

**Adopted Minutes
Regular Council Meeting
April 10, 2007**

Mayor Slavik 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 April 10, 2007.

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

ABSENT: None.

STAFF PRESENT: City Manager Ahrens, Police Chief Goldstein, City Attorney Knutson, Park and Recreation Director Blank, Fire Chief Kline, City Engineer Moberg, Recreation Supervisors Michaud and Greupner, Community Development Director Juetten, Senior Planner Darling, Administrative Services Director McGann, and City Clerk Engdahl.

Plymouth Forum

There was no one wishing to address the Council.

Presentations and Public Information Announcements

(4.01) Youth Advisory Council Presentation on Youth Leadership Conference on April 24

Youth Advisory Council Vice Chair Anne Gottwalt reported on the Youth Leadership Conference on April 24 at 6:30 p.m., at the Plymouth Creek Center.

(4.02) Announcement of Yard and Garden Expo

Recreation Supervisor Michaud reported on the Yard and Garden Expo on April 20 and April 21 at the Plymouth Creek Center.

Recreation Supervisor Greupner reported on the 11th Annual Primavera on April 13-17 at the Plymouth Creek Center.

Approval of Agenda

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

Consent Agenda

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City Manager Ahrens reported regarding item No. 6.10, staff is recommending to only approving the acquisition of parcel 10 as staff hasn't received a signed agreement for parcel 1.

Councilmember Stein removed item No. 6.03 which became item No. 8.3 under General Business.

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

- (6.01) Minutes from the Special Meeting of March 20 and Regular Meeting of March 27.
- (6.02) Resolution Approving Disbursements for the Period Ending March 30, 2007 (Res2007-152).
- (6.03) (This item was removed from the Consent Agenda and placed under General Business as item No. 8.3).
- (6.04) Resolution Approving a Variance for allow 54 Percent Impervious Surface Area Coverage to allow Construction of a Home Addition by Skyline Design, Inc. for Property located at 970 Zanzibar Lane North (2007012 – Res2007-153).
- (6.05) Resolution Approving Conditional Use Permit for BDH and Young to allow 73.1 Percent Office Use in the I-2 Zoning District for Property located at 13305 Water Tower Circle (2007014 – Res2007-154).
- (6.06) Resolution Approving a Conditional Use Permit for Applied Graphics Associates Inc. to allow 13 Percent Accessory Retail in the I-2 Zoning District for Property located at 2405 Annapolis Lane North, Building C, Number 265 (2007-16 – Res2007-155).
- (6.07) Resolution Approving a Variance to allow a Building Entry Less than Ten Feet from a Drive Aisle for Property located at 9900 Rockford Road (2007023 – Res2007-156).
- (6.08) Resolution Renewing Garbage Hauler License for Michael P. Hall, Inc. (Res2007-157).
- (6.09) Resolution Approving the Grade, Title, and Salary Range for Supervising Appraiser and Abolishing the Positions of Senior Appraiser and Commercial Appraiser (Res2007-158).
- (6.10) Resolution Approving Acquisition Agreement for Parcel No. 10 (PIN21-118-22-11-0007) for Fernbrook Lane Improvements (1013 – Res2007-159).
- (6.11) Resolution Authorizing the Mayor and City Manager to sign on behalf of the City a Rain Garden Agreement for Taco Bell Site at 9900 Rockford Road (Res2007-160).
- (6.12.1) Resolution Reducing Required Financial Guarantee for Eaglewood Addition (92110 – Res2007-161).

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(6.12.2) Resolution Reducing Required Financial Guarantee for Swan Lake South Addition (82112 – Res2007-162).

(6.12.3) Resolution Reducing Required Financial Guarantee for Quail Hollow Addition (93134 – Res2007-163).

(6.13) Resolution Approving Payment to Senior Community Services (Res2007-164).

(6.14) Receive and approve the Minnesota Department of Natural Resources grant agreement for curly leaf treatment of Medicine Lake.

(6.15) Resolution Approving amendment to 2007-2011 Capital Improvement Program (Res2007-165).

(6.16) Resolution Approving a Variance to allow a 6-foot Side Yard Setback where 15 feet is Required to allow Construction of a Three-Car Garage for Property located at 910 Garland Lane North (2007017 – Res2007-166).

Motion carried to approve the Consent Agenda.

Public Hearings

(7.1) Project Hearing for Fernbrook Lane Improvements (1013)

City Engineer Moberg provided an overview of the proposed project.

Mayor Slavik opened the public hearing for testimony.

Paul Roth, owner of 2800 Fernbrook Lane, stated they purchased this property in January, and he as well as the previous owner had no knowledge of the assessments. The previous owner just received the correspondence from the City as he had been out of town. Because the City didn't provide adequate notice to the seller, there wasn't the opportunity for him to negotiate on the purchase price. City Engineer Moberg clarified that the City is required to give a 10 day notice of this hearing and the correspondence was sent the end of March which fulfilled the statutory requirements. When the City sends notices, the County's land records are used.

City Engineer Moberg noted that correspondence was received from Novak Enterprises, 2720 Fernbrook Lane, objecting to the special assessment.

There being no one else wishing to appear before the Council to give testimony, Mayor Slavik declared the public hearing closed.

Motion was made by Councilmember Bildsoe, and seconded by Councilmember Willis, to adopt a Resolution Ordering Improvement for Fernbrook Lane from 27th Avenue to 34th Avenue (1013 – Res2007-167). With all members voting in favor, the motion carried.

General Business

(8.1) Street and Traffic Control Signal Improvements for Fernbrook Lane (1013)

Motion was made by Councilmember Bildsoe, and seconded by Councilmember Stein, to adopt a Resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Fernbrook Lane Street and Traffic Control Signal Improvements (1013 – Res2007-168). With all members voting in favor, the motion carried.

(8.2) Land Use Guide Plan Amendment and PUD Sketch Review for “Trillium Woods” (LCS Development, LLC – southwest corner of County Road 47 and extension of Cheshire Lane - 2007013)

Senior Planner Darling reported on the above request.

Steve Normes and Mike Miller spoke of the proposed development, height of the buildings, security lighting, transportation for residents, and emergency response calls to the site. They anticipate starting construction late 2008 or early 2009.

Vivian Starr, 6060 Annapolis Lane North, voiced his support for the project, and he requested the Council work with the County on County Road 47.

Brian Junk, 6115 Berkshire Lane North, supports this development as long as this is the development to be located on this property. He requested the Council to try to delay future developments until there is a solid plan for development of County Road 47.

Motion was made by Councilmember Willis, and seconded by Councilmember Bildsoe, to adopt a Resolution Approving a Land Use Guide Plan Amendment for LCS Development for Property located at the Southwest Corner of the Intersection of County Road 47 and Future Cheshire Lane (2007013 – Res2007-169) with item No. 1 of the Resolution to state, “The LCS Development sketch for the “Trillium Woods” site meet the location criteria for LA-2 and LA-3. However, greater flexibility in design is possible with the higher density and wider variety of structure types in LA-3. Consequently the LA-3 offers greater opportunity to preserve the site’s natural amenities as illustrated on the sketch.” With all members voting in favor, the motion carried.

The Council, after reviewing the sketch plans, added a few comments. First, there be stronger language on item No’s. 7 and 13 contained in the Resolution providing informal comments as this project proceeds through the planning process. Second, regarding Cheshire Lane and County Road 47, discussions need to occur regarding this intersection, who will pay for it, and who will control the road. Lastly, the desire to discourage free right turns at that intersection.

A motion was made by Councilmember Willis, and seconded by Councilmember Black, to adopt a Resolution Providing Informal Comments on the Proposed Sketch by LCS Development for a Continuing Care Senior Community located at the Southwest Corner of County Road 47 and

Future Cheshire Lane (2007013 – Res2007-170). With all members voting in favor, the motion carried.

(8.3) Preliminary Plat and Variances for Two Single-Family Lots for Property located at 1900 East Medicine Lake Boulevard (2006121)

Curt Fretham, applicant, acknowledged his neighbor's concern that he could be affecting his view of the lake. However, he stated he is trying to save significant trees on the north side of the property, and with the adjacent retaining wall already being tight on the property, it makes a difficult situation if he were to rotate the proposed home. If he were to sell the northern part of the property, he would need to place a deed restriction, so basically he is paying for the neighbor's view. He stated that he would work with staff when there are specific plans. City Engineer Moberg added that drainage would be rerouted the perimeter of the subject property.

Alan Langerud, 1925 Kilmer Lane, stated his home is directly behind this property, and he constructed his home for the view of the lake. He had suggested rotating the north home, as he didn't think it would be a detriment. He stressed that he desires to preserve his view.

A discussion was held on the height of the proposed homes and if that would affect Mr. Langerud's view.

Motion was made by Councilmember Stein, and seconded by Councilmember Hewitt, to adopt the Resolution Approving a Preliminary Plat and Variances for Two Single-Family Lots for Property located at 1900 East Medicine Lake Boulevard by adding condition No. 12 to state, "The developer is encouraged to work with the adjacent homeowner when designing and locating the new homes on the site, in order to preserve views of Medicine Lake, and condition No. 13 to state, "No docks shall be allowed on the west side of East Medicine Lake Boulevard for either of the two lots, unless otherwise approved by the City Council during the review of the final plat" (Res2007-171). With all members voting in favor but Black and Slavik, the motion carried.

Reports and Staff Recommendations

(9.1) Legislative Update

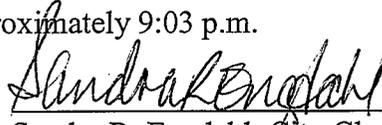
Councilmember Hewitt led the Council in a discussion involving proposed Urban Partnership Agreement for Highway 494 from Carlson Parkway to the 694/94 split (third lane serving as a toll lane).

Motion was made by Councilmember Bildsoe, and seconded by Councilmember Black, to direct staff to send correspondence to Commissioner of Transportation regarding the Council's concerns relating to this project. In addition, staff also sends a letter to Senator Ramstad requesting Federal funding for 494. With all members voting in favor, the motion carried.

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Adjournment

Mayor Slavik adjourned the meeting at approximately 9:03 p.m.



Sandra R. Engdahl, City Clerk