

**Adopted Minutes  
Special Council Meeting  
May 9, 2006**

Mayor Johnson called a Special Meeting to order in the Council Chambers, 3400 Plymouth Boulevard, on May 9, 2006 at 5:45 p.m.

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

ABSENT: None.

STAFF PRESENT: City Manager Ahrens, Community Development Director Hurlburt, Park and Recreation Director Blank, Public Works Director Cote, Administrative Services Director McGann, Financial Analyst Kohn, and City Clerk Paulson.

**County Road 101 Cost Sharing Agreement**

Public Works Director Cote discussed the proposed cost sharing agreement with the County for the reconstruction of County Road 101. He stated this agreement does honor the understanding the City and County reached when the City approved layout No. 4 on October 11, 2005. He noted that the County would acquire four properties for the intersection realignments at no cost to the City. The County also considers a significant portion of the proposed retaining walls to be for construction purposes; therefore, the City wouldn't be responsible for those costs. The City would be credited for the portion of the trail on the east side of the roadway and would only share in the costs of the trail north of 26<sup>th</sup> Avenue.

Mayor Johnson stated she is concerned that the City needs to sign off on the relocation benefits before anything is executed, as it relates to the County purchasing those identified properties. She stated if there are voluntary sales without relocation benefits, she is sensitive to that.

Craig Twinem, Hennepin County Senior Project Manager, stated that the County would be responsible for all those costs, so there would be no cost to the City. This includes relocation benefits; therefore, there is no need for the City to sign off anything. He stated that the County isn't soliciting voluntary sales.

Councilmember Black stated this project is very close to a lake, and she asked if soil drillings have been done in that area. Guy Nowlan, Hennepin County Senior Project Manager, stated the County would be conducting those tests at no expense to the City.

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Councilmember Slavik suggested that additional language be added to Article 15 of the agreement to the effect that the design of the project needs to be in conformance with layout No. 4 that was approved by the Council in October 2005, and if the project costs exceed 10%, the agreement would need to come back to the City.

Mr. Twinem spoke against the additional language. He explained that the County is allocating additional time in designing the construction plans and right-of-way costs. If the costs would increase, the vast majority of the costs would be the County's responsibility. If they would need to come back to the City for another approval, that would definitely delay the process and cost more money. He stated they would be in contact with City staff frequently.

Councilmember Slavik stated she is concerned if the City would need to contribute additional funds to this project after already contributing \$3 million.

Motion was made by Councilmember Stein, and seconded by Councilmember Bildsoe, to accept the agreement at this point, with the understanding that this agreement would be on a future Council agenda with an approving resolution.

Motion was made by Councilmember Stein, and seconded by Councilmember Black, to amend the main motion to amend Article 15 of the agreement to include language that the project design needs to stay substantially with what was approved in October 2005, and if the project costs exceed 10%, it needs to come back to the City (the exact language would be reviewed by the City Attorney).

Councilmember Bildsoe asked if there is already a contingency on this project. Mr. Twinem replied there is a 30% contingency, which they hope is conservative.

There being no further discussion and with all members voting in favor, the motion carried.

Motion was made by Councilmember Slavik, and seconded by Mayor Johnson, to add language to Article 3 that relocation costs would be at the County's expense. This motion was then withdrawn.

Motion was made by Councilmember Slavik, and seconded by Mayor Johnson, to amend the main motion to the first sentence under Article 2 of the agreement to state, "It is anticipated that the properties located at the following addresses within the City will be acquired in total by the County, including, but not limited to relocation costs, attorneys' fees, and litigation costs."

Councilmember Bildsoe requested that this language also be reviewed by the City Attorney.

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Public Works Director Cote reiterated that this agreement would be on a future Council agenda with the approving resolution.

There being no further discussion on the amendment, the motion carried.

The Council then voted on the amended main motion and with all members voting in favor, the motion carried.

Councilmember Willis led the Council in a discussion regarding the retaining walls, and perhaps using decorative or architectural treatment on the retaining walls as they abut lakes and some residential areas. It would soften the look.

Mr. Nowlan stated the Council could redo their estimate as that was one area that was reduced in October 2005 in order to save costs.

Councilmembers Stein, Black Willis, and Bildsoe stated they would support the County reviewing this area again, and Hewitt, Slavik, and Johnson stated to leave the walls they way they are currently designed.

**County Road 47**

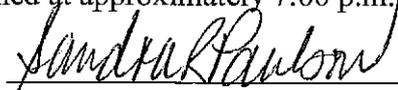
Councilmember Hewitt noted that improvements would need to be made to County Road 47. She stated in order to widen County Road 47 under the I-494 bridge, the bridge would need to be repaired.

Public Works Director Cote stated the County expressed reservations on installing temporary signalization at County Road 47 and Vicksburg Lane. He indicated that they are concerned that vehicles could go air bound at a green light due to the grade on Vicksburg Lane. He noted that he just received from the County an alignment change for County Road 47 which could relieve some their concerns.

Mayor Johnson stated it's necessary to temporarily upgrade the County Road 47 and Vicksburg Lane intersection. She requested that the Council schedule a joint meeting with the County to discuss this issue.

**Adjournment**

Mayor Johnson declared the meeting adjourned at approximately 7:00 p.m./

  
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Sandra R. Paulson, City Clerk