BY THE PLYMOUTH CITY COUNCIL that the City Council thanks Life Time Fitness for their generous contribution, and, further, that the Finance Director be authorized to deposit these funds in the Millennium Garden improvement fund.

Adopted by the City Council on \_\_\_\_\_

MILGAR  
Ref Nbr

MILLENNIUM GARDEN PLEDGE  
Invoice Nbr

Inv Date

Invoice Amount

Life Time Fitness  
Amount Paid

Disc Taken

3/1/2006  
Net Check Amt

MILGAR Ref Nbr	MILLENNIUM GARDEN PLEDGE Invoice Nbr	Inv Date	Invoice Amount	Life Time Fitness Amount Paid	Disc Taken	Net Check Amt
457964	1ST QTR DON	02/15/06	2,500.00	2,500.00	0.00	2,500.00

230317



US Bank  
24-HOUR BANKING 1-800-673-3555  
EAST GRAND FORKS, MN 56721

75-1592/912

Check # 230317

Life Time Fitness  
6442 City West Parkway  
Eden Prairie, MN 55344

Check Date

3/1/2006

Check Amount

\*\*\*\*\*\$2,500.00

Two Thousand Five Hundred and 00/100----- Dollars

TWO SIGNATURES REQUIRED IF OVER \$1000.00  
VOID AFTER 90 DAYS

PAY TO THE ORDER OF MILLENNIUM GARDEN PLEDGE  
3400 PLYMOUTH BOULEVARD  
PLYMOUTH, MN 55447  
United States

*Steve Kayman*  
Authorized Signature

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*[Signature]*  
Authorized Signature

⑈ 230317 ⑈ ⑆091215927⑆ 152100013993⑈

VCY5B7  
069999

**CITY OF PLYMOUTH**  
**CITY COUNCIL AGENDA REPORT**

**DATE:** April 5, 2006 for the City Council Meeting of April 11, 2006

**TO:** Laurie Ahrens, City Manager

**FROM:** Barbara Senness, Planning Manager, through Anne Hurlburt, Community Development Director

**SUBJECT:** REJECT BIDS  
CITY CENTER ENTRANCE SIGN PROJECT  
CITY PROJECT 5120

**ACTION REQUESTED:** Make a motion to adopt the resolution rejecting the bid from Environmental Associates, Inc. for the City Center Entrance Sign Project, City Project No. 5120.

**BACKGROUND:** On October 4, 2005, the initial sets of bids were publicly opened for the City Center Entrance Sign Project. Two bids were received at the following prices:

Contractor	Total Base Bid
Environmental Associates, Inc.	\$346,667
Jay Bros.	\$201,919

On October 11, 2005, the City Council rejected the low bid from Jay Brothers and directed staff to re-bid the project without the sign at the northeast corner of Vicksburg Lane and Highway 55. Given the time of year, staff waited to re-bid the project for an early spring start. Staff had hoped that a better bidding climate might produce a more favorable bid.

On March 14, 2006, a single new bid was publicly opened for the project. The bid was received at the following prices:

Contractor	Total Base Bid
Environmental Associates, Inc.	\$294,700

Based on the low number of bids received in both October and March, staff questioned whether the advertisements were reaching the right audience. As a consequence, staff

contacted several contractors identified by the architect who designed the signs, to determine whether they might be interested in a project of this nature. As a result of these contacts, staff learned that the bid received on March 14 was not out of line.

On March 28, the City Council asked staff to provide additional detail on the costs for and possibility of awarding the contract for construction of one sign—the sign adjacent to Ruby Tuesday. Staff contacted the bidder and learned that they could construct the single sign for \$94,021. Adding the 25 percent contingency results in a total project cost of roughly \$117,500. However, after consultation with the City Attorney, staff learned that constructing the single sign would require re-bidding the project.

Given noticing requirements, the earliest staff could bring a new bid to the Council would be May 23. That would leave five weeks for construction of the sign before the July 1 deadline for the easement. The bidder indicated that the single sign could be constructed in about five weeks. Since June is typically a rainy month, staff recommends that the Council not move forward on this project without going back to Ruby Tuesday's attorney and requesting another extension to the easement. If they agree, the time period to execute a further extension would be roughly three months, based on past experience. That would still leave plenty of time to re-bid and construct the sign this year.

**BUDGET IMPACTS:** Current funding for the sign includes \$63,500 in City funds (Project Administration Fund) and \$25,000 in private funds received from North American Properties as a condition of approval for Plymouth Marketplace. Based on information from the current bid, the total project cost is roughly \$117,500. If the Council received similar bids in a re-bidding process, the gap in current funding would be \$29,000.

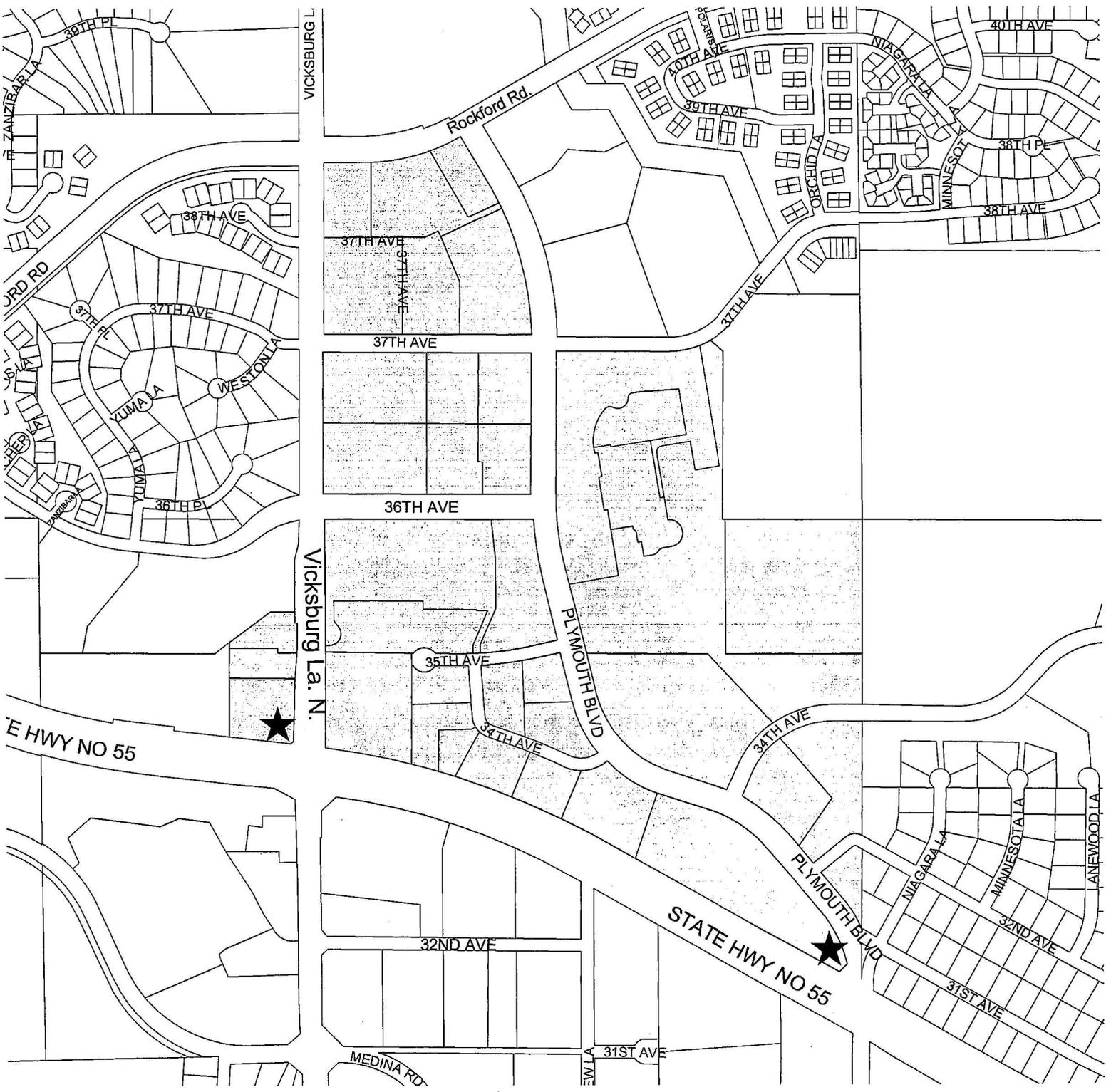
**ALTERNATIVES:** The Council could ask staff to seek an additional extension to the sign easement, identify a source for the gap in funding and re-bid the single sign at Vicksburg.

The Council could also direct staff to move ahead with re-bidding the single sign without gaining an extension, but seeking approval from the holder of the easement to potentially exceed the deadline for completion of the project. The City Attorney has advised that even if the City obtains a verbal agreement to extend, there is no guarantee that the City could complete the project without incident.

**RECOMMENDATION:** I recommend that the City Council adopt the resolution rejecting the bid from Environmental Associates, Inc. for the City Center Entrance Sign Project, City Project No. 5120. I further recommend that the Council direct staff to seek an additional extension to the sign easement, identify a source for the gap in funding and re-bid the single sign at Vicksburg.

**ATTACHMENTS:**

1. Location Map
2. Sign Elevations
3. Resolution Rejecting Bid for City Center Entrance Sign Project

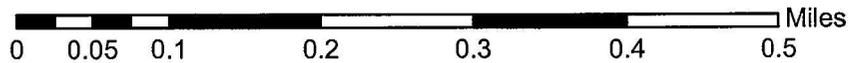


# City Center Monument Signs



City of  
Plymouth, Minnesota

★ Monument Sign Location





**CITY OF PLYMOUTH**  
**RESOLUTION NO. 2006 –**  
**REJECT BIDS**  
**CITY CENTER ENTRANCE SIGN PROJECT**  
**CITY PROJECT NO. 5120**

WHEREAS, pursuant to an advertisement for bids for the City Center Entrance Sign Project, one bid was received, opened and tabulated according to law, and the following bid was received complying with the advertisement:

<b>Contractor</b>	<b>Total Base Bid</b>
Environmental Associates, Inc.	\$294,700

WHEREAS, this bid substantially exceeds the City's available budget for the project;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA, that the City rejects the bid from Environmental Associates, Inc. for \$294,700 for the City Center Entrance Sign Project.

Adopted by the City Council on April 11, 2006.

Agenda Number:

8.2

CITY OF PLYMOUTH  
CITY COUNCIL AGENDA REPORT

**TO:** Mayor and City Council  
**FROM:** Laurie Ahrens, City Manager *La*  
**SUBJECT:** Set Future Study Sessions  
**DATE:** April 4, 2006, for City Council meeting of April 11, 2006

1. **ACTION REQUESTED:** Review the pending study session topics list, set study sessions and amend the topics list if desired.
2. **BACKGROUND:** Attached is the list of pending study session topics, as well as calendars to assist in scheduling.
  - The annual audit is scheduled for a study session on June 13; however, a conflict has arisen for the City's auditor and he will be unable to attend on that evening. We suggest the Council consider switching the scheduled study sessions for June 13 and June 27. Review of the annual audit would be moved to June 27, and discussion on the Greenhouse Gas Project would be moved to June 13.
  - Several additional study session topics have been added to the pending topics list for consideration.

## **Pending Study Session Topics**

(at least 3 Council members have approved the following study items on the list)

- Park Needs and Funding (study session held on 3/21/06; additional information requested; item placed on study session topics list)
- Discuss reimbursement of costs relating to resident vehicle hit and run damage during street reconstruction project (Slavik, Johnson, Black)

## **Other requests for study session topics:**

- Update with City Manager (summer)
- Discuss Solid Waste Program – report has been provided to Council
- Report on staffing needs of City (Willis)
- Request meeting with TwinWest PAC (Willis) – on agenda for TwinWest mayor-manager meeting
- Discuss image relating to funding and opportunities provided to Plymouth (Stein)
- Discuss options for regulating “mobile billboards” (Black)
- Water Plant tours (May or later)
- Request of Shingle Creek Watershed Management Commission to present information on shallow lake ecology, TMDLs, and the Shingle Creek/West Mississippi planning process (1 hour)
- Tour/demonstration at refurbished Police Firearms Range - June or later (Bildsoe)
- Discuss status of water reservoir project (Bildsoe)
- Discuss County Road 101 Proposed Cost Share Arrangement
- Consider ordinance to prevent animal feeding nuisance situations

**Laurie Ahrens**

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**Subject:** FW: Shingle Creek Water Quality Plan - Shallow Lake Ecology

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**From:** Judie Anderson [mailto:judie@jass.biz]

**Sent:** Tuesday, March 28, 2006 11:57 AM

**To:** amadsen@ci.maple-grove.mn.us; devinm@ci.brooklyn-park.mn.us; Dkrogh@ci.robbinssdale.mn.us; jlewis@ci.crystal.mn.us; Llaron@ci.osseo.mn.us; merry.keefe@ci.minneapolis.mn.us; sknutson@ci.brooklyn-park.mn.us; Sandy Paulson; vleone@ci.new-hope.mn.us; klevenbrian@yahoo.com; Carlson, Joe T; Craig Cooper; Diane Spector; emeadowlk@aol.com; Ed Matthiesen; gbutcher@ci.maple-grove.mn.us; ggappa@msn.com; gjohnson@ci.new-hope.mn.us; Hanson, Mark A; John Barten ; Judie; kjaeger616@comcast.net; councilmembercarmody@ci.brooklyn-center.mn.us; Kevin Larson; ned.carroll@co.hennepin.mn.us; publwks@ci.osseo.mn.us; Richard; rlestina@ci.maple-grove.mn.us; Shane Missaghi; timothy.larson@pca.state.mn.us; tina@rwmwd.org; tblomstrom@ci.brooklyn-center.mn.us; tom.hovey@dnr.state.mn.us; Tom Mathisen; Wayne.Sicora@RyanCompanies.com

**Subject:** Shingle Creek Water Quality Plan - Shallow Lake Ecology

City Clerks, SC Commissioners, TAC Members:

The Shingle Creek Watershed Management Commission is currently developing a Water Quality Plan and Capital Improvement Program to address water quality concerns in the Shingle Creek watershed.

The February meeting of the Commission's Technical Advisory Committee (TAC) included a presentation on shallow lakes ecology and a lengthy discussion of how that related to and would impact TMDLs and long-term management of lakes in the watershed. Shallow lake ecology also applies to deeper wetlands and larger ponds. Many Commissioners were able to participate in that discussion and agreed that it would be helpful to make this information available to cities for their use.

In March the Commission approved funding for a PowerPoint presentation to member City Councils, Environmental Commissions, etc. The presentation would cover the basics of shallow lake ecology, TMDLs, and the Shingle Creek/West Mississippi planning process, and would be customized for each city based on its particular resources.

The Shingle Creek Watershed Management Commission is requesting time on your City Council agenda or at a Council work session to make this presentation. It will be 40-50 minutes in length and be made by Joe Bischoff, Wenck Associates. (Joe will not be available April 13-17; however, all other dates in April and May are open at this time.) An abstract of his presentation is attached.

Please contact me to schedule a convenient time in your city for this presentation. Thank you.

*Judie A. Anderson  
JASS - Watershed Administrators  
3235 Fernbrook Lane  
Plymouth, MN 55447  
PH: 763.553.1144  
FX: 763.553.9326  
email: judie @jass.biz*

## The Shingle Creek Water Quality Plan, Lake TMDLs and NPDES Phase II

Joe Bischoff  
Wenck Associates, Inc.

The Shingle Creek Watershed Management Commission is currently developing a Water Quality Plan and Capital Improvement Program to address water quality concerns in the Shingle Creek Watershed.

In support of these efforts, the State of Minnesota has provided funds for development of TMDLs for impaired waters in the Shingle Creek watershed, including excess nutrient impairments in lakes as well as chloride in Shingle Creek. The results of the TMDLs will provide the scientific understanding and framework for selecting capital projects and management activities designed to bring the impaired waters into compliance with State water quality standards.

However, not all of the projects will be capital in nature; rather, many of the activities will involve management of the natural systems for water quality, especially in shallow lakes.

Shallow lakes have received considerable attention over the last decade as demonstrating unique characteristics from their deeper counterparts. A healthy shallow lake has clear water and is dominated by native aquatic plants that provide habitat for fish and zooplankton. Degraded shallow lakes demonstrate turbid waters dominated by algae. Shallow lakes do not respond as readily to nutrient reductions, largely because of sediment and nutrient resuspension from wind action, carp activity, and invasive nuisance plant species such as curly leaf pondweed.

Recent studies suggest that restoration of a shallow lake may require more than simply reducing nutrient loads, but also may require biomanipulation, or changing the biological structure of the lake. Either way, a healthy shallow lake will have a significant aquatic plant community that is often perceived as an inhibitor to recreation.

Understanding the ecology of shallow lakes is critical to developing TMDLs that are both appropriate and effective for restoring shallow lakes. Here we will present some examples of the effects of shallow lake ecology on the development of excess nutrient TMDLs in the Shingle Creek watershed. We will also outline the TMDL process being utilized by the Shingle Creek Commission in the development of their Water Quality Plan and Capital Improvement Program and discuss the role of the Cities in the program including NPDES Phase II requirements for stormwater.

# OFFICIAL CITY MEETINGS

April 2006

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday																																																																																																		
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2 DAYLIGHT SAVINGS COMMENCES - set clocks ahead 1 hour	3 PRIMAVERA PLYMOUTH FINE ARTS COUNCIL SHOW, Plymouth Creek Center	4 PRIMAVERA PLYMOUTH ARTS COUNCIL SHOW, Plymouth Creek Center	5 7:00 PM PLANNING COMMISSION, Council Chambers	6 7:00 PM HUMAN RIGHTS COMMISSION - Medicine Lake Room	7	8																																																																																																		
9 PALM SUNDAY	10 7:00 PM ENVIRONMENTAL QUALITY COMMITTEE (EQC), Council Chambers 7:00 PM YOUTH ADVISORY COUNCIL, Meeting Room A	11 5:30 PM BOARD OF EQUALIZATION, Council Chambers 7:00 PM REGULAR COUNCIL MEETING, Council Chambers	12 PASSOVER BEGINS AT SUNSET	13 7:00 PM PARK & REC ADVISORY COMMISSION (PRAC), Council Chambers	14 GOOD FRIDAY	15																																																																																																		
16 EASTER SUNDAY	17 7:00 PM YOUTH SERVICE AWARDS, Council Chambers	18 5:00 PM SPECIAL COUNCIL MEETING: BUS TOUR OF NW PLYMOUTH, Depart from City Hall 7:00 PM SPECIAL COUNCIL MEETING: POLICE STAFFING STUDY; FIRE STAFFING STUDY, Meeting Room A/B	19 7:00 PM PLANNING COMMISSION, Council Chambers	20 7:00 PM HOUSING & REDEVELOPMENT AUTHORITY (HRA), Medicine Lake Room	21	22 9:00 AM - 3:00 PM YARD & GARDEN EXPO, Plymouth Creek Center and Fieldhouse																																																																																																		
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May 2006

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	<p>1</p> <p>3:00 PM -5:00 PM NORTHWEST PLYMOUTH NEIGHBORHOOD MEETING, Council Chambers</p>	<p>2</p> <p>6:00 PM -8:00 PM NORTHWEST PLYMOUTH NEIGHBORHOOD MEETING, Council Chambers</p>	<p>3</p> <p>7:00 PM PLANNING COMMISSION, Council Chambers</p>	<p>4</p> <p>7:00 PM HUMAN RIGHTS COMMISSION - Medicine Lake Room</p>	5	6																																																																																																													
7	<p>8</p> <p>7:00 PM YOUTH ADVISORY COUNCIL, Meeting Room A</p>	<p>9</p> <p>5:30 PM SPECIAL COUNCIL MEETING: DISCUSS COMPENSATION &amp; BENEFIT PRACTICES, Meeting Room A/B</p> <p>7:00 PM REGULAR COUNCIL MEETING, Council Chambers</p>	<p>10</p> <p>7:00 PM ENVIRONMENTAL QUALITY COMMITTEE (EQC), Council Chambers</p>	<p>11</p> <p>7:00 PM PARK &amp; REC ADVISORY COMMISSION (PRAC), Council Chambers</p>	12	13																																																																																																													
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21	<p>22</p> <p>7:00 PM YOUTH ADVISORY COUNCIL, Meeting Room A</p>	<p>23</p> <p>11:45 AM PLYMOUTH BUSINESS COUNCIL, 12201 Ridgedale Drive, Minnetonka</p> <p>6:00 PM SPECIAL COUNCIL MEETING: MEETING WITH XCCEL ENERGY ON RELIABILITY ISSUES, Meeting Room A &amp; B</p> <p>7:00 PM REGULAR COUNCIL MEETING, Council Chambers</p>	<p>24</p> <p>7:00 PM PLYMOUTH ADVISORY COMMITTEE ON TRANSIT (PACT), Meeting Room A</p>	25	26	27																																																																																																													
28	<p>29</p> <p>MEMORIAL DAY (Observed) - City Offices Closed</p>	30	31	<table border="1"> <thead> <tr> <th colspan="7">Apr 2006</th> <th colspan="7">Jun 2006</th> </tr> <tr> <th>S</th><th>M</th><th>T</th><th>W</th><th>T</th><th>F</th><th>S</th> <th>S</th><th>M</th><th>T</th><th>W</th><th>T</th><th>F</th><th>S</th> </tr> </thead> <tbody> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td>1</td> <td></td><td></td><td></td><td></td><td>1</td><td>2</td><td>3</td> </tr> <tr> <td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td> <td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td> </tr> <tr> <td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td> <td>11</td><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td> </tr> <tr> <td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td> <td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td> </tr> <tr> <td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td> <td>25</td><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td> </tr> <tr> <td>30</td><td></td><td></td><td></td><td></td><td></td><td></td> <td></td><td></td><td></td><td></td><td></td><td></td> </tr> </tbody> </table>		Apr 2006							Jun 2006							S	M	T	W	T	F	S	S	M	T	W	T	F	S							1					1	2	3	2	3	4	5	6	7	8	4	5	6	7	8	9	10	9	10	11	12	13	14	15	11	12	13	14	15	16	17	16	17	18	19	20	21	22	18	19	20	21	22	23	24	23	24	25	26	27	28	29	25	26	27	28	29	30	30												
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# OFFICIAL CITY MEETINGS

June 2006

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July 2006

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April 2006

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2 DAYLIGHT SAVINGS COMMENCES - set clocks ahead 1 hour	3 PRIMAVERA PLYMOUTH FINE ARTS COUNCIL SHOW, Plymouth Creek Center	4 PRIMAVERA PLYMOUTH ARTS COUNCIL SHOW, Plymouth Creek Center	5 7:00 PM PLANNING COMMISSION, Council Chambers	6 7:00 PM HUMAN RIGHTS COMMISSION - Medicine Lake Room	7	8																																																																																																				
9 PALM SUNDAY	10 7:00 PM ENVIRONMENTAL QUALITY COMMITTEE (EQC), Council Chambers 7:00 PM YOUTH ADVISORY COUNCIL, Meeting Room A	11 5:30 PM BOARD OF EQUALIZATION, Council Chambers 7:00 PM REGULAR COUNCIL MEETING, Council Chambers	12 PASSOVER BEGINS AT SUNSET	13	14 GOOD FRIDAY	15																																																																																																				
16 EASTER SUNDAY	17 7:00 PM YOUTH SERVICE AWARDS, Council Chambers	18 5:00 PM SPECIAL COUNCIL MEETING: BUS TOUR OF NW PLYMOUTH, Depart from City Hall 7:00 PM SPECIAL COUNCIL MEETING: POLICE STAFFING STUDY; FIRE STAFFING STUDY, Public Safety Training Room	19 7:00 PM PLANNING COMMISSION, Council Chambers	20 7:00 PM HOUSING & REDEVELOPMENT AUTHORITY (HRA), Medicine Lake Room	21	22 9:00 AM - 3:00 PM YARD & GARDEN EXPO, Plymouth Creek Center and Fieldhouse																																																																																																				
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# OFFICIAL CITY MEETINGS

May 2006

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28	29 MEMORIAL DAY (Observed) - City Offices Closed	30	31	<table border="1"> <thead> <tr> <th colspan="7">Apr 2006</th> </tr> <tr> <th>S</th> <th>M</th> <th>T</th> <th>W</th> <th>T</th> <th>F</th> <th>S</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>1</td> </tr> <tr> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>6</td> <td>7</td> <td>8</td> </tr> <tr> <td>9</td> <td>10</td> <td>11</td> <td>12</td> <td>13</td> <td>14</td> <td>15</td> </tr> <tr> <td>16</td> <td>17</td> <td>18</td> <td>19</td> <td>20</td> <td>21</td> <td>22</td> </tr> <tr> <td>23</td> <td>24</td> <td>25</td> <td>26</td> <td>27</td> <td>28</td> <td>29</td> </tr> <tr> <td>30</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="7">Jun 2006</th> </tr> <tr> <th>S</th> <th>M</th> <th>T</th> <th>W</th> <th>T</th> <th>F</th> <th>S</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>1 2 3</td> </tr> <tr> <td>4</td> <td>5</td> <td>6</td> <td>7</td> <td>8</td> <td>9</td> <td>10</td> </tr> <tr> <td>11</td> <td>12</td> <td>13</td> <td>14</td> <td>15</td> <td>16</td> <td>17</td> </tr> <tr> <td>18</td> <td>19</td> <td>20</td> <td>21</td> <td>22</td> <td>23</td> <td>24</td> </tr> <tr> <td>25</td> <td>26</td> <td>27</td> <td>28</td> <td>29</td> <td>30</td> <td></td> </tr> </tbody> </table>		Apr 2006							S	M	T	W	T	F	S							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30							Jun 2006							S	M	T	W	T	F	S							1 2 3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	
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June 2006

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11	12	13 <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">5:30 PM SPECIAL COUNCIL MEETING: DISCUSS AUDIT REPORT; Meeting Rooms A &amp; B</div> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">7:00 PM REGULAR COUNCIL MEETING, Council Chambers</div>	14 <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">7:00 PM ENVIRONMENTAL QUALITY COMMITTEE (EQC), Council Chambers</div> <p style="text-align: center; margin-top: 10px;">Flag Day</p>	15 <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">7:00 PM HOUSING &amp; REDEVELOPMENT AUTHORITY (HRA), Medicine Lake Room</div>	16	17																																																																																											
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25	26	27 <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">11:45 AM PLYMOUTH BUSINESS COUNCIL, 12201 Ridgedale Drive, Minnetonka</div> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">6:00 PM SPECIAL COUNCIL MEETING: DISCUSS GREENHOUSE GAS PROJECT; Meeting Rooms A &amp; B</div> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">7:00 PM REGULAR COUNCIL MEETING, Council Chambers</div>	28 <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">7:00 PM PLYMOUTH ADVISORY COMMITTEE ON TRANSIT (FACT), Meeting Room A</div>	29	30																																																																																												

# OFFICIAL CITY MEETINGS

July 2006

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday																																																																																																			
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