

MINUTES OF VILLAGE COUNCIL MEETING
PLYMOUTH, MINNESOTA
May 20, 1968

A regular meeting of the Village Council was called to order by Mayor Al Hilde, Jr. at 7:45 p.m.

Mayor Hilde requested the Council and those in attendance to rise for a moment of silent prayer.

Present: Mayor Hilde, Councilmen O'Fallon, Humphrey, Hagen and Hunt, the Village Administrator, Attorney and Engineer.

Absent: None.

MOTION by Councilman O'Fallon, second by Councilman Hunt, to approve the minutes of the regular meeting of May 6, 1968, with the following amendments:

Page 4, Paragraph 3: Re: Non-conforming uses--the wording should read after: January 1967 "add" as per attorney's first revision.

Page 5, Paragraph 1: Add: Motion passed by a three eye vote. Mayor Hilde, Councilmen Hagen and Hunt voted aye. Councilman O'Fallon voted nay.

MOTION passed by a five eye vote.

PETITIONS, REQUESTS & COMMUNICATIONS

Chester Livingston appeared to request a subdivision waiver of Lot 11, Block 2, Homedale Manor and the consolidation of the residue to Lot 10, Block 2, Homedale Manor.

MOTION by Councilman Humphrey, second by Councilman Hagen, to adopt **RESOLUTION NO. 68-102, A RESOLUTION WAIVING REQUIREMENTS OF SUBDIVISION ORDINANCE** on Lot 11, Block 2, Homedale Manor. Motion passed by a five eye vote.

RESOLUTION 68-102 SUBDIVISION WAIVER APPROV LOT 11, BLOCK HOMEDALE MANOR

Sol Wasserman representing A.B.C., Inc., appeared to request a subdivision waiver on Registered Land Survey No. 921.

MOTION by Councilman Hunt, second by Councilman Hagen, to adopt **RESOLUTION NO. 68-103, A RESOLUTION WAIVING REQUIREMENTS OF SUBDIVISION ORDINANCE** on Registered Land Survey No. 921. Motion passed by a five eye vote.

RESOLUTION 68-103 SUBDIVISION WAIVER APPROV REGISTERED LAND SURVEY 921

John Gullickson appeared to request final approval of the plat of Seven Ponds. The Village Engineer asked if the present Ordinance requires concrete curb and gutter. The answer given was that the present Ordinance requires surmountable curb and gutter.

MOTION by Councilman Hagen, second by Councilman Hunt, to adopt **RESOLUTION NO. 68-104, A RESOLUTION APPROVING FINAL PLAT OF SEVEN PONDS**. Motion passed by a five eye vote. Councilman Humphrey requested the Council discuss the requirements for concrete curb in residential subdivisions at a later date. The Administrator was directed to put this item on the agenda in early July.

Amended 7-3-68
RESOLUTION 68-104 APPROVING FINAL PLAT, SEVEN PONDS

Mayor Hilde stated the Chamber of Commerce request to come before the Council regarding the engineering of public works projects has been delayed at the request of the Chamber of Commerce.

REPORTS OF OFFICERS, BOARDS & COMMITTEES

Robert Anderson of Anderson Brothers Insurance, reported regarding the additional costs for the increased limits of public liability insurance. The public liability insurance limits were increased from \$300,000 to \$500,000, and the additional cost, on an annual basis, would be \$142.00. The cost for increasing the limits on the auto liability from \$100,000 each person, bodily injury; \$300,000 each occurrence, bodily injury; and \$50,000 each accident, property damage; to \$500,000 each occurrence is \$114.00 per year.

RE: INCREASED INSURANCE COVERAGE

NOTION by Councilman Hagen, second by Councilman Humphrey, to increase the insurance limits to those proposed above by Mr. Anderson for a total premium increase of \$256.00 per year. Motion passed by a five aye vote.

MISCELLANEOUS

The Council discussed the policy that the improvement of West Medicine Lake Drive between County Road No. 9 and 49th Avenue North be considered if the residents along the road would provide the necessary right-of-way easements to make the project feasible under the State Aid program. If this occurred, the Council would consider building the road to State Aid standards with State Aid money and without any assessment to the people along the road. The additional need for slope easements was fully understood.

RE: IMPROVEMENT OF WEST MEDICINE LAKE DRIVE

NOTION by Councilman Hunt, second by Councilman O'Fallon, to adopt RESOLUTION NO. 68-105, A RESOLUTION ORDERING FINAL PLANS AND SPECIFICATIONS FOR IMPROVEMENT OF WEST MEDICINE LAKE DRIVE from County Road 9 to 49th Avenue North.

RESOLUTION 68-105 ORDERING PLANS & SPECIFICATIONS FOR IMPROVEMENT OF W. MEDICINE LAKE DRIVE

NOTION passed by a five aye vote. The Engineer commented that the rough grading would be completed to 49th Avenue and the paving would be done to 47th Avenue North.

Mr. Charles Arnason appearing on behalf of Farrett and Rothgeb, questioned the Engineer regarding the improvement of West Medicine Lake Drive between 47th and 49th Avenues. Councilman Hunt stated that the portion between 47th and 49th would be rough graded but not paved at this time until 49th Avenue is complete; however, at that time when it is paved there will be no assessment to the abutting property owners because State Aid funds will be used.

Mayor Hilde requested the Administrator to bring the Council up to date regarding the improvement of Forestview Lane. Father Louis of St. Mary's of the Lake Church stated that the St. Mary's Grade School will be closed this Fall and there will be a reduction of the school traffic needs over what had been formerly the case. Councilman Humphrey wanted to know if when the sewer was put in, was the property along this street assessed at the same rate as the other property that had the 20 foot wide, 2 inch blacktop mat put in place. The Engineer stated they received the same assessment as the other people in the project. There are still some funds in the sanitary sewer fund which would have been needed to patch the road so the Sanitary Sewer Fund does have some responsibility here to repair the road. The Engineer stated that the credit for the patching was approximately \$1,300.00. Mayor Hilde stated that the Council's attempt to obtain State Aid designation for Forestview failed after

MISCELLANEOUS, cont'd.

RE: IMPROVEMENT
OF FORESTVIEW
LANE

repeated attempts. Russell Fallstad, 330 Forestview Lane, stated he thought the Council should give the residents a 50 percent rebate on their assessment because the road was so poorly constructed. Councilman Hagen asked the Engineer his estimate of the cost of bringing this road up to a five ton standard. The Engineer felt that with the use of the present base, in a pulverized condition, and adding more base to it and a 200 pound, two inch mat be placed, that this could be done for approximately \$12,000. The Engineer further stated that the bus traffic be channeled to Teakwood and to County Road 73 to Ridgmount Avenue and, therefore, give them the access to the Junior High. The assessment for the \$12,000 would be approximately \$2.80 a front foot. With the credit from the sanitary sewer, it would be approximately \$2.50 a front foot. Councilman O'Fallon stated he agreed with Mr. Fallstad in stating that the residents should receive a rebate because they had less than a good road for approximately a year and one-half. Mayor Hilde stated he believed the Village had the responsibility to correct its previous mistakes. Mr. Fallstad asked the Engineer if the road were to be repaired to the nine ton limit from County Road 15 one block South and the other portion of the construction be done at a lesser design criteria. The Engineer stated he believes that the Village never really got nor bought a nine ton road in this road, and this type of design would not be feasible. Mr. Finasso, 404 Forestview Lane, stated that the heavy equipment from the construction of Ridgmount Avenue, which is estimated by him to be 20 ton equipment, ruined the road. He further stated, he had measured the base in front of his house and there was no more than two inches of base at any place. Councilman Hagen stated that there are 4,000 assessable feet in this project and in computing the original assessments, the total project was \$16,000 and he asked the Village Engineer if you could get a seven ton road with a nine ton design for \$16,000. The Engineer stated that he felt the original design was a five ton road.

MOTION by Councilman Humphrey, second by Councilman O'Fallon, to contribute up to \$12,000, including the \$1,300 from the sanitary sewer fund, to put this road in place as a five ton road. Under this motion the Village would assume the total cost of the improvement between the sanitary sewer fund and the general fund. The motion was defeated. Councilman Humphrey voted aye. Councilman O'Fallon abstained. Mayor Hilde, Councilmen Hagen and Hunt voted nay.

MOTION by Councilman Hagen, second by Councilman Hunt, that the assessment for the improvement of Forestview Lane to the abutting properties not exceed \$1.75 per front foot. Father Louis stated that the present cost of putting this five ton road in would be \$12,000 and in the original assessment, St. Mary's paid a total of \$12,000 and the residents paid an approximate \$6,000, the total cost of the project being \$18,000. He stated he could not understand how a better road could be put in for \$12,000 at this time. The effect of this motion would be that the general fund would be picking up approximately \$4,000, and the sanitary sewer fund would be picking up \$1,300.

MISCELLANEOUS, cont'd.

NOTION by Councilman O'Fallon, second by Mayor Hilde, to amend the motion that the residents pay no more than \$1.00 a front foot. The amendment passed by a three aye vote. Councilman Hagen and Hunt voted nay. The motion as amended passed by a three aye vote. Councilmen Hagen and Hunt voted nay.

RE: IMPROVEMENT OF FORESTVIEW LANE

NOTION by Councilman Hunt, second by Councilman Humphrey, to adopt **RESOLUTION NO. 68-106, A RESOLUTION ORDERING PREPARATION OF PRELIMINARY REPORT ON IMPROVEMENT OF FORESTVIEW LANE** from Ridgemount Avenue to County Road 15. Motion passed by a five aye vote.

RESOLUTION 68-106 ORDERING PRELIMINARY REPORT ON IMPROVEMENT OF FORESTVIEW LANE

NOTION by Councilman Hunt, second by Councilman Humphrey, to adopt **RESOLUTION NO. 68-107, A RESOLUTION RECEIVING REPORT AND CALLING FOR PUBLIC HEARING** on June 10, 1968, at the Village Hall at 7:30 p.m. for the improvement of Forestview Lane from Ridgemount Avenue to County Road 15. Motion passed by a five aye vote.

RESOLUTION 68-107 SCHEDULING PUBLIC HEARING ON IMPROVEMENT OF FORESTVIEW LANE

The Administrator reported on the allotment of the fire insurance monies between the Hamel Fire Department Relief Association and the Plymouth Fire Department Relief Association. At this time, the State is remitting incorrectly money due the Plymouth Fire Department Relief Association to the Hamel Fire Department Relief Association because Mutual Fire Insurance Companies are putting the wrong code number on their insurance policies. It is the proposal of the Fire Chief and the Administrator that the Village rewrite the existing contract so all the money is remitted to the Plymouth Village and that a percentage contract be set up with Hamel as per the portion or the percentage of assessed valuation in their area they serve as it relates to the total area of the Village. (Example: If they serve 3% of the assessed value in Plymouth, they would receive 3% of the insurance premiums.)

RE: ALLOTMENT OF FIRE INSURANCE MONIES

NOTION by Councilman Humphrey, second by Councilman O'Fallon, that the staff, with the assistance of the Attorney, be directed to negotiate with the Hamel Fire Department that the State of Minnesota remit to Plymouth the total amount of the 100 percent fire insurance premium due Plymouth and Hamel and that the Village, in turn, remit to Hamel a certain percentage to be agreed upon based upon either the valuation of the buildings in the area covered or that proportion of the total assessed valuation in the area covered. Motion passed by a five aye vote.

Councilman Hagen stated that in discussing sanitary sewer to the South-West Quadrant of the Village, he found there is sewage flowing in the streets in this area. It is also important that the Village get the sanitary sewer in before we have a large increase in development in this area, and he feels that it is essential to have the trunks put in place in this area so that new plats can have sanitary sewer in them rather than double the expense by putting septic tanks and then following in later and paying for sewer. From another point of view, it is more feasible to pay for the permanent connection to Minneapolis with more connections on our present system. Expansion to the Southwest would assist us in providing this. Mayor Hilde suggested that the discussion be broken down into two areas, one, the matter of need, and secondly, the matter of timing.

RE: EXTENSION OF SANITARY SEWER TO SOUTHWEST QUADRANT

MISCELLANEOUS, Cont'd.

RE: EXTENSION
OF SANITARY
SEWER TO SOUTH-
WEST QUADRANT

The Engineer stated that there isn't much question that it is more economical to put the sanitary sewer in before the houses are built because you are saving a minimum of \$500 to \$1,000 per home if the sanitary sewer is put in first so need is not necessarily determination, it is apparent but the key to it is, is it financially feasible.

Councilman Hagen stated that from an economic and convenience standpoint, you put the public improvements in, such as sanitary sewer, before the roads are put down and you eliminate the cost of tearing them up and you eliminate the need for the original construction of the septic system.

Councilman Hunt stated that he didn't believe that we could finance the trunks unless we had connections to them and this meant that you would have to extend laterals also and the result is that the laterals go along with the trunks. Councilman Hunt further suggested that the Village get an estimate of the cost of a feasibility study, and with the study we could go to local neighborhoods with the cost information and see if there is some "grass roots" support for sanitary sewer in the area.

The Council directed the Engineer to come back by June 3rd with a cost estimate on the study of the extension of sanitary sewer to the western portion of the Village and to define the suggested outline of this study.

Charles Kirchhoff, Rt. 2, Box 558, Wayzata, appeared to get some information regarding this extension and asked several questions. These questions were: What percent of the homes under the present sewer service are hooked up? Approximately 50 percent of the hookups are complete now. Approximately a year ago the Council discussed the extension of sanitary sewer to the Southwest Quadrant of the Village and the Council stated then that they would wait for petitions. How many have petitioned? Councilman Hagen stated that until the study is made, there is no real purpose in going out with a petition because it would tend to be somewhat meaningless without a cost figure. He said he had received a number of phone calls and other oral requests. There was supposed to be a report made up by the cesspool pumpers and they have a map to be prepared showing the public locations. The Administrator was requested to prepare the map showing pumping locations by the time the Engineer's study is complete. When the study is made, it was suggested that the Council look at the putting in of water at the same time sanitary sewer is placed in the street because it might appear that this would be more economically sound. The Council directed the Engineer to include the feasibility study of the placing of water mains in along with sewer and the feasibility of looping the water mains among the franchised systems in the western part of the Village.

LICENSES & PERMITS

MOTION by Councilman Hunt, second by Councilman Humphrey, defer renewal of Rubbish Hauler's License for Ebert's Inc., and to request Ebert's Inc. to send a representative to the Council to explain the situation in the area of 10930 - 36th Avenue North. Motion passed by a five aye vote.

MISCELLANEOUS.

MOTION by Councilman O'Fallon, second by Councilman Humphrey, to adopt **RESOLUTION NO. 68-108, A RESOLUTION AUTHORIZING PAYMENT OF MONIES FOR OPTIONS ON THREE SITES** as suggested by the Village Hall Site Selection Committee in their confidential report presented to the Council. Motion passed by a three eye vote. Councilmen Hagen and Hunt voted nay.

The Council discussed the Administrator's proposal for leasing a trailer for a two year period for a cost of \$2,300, and making other renovations for \$950 to rearrange the Village Hall to make more efficient working area.

MOTION by Councilman Humphrey, second by Councilman O'Fallon to adopt **RESOLUTION NO. 68-108, A RESOLUTION AUTHORIZING PAYMENT OF MONIES FOR LEASE OF A TRAILER AND RENOVATIONS IN THE VILLAGE HALL** as recommended by the Village Administrator in his memo to the Council dated May 17, 1968. Motion passed by a three eye vote. Councilmen Hagen and Hunt voted nay.

The Council discussed whether or not it might be more feasible to renovate the Council chambers and move the Council to another location.

CLAIMS, APPROPRIATIONS & CONTRACT PAYMENTS

The request of Egil Wefald for payment of engineering invoices on Zachary Lane was deferred.

MOTION by Councilman Humphrey, second by Councilman Hagen, to adopt **RESOLUTION NO. 68-109, A RESOLUTION AUTHORIZING PAYMENT OF REGULAR PAYROLL DATED MAY 15, 1968, and totaling \$6,838.41.** Motion passed by a five eye vote.

MOTION by Councilman hunt, second by Councilman Hagen, to adopt **RESOLUTION NO. 68-110, A RESOLUTION AUTHORIZING PAYMENT OF REGULAR DISBURSEMENT LIST DATED MAY 20, 1968, and totaling \$300,741.49, with the exception of Check No. 2346.** Motion passed by a five eye vote.

MOTION by Councilman Hagen, second by Councilman O'Fallon, to adopt **RESOLUTION NO. 68-111, A RESOLUTION AUTHORIZING PAYMENT OF CONSTRUCTION FUND DISBURSEMENT LIST DATED MAY 20, 1968, and totaling \$144,499.34.** Motion passed by a five eye vote.

MOTION by Councilman Hagen, second by Councilman Hunt, to adopt **RESOLUTION NO. 68-112, A RESOLUTION AUTHORIZING THE MAYOR AND CLERK-ADMINISTRATOR TO EXECUTE CONTRACT WITH NORTHERN STATES POWER COMPANY for electrical service to the Hadley Hills Water System.** Motion passed by a five eye vote.

MOTION by Councilman Hagen, second by Councilman O'Fallon, to adjourn the meeting at 11:37 p.m. Motion passed by a five eye vote.

Al Hilde, Jr., Mayor

Attest:

Gerald G. Splinter, Clerk-Administrator