

MINUTES OF A REGULAR COUNCIL MEETING
PLYMOUTH, MINNESOTA
APRIL 20, 1970

A regular meeting of the Plymouth Village Council was called to order by Mayor Hilde at 7:30 P.M. on April 20, 1970.

PRESENT: Mayor Hilde, Councilmen Johnson, Hintz, Kindseth and Spaeth, Acting Manager Barnes, Engineers Hagen and Bonestroo, Attorney Lefler.

ABSENT: None

MINUTES

MOTION was made by Councilman Hintz, second by Councilman Johnson to approve the minutes of April 6, 1970 with the following amendment:

RE: MINUTES OF
APRIL 6, 1970

Page 3, add after last paragraph: MOTION was made by Councilman Kindseth, second by Councilman Johnson to adopt RESOLUTION NO. 70-123, a Resolution to present an invoice to Northern States Power. If said invoice is accepted, their request to install underground cable in the Central Improvement Area is hereby approved. Motion carried 5 aye roll call vote.

Page 4, 4th paragraph, last line: Delete balance of sentence after word "meeting".

Motion carried, unanimous vote.

MOTION was made by Councilman Kindseth, second by Councilman Johnson to approve the minutes of April 13, 1970. Motion carried 4 aye vote, Councilman Hintz abstained.

RE: MINUTES OF
APRIL 20, 1970

PETITIONS, REQUESTS & COMMUNICATIONS

Mr. Otto Schmidt of the Washington Development Co. appeared before Council regarding a request to rezone from R-1 to R-3 an area on 36th Avenue and Zachary Lane for a townhouse development. He said a talk was given by him before a group of students regarding the future financial difficulties for home ownership and how a townhouse complex such as their's is an answer to this problem. He displayed a site plan and gave a run down of it which he said is flexible if revisions are recommended. He said the surrounding neighborhood is a desirable location for their development and feels their plan will fit in very well with it.

RE: REZONING -
WASHINGTON DEV. CO.

Mr. John Maloney, representing the Middle East Home Owner's Association said they previously submitted a petition signed by 300 residents objecting to this development because of the numerous multiples already surrounding them and others that have been approved and not yet built, plus the two new schools. The ratio will be 70% multiples, 30% residents and the area will end up as a community surrounded completely by masonry and brick.

MOTION was made by Councilman Hintz, second by Councilman Johnson to adopt RESOLUTION NO. 70-134, A RESOLUTION TO DENY THE REZONING REQUEST BY WASHINGTON DEVELOPMENT COMPANY. Motion carried 5 eye roll call vote.

RES. NO. 70-134

REZONING DENIED

WASHINGTON DEV. CO.

Mayor Hilde told the developer that the denial was made due to the number of multiples already in the area, not against the development.

Engineer Hagen said the request for a Conditional Use Permit by Mr. R. LaPorte constituted a variance from the Building Code. The Planning Commission recommended denial as this would tend to encourage a scattered distribution of mobile homes throughout the village and cause an adverse effect on village development

RE: COND. USE

PERMIT, R. LAPORTE

MOTION was made by Councilman Spaeth, second by Councilman Johnson to adopt RESOLUTION NO. 70-135, A RESOLUTION TO DENY THE CONDITIONAL USE PERMIT FOR A MOBILE HOME ON A TRACT OF LAND AT 5605 LANSDALE LANE REQUESTED BY E. REX LAPORTE INASMUCH AS THERE IS NO WAY TO CONTROL THIS TYPE OF A HOME AND WE HAVE NO ZONING ORDINANCE TO COVER SUCH A SITUATION. Motion carried 5 eye roll call vote.

RES. NO. 70-135

PERMIT DENIED -

R. LAPORTE

Engineer Hagen reviewed his memo N&C 70-26 and the proposal for the rezoning and preliminary plat approval of Fox Meadows which was reviewed by developer, Sam Marfield of 7841 Wayzata Blvd. (Helgarde Enterprises). Councilman Hintz brought up the subject of the proposed easement for a frontage road along Highway #55 by the Highway Department as to how much will be taken and where, which was discussed. Engineer Bonestroo was asked if sewer could be installed exclusively to the northeast corner of the development and he said this has been previously discussed and will be no problem. Attorney Lefler was asked to explain the circumstances surrounding the 40 acre park land dedication. He said in reality this could not be dedicated by the developer, as the property is held by three contract for deed holders and the fee owner has title and will not enter into a contract with them to dedicate this land to the village. The only way the developer can get title is to pay for it in full (\$200,000). It would be up to the Council if they wish to approve the development with or without resolving the park land dedication.

RE: FOX MEADOWS

REZONING AND

PRELIMINARY PLAT

Mayor Hilde asked if Council was favorably disposed to either request and added easements should be designated, need for utilities considered for them and the Cavanaugh Addition. Councilman Hintz said the park land should be discussed, contingent upon the Attorney bringing back a suitable arrangement with the vendee concerning the park land acquirement.

Councilman Hintz added that the residents in the Cavanaugh Addition are 100% agreed that the 40 acres of park land will prevent their neighborhood from growing to the North and create a traffic problem flowing in from Niagara Lane going to the park site because of the limited access from Highway #55. On the Comprehensive Guide Plan the only access is from Niagara and Vicksburg Lanes. They are concerned as this flow of traffic will disrupt the neighborhood. He would like the Planner make a recommendation or come up with a solution concerning the acquirement of 40 acres of park land, will the neighborhood become stagnant or what alternatives there are.

MOTION was made by Councilman Hintz, second by Councilman Spaeth to refer the park land subject to the Planner with the above questions and the possibility of R-1 rezoning for a portion of the park land so that the neighborhood can grow to the North. Motion passed 5 aye vote.

MOTION was made by Councilman Hintz, second by Councilman Johnson to adopt ORDINANCE NO. 70-19, AN ORDINANCE APPROVING THE REZONING REQUEST FROM BELGARDE ENTERPRISES TO REZONE FROM R-0 TO R-4 LOTS 7 & 8 OF BLOCK 1 AND REZONE LOTS 1 THROUGH 6 OF BLOCK 1 AND ALL OF BLOCK 2 FROM R-0 TO B-1 CONTINGENT UPON A SIGNED CONTRACT THAT HE WILL CONVEY 40 ACRES OR LESS OF PARK LAND DIRECTLY NORTH OF THE CAVANAUGH ADDITION. Motion carried 5 aye roll call vote.

ORD. NO. 70-19
REZONING -
FOX MEADOWS

Amended 5/4/70

MOTION was made by Councilman Hintz, second by Councilman Spaeth to adopt RESOLUTION NO. 70-136, A RESOLUTION APPROVING THE FOX MEADOWS PRELIMINARY PLAT OF BELGARDE ENTERPRISES SUBJECT TO DEED RESTRICTION WHICH WILL NOT ALLOW BUILDING CONSTRUCTION BUT WILL ALLOW PARKING ONLY ON THE WESTERLY 230' OF LOTS 5 & 6, BLOCK 1 AND SUBJECT TO THE GRANTING OF AN EASEMENT, RIGHT OF ACCESS, OR RESTRICTIVE COVENANT WHICH WILL ALLOW PEDESTRIAN TRAFFIC OVER A STRIP OF LAND APPROXIMATELY 20' WIDE EXTENDING FROM THE NORTHERLY EDGE OF 32ND AVE. ALONG THE WESTERLY SIDE OF THE PROPOSED PLAT TO ITS NORTHERLY LIMITS. Motion carried 5 aye roll call vote.

RES. NO. 70-136
PRELIMINARY PLAT
BELGARDE ENTERPRISES-

Amended 5/4/70

Engineer Hagen reviewed his M&C 70-25 concerning site plan approval for construction of a building by DeVac, Inc. on their property which has been revised since their original petition before the Planning Commission. Council asked the Attorney about their building a separate building on the lot line and asked if we can bind them so they cannot someday sell it as a separate unit. He said the easement prevents that from happening.

RE: SITE PLAN
DEVAC, INC.

MOTION was made by Councilman Johnson, second by Councilman Kindseth to adopt RESOLUTION NO. 70-137, A RESOLUTION APPROVING THE CONDITIONAL USE PERMIT AND SITE PLAN AS REQUESTED BY DEVAC, INC. AT 10130 HWY. #55, SUBJECT TO THE FOLLOWING RECOMMENDATIONS MADE BY THE PLANNING COMMISSION: (1) THE ENTRANCE DRIVES TO THE PARKING LOT OFF OF THE FRONTAGE ROAD SHOULD BE REDUCED TO 20 AND 30 FT. CURB OPENINGS. (2) ALL PARKING MUST BE MOVED BEHIND THE 50' FRONT YARD SETBACK LINE. (3) PARKING SETBACK FROM SIDE LOT LINES SHOULD BE MAINTAINED AS 15'. (4) THE STEEP SLOPE ON THE WESTERLY SIDE OF THE PROPERTY ADJACENT TO THE BITUMINOUS SURFACE AREA SHOULD BE SODDED. ALSO, SUBJECT TO GRANTING AN EASEMENT FOR ACCESS TO THE NORTHERLY LOT WHERE THE PROPOSED BUILDING IS TO BE CONSTRUCTED OVER THE PROPERTY WHICH FRONT ON HIGHWAY #55. Motion carried 5 aye roll call vote.

RES. NO. 70-137
CONDITIONAL USE
PERMIT, SITE PLAN
DEVAC, INC.

MOTION was made by Councilman Hintz, second by Councilman Johnson to adopt RESOLUTION NO. 70-138, A RESOLUTION TO SCHEDULE A PUBLIC HEARING TO INSTALL WATER ON 26TH AVE. AND E. MEDICINE LAKE BLVD. TO THE NORTH ON MAY 18, 1970 IN THE VILLAGE HALL AT 7:30 P.M. Motion carried 5 aye roll call vote.

RES. NO. 70-138
PUBLIC HEARING
WATER PROJ. 70-00

Mr. Campbell, resident in the above area was told that the public hearing can be cancelled if he obtains the signature from the one who did not sign the petition because he wanted to know what the assessment will be.

Engineer Hagen said if the water installation is 100% assessed it will cost \$9.00/fr. ft. If it is a 2 sided assessment it will be \$5.50/fr. ft.

MOTION was made by Councilman Spaeth, second by Councilman Kindseth to adopt RESOLUTION NO. 70-139, A RESOLUTION ORDERING THE ENGINEER TO FURNISH A PRELIMINARY REPORT TO INSTALL WATER FOR THE PETITIONING RESIDENTS ABUTTING PILGRAM LANE SOUTH OF 26TH AVENUE N. Motion carried 5 aye roll call vote.

RES. NO. 70-139
PRELIMINARY REPORT
FOR WATER

It was directed that the preliminary report show the cost for both methods of assessing.

Attorney Lefler prepared a revised covenant to cover the Sagamore complex by Quality Homes with added safeguards pertaining to bonding of the common area, restrictions for proposed building, drainage ditch provisions and parking. Councilman Hintz asked why a storm sewer could not be installed rather than a ditch. Engineer Hagen said this would be an extensive storm sewer project and the ditch will serve until such an installation is made for this area. Any further variances will have to come before Council for approval. Acting Manager Barnes asked the Engineer if a written notice of assessment procedures has been done and he said nothing has been received. There is a question if taxes on the outlot were assessable and will the assessment be equalized. Mr. Barnes said the sewer and water assessment is to be covered. Councilman Johnson said the water and sewer should be equalized and the storm sewer by square footage, which should be spelled out with a complete assessment policy in this project for roads and everything. Engineer Hagen said the school will also be assessed. Councilman Kindseth said the run off drainage from the new school is creating a serious problem and asked how this will be solved which was discussed at length.

RE: SAGAMORE COMPLEX
QUALITY HOMES

MOTION was made by Councilman Hintz, second by Councilman Spaeth to deny approval of the _____ and preliminary plat requested by Quality Homes for the Sagamore development.

Councilman Johnson inquired why Councilman Hintz made the motion and he said originally they came in with a plan for a unit type of development and now they are having trouble getting financing for construction. Councilman Johnson did not feel this sufficient reason to deny the request as the project will be covered by a covenant and the plan is a good one. Councilman Hintz said financing is becoming available and it should be developed as originally presented. Mr. Parker said the covenants will protect the village and they are interested in having it become a success. Available financing will take months and months to obtain. Mr. Westrand said they received an offer from an insurance firm for financing but they cannot disburse until 1972 on the whole project. After discussing the effects of the money market and covenant Councilman Spaeth withdrew his second and Councilman Hintz withdrew his motion. Councilman Kindseth said he will feel more favorable with another review of the covenant and an assessment policy approved by Acting Manager Barnes.

Engineer Ragen said the State Conservation Department said the Village would have to apply for the permit to approve a Culvert Permit for Timber Shores developers. Attorney Lefler advised that there is a covenant contract with the developers and they should be the applicant. Mr. Stan Topi, representing Mr. French and Mr. Pritchard, said he is not familiar with the original contract, but understands that at the time it was entered into a provision for the channel was put in by the developer for people to have access by a channel to Bass Lake and increase the value of the lots they are selling.

RE: TIMBER SHORES
CULVERT PERMIT

The Conservation Dept. turned down their application because the lake level might be affected. Council discussed whether or not we should join the developer for said application, their statement on having to give up one lot, the one normal outlet of Bass Lake, the dike, footing determination and outlet pipe above the normal lake level for the channel, its' effect on our park land, number of acres of our park land acquisition originally and at present and suggested that this be referred to the Engineer, Park Director and Park Commission for study.

MOTION was made by Councilman Spaeth, second by Councilman Johnson directing the Engineer to look at the aspects of the dike, size of Little Bass Lake, what was sent to HUD and the renegotiations on this. Also, that the Park Commission should get involved as Jim Reuper was not here at that time. Also, an opinion should be received on whether or not a stagnant pond will be created and weed control required. Motion passed 5 aye vote.

MOTION was made by Councilman Kindseth, second by Councilman Hintz to defer action on the request by the developers of Timber Shores until the matter of the above motion is resolved. Motion carried, unanimous vote.

Mr. Howard Hunt, 17205 County Road #47, representing himself and a group of citizens, spoke before the Council concerning recent increased property evaluations set by the Assessment Dept. He called Council's attention to certain instances of unjustified evaluations and supplied snapshots to prove his points. He asked that Council adopt a resolution requesting the Hennepin County Auditor's office to grant the Village a 120 day extension from the required May 15th date to submit the revised property evaluation report in order to allow the Assessing Dept. more time to correct mistaken assessments and make proper personal re-evaluations.

RE: PROPERTY TAX
EVALUATIONS

Mayor Hilde told Mr. Hunt and the citizens that a meeting is scheduled April 29th at 7:30 P.M. in the Mt. Olive Lutheran Church on County Rd. #9 to discuss the whole tax structure because the Village is aware of the citizens' interest of this subject. He invited them to attend this meeting and if they are still not satisfied with their assessment they have recourse to bring their case before the Local Board of Review, scheduled to meet July 14th, or after that with the County Board of Equalization or after that with the State Board of Equalization.

MOTION was made by Councilman Hintz, second by Councilman Johnson to adopt RESOLUTION NO. 70-140, A RESOLUTION APPROVING THE BOND RELEASE IN THE AMOUNT OF \$18,000 FOR COLONIAL CORNERS. Motion carried 5 aye roll call vote.

RES. NO. 70-140
BOND RELEASE -
COLONIAL CORNERS

Councilman Spaeth asked if the Village will sealcoat and Attorney Lefler said it is our responsibility in accordance with the easement and Court of Appeals.

MOTION was made by Councilman Johnson, second by Councilman Kindseth to adopt RESOLUTION NO. 70-141, A RESOLUTION APPROVING THE FINAL PLAT PLAN FOR NOLAN ADDITION ON THE WEST SIDE OF HIGHWAY #101 AND ON THE SOUTH SIDE OF 8TH AVENUE, SUBJECT TO PAYMENT OF \$194.25 IN LIEU OF PARK LAND DEDICATION. Motion carried 5 aye roll call vote.

RES. NO. 70-141
FINAL PLAT -
NOLAN ADDITION

Mr. Dan Ralicki displayed a map of the area for which he is requesting information on ingress and egress to a parcel of land lying west of 10th Avenue N. Engineer Hagen asked that a feasibility study be made to determine how the access shall be provided. Mr. Ralicki said he had a discussion on this with Planner Bergly and Engineer Bonestroo. They need this information before they proceed to draw plans for this land in accordance with proposed egress. The area that he had outlined on his map was discussed by Council and the homes that are adjacent to the area.

RE: INGRESS AND
EGRESS, D. RALICKI

MOTION was made by Councilman Johnson, second by Councilman Hintz to adopt RESOLUTION NO. 70-142, A RESOLUTION ORDERING THE ENGINEER TO PREPARE A PRELIMINARY ROAD ALIGNMENT DESIGN STUDY FOR THE AREA OUTLINED BY MR. RALICKI. AMENDMENT WAS MADE BY MAYOR PILDE, SECOND BY COUNCILMAN JOHNSON THAT THIS COLLECTOR THOROUGHFARE STUDY BE COORDINATED WITH THE LAND USE CONSIDERATION WE ARE GIVING THIS AREA. Amendment carried, unanimous vote and motion carried 5 aye roll call vote.

RES. NO. 70-142
ROAD STUDY -
D. RALICKI

REPORTS BY BOARDS, OFFICERS & COMMITTEES

Acting Manager Barnes reviewed his report concerning developers who are asking for a solution and discussion of the assessing program for improvements. Councilman Spaeth said the report was a good one but they have made a lot of proposals and yet no one has come in for a Building Permit. Mr. Barnes said that was due to no decision as yet being made on the improvements. The Council discussed drawing up development contracts for those who will build this year, preliminary platting in respect to the Highway Department's plan, possibility of contractual agreements, reference to minutes of April 6, 1970, page 5, first paragraph, concerning a desire to see more land platted and the developer's agreement stating we could assess the unplatted land for 15 years.

RE: DEVELOPER'S
ASSESSMENT
AGREEMENT

Attorney Lefler said this is in the negotiation stage and asked how the developers could be tied down contractually. He suggested that someone get together with them and discuss these things thoroughly, since it has always been discussed that the land should be platted. Discussion followed on the assessment program and Mr. Barnes' report.

MOTION was made by Councilman Johnson, second by Councilman Hintz directing the Attorney to proceed with negotiations with the developers regarding the assessment program.

What the negotiations should cover was discussed and some points were: When improvements are installed agree to take it on a total 10 year basis and when they plat pay 25% of the then outstanding assessment and 100% of the remaining balance at the time of Building Permit application.

It was pointed out that there are several other land owners, such as Huns, Taylor, Magney Construction by Council and Councilman Kindseth said we should find out if these others will sign an agreement. Mayor Hilde questioned this action in respect to how far we should go and the impression that will be made of Plymouth. He directed Acting Manager Barnes to develop a comparison study of other communities concerning what they did when they were at our same stage, at our point of development. After discussing all the points of concern Attorney Lefler said these will be discussed at the negotiation meeting. Motion carried 5 aye vote.

Engineer Hagen said we made a promise to the Highway Department and we must advertise for one month, and must have approval to get bids. We can cancel. We are losing good bids.

RE: CENTRAL
IMPROVEMENT PLAN

MOTION was made by Councilman Spaeth, second by Councilman Johnson to adopt RESOLUTION NO. 70-143, A RESOLUTION ACCEPTING THE PLANS AND SPECIFICATIONS FOR THE CENTRAL IMPROVEMENT PROJECT. Motion carried 5 aye roll call vote.

RES. NO. 70-143
ACCEPT PLANS AND
SPECS, CENTRAL PLAN

MOTION was made by Councilman Johnson, second by Councilman Hintz to adopt RESOLUTION NO. 70-144, A RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE CENTRAL IMPROVEMENT PROJECT AND SET THE BIDDING DATE AS MAY 22, 1970. Motion carried 5 aye roll call vote.

RES. NO. 70-144
ORDERING BID

Councilman Kindseth suggested holding another meeting for the storm sewer as he is not too familiar with the plan and has questions on it. He was advised that these are covered by the report.

RE: STORM SEWER
NORTH OF HWY. #55

Developer Sam Marfield said he had a discussion with Engineer Bonestroo on the storm sewer for his property and he was told the storm sewer north of #55 will go north and south of #55 will go south. Councilman Spaeth said this is not the approved plan and that something will have to be done about the water in the creek and asked who will pay for it? Engineer Bonestroo said it is his opinion it is a relatively small project and the cost will be somewhat of a saving by having it go south. The creek is now part of the Bannette Creek Watershed.

Engineer Bonestroo said Council put a hold on the NW Interceptor sanitary sewer and it should be released. He recommended it be continued north of Fernbrook and asked that what should be done be clarified by Council. Mayor Hilde said this preempts action with the people on Highway #55. Councilman Hintz said another possibility would be to bring the sewer to the northeast corner of Belgarde's development. Engineer Bonestroo said we will never get it built as cheap as the one we have. He pointed out for Councilman Hintz how far down the sewer will go and said people will be assessed on both sides.

RE: NW INTERCEPTOR

MOTION was made by Councilman Johnson, second by Mayor Hilde to adopt RESOLUTION NO. 70-145, A RESOLUTION TO AUTHORIZE CONTINUATION OF THE SANITARY SEWER EXTENSION ON FERNBROOK LAKE NORTH OF HIGHWAY #55. Councilman Johnson and Mayor Hilde voted aye, Councilmen Kindseth and Hintz abstained, Councilman Spaeth voted naye, motion carried.

RES. NO. 70-145
EXTENSION OF SEW
INTERCEPTOR

LICENSES & PERMITS

MOTION was made by Councilman Johnson, second by Councilman Hintz to approve the Taxicab License for John M. Hay and Gasoline Service Station License for Danny T. Smith Service Co., Highways #55 and #494. Motion carried, unanimous vote.

RE: LICENSE
APPROVALS

CLAIMS & DISBURSEMENTS

MOTION was made by Councilman Johnson, second by Councilman Kindseth to adopt RESOLUTION NO. 70-146, A RESOLUTION APPROVING THE FOLLOWING DISBURSEMENTS: REGULAR PAYROLL FOR THE PERIOD ENDING APRIL 15, 1970 IN THE AMOUNT OF \$15,216.26; GENERAL FUND DISBURSEMENT FROM THE FIRST NATIONAL BANK OF WAYZATA IN THE AMOUNT OF \$65,167.47; CONSTRUCTION & SINKING FUND FROM THE FIRST NATIONAL BANK OF MINNEAPOLIS IN THE AMOUNT OF \$206,861.23 FOR THE PERIOD ENDING APRIL 20, 1970. Motion carried 5 aye roll call vote.

RES. NO. 70-146
DISBURSEMENTS

MISCELLANEOUS

In regard to the Minneapolis Force Main Connection project Mayor Hilde asked how much money will the Metropolitan Council bond on our behalf and how will they make the charge back to us? Acting Manager Barnes said he will call Mr. Dougherty on Tuesday, the 21st, and ask for his opinion as he and Mr. Dorton do not agree on the conveyance cost included in the \$2,800,000.

RE: FORCE MAIN

Mayor Hilde asked: (1) What are some of the specific points to be concerned with? (2) What will we do if they stall? (3) Will the terms of our Minneapolis connection apply when they take over the contract from us? Attorney Lefler said no, because the depreciation might be on a different basis. Mayor Hilde asked the Attorney to please advise the Council when we should become involved in this issue. Attorney Lefler said his partner is working on this and he will advise how it is coming along so Mayor Hilde can make the decision. (4) Can we encourage some type of balloon payment schedule? If the Metropolitan Sewer Board and Metropolitan Council's program is really as good as it sounds, they could accommodate us by ballooning the debt retirement in such manner to be beneficial to us during the early part of the retirement of the bond issue, therefore minimizing the mill rate for this project, Mayor Hilde said. The Attorney said they are selling \$34,000,000 worth of bonds. Engineer Honestroo said the Metropolitan Council cannot get as good a rating as Plymouth. Their last bond interest was 6.78%. We may get a charge back from them for 20 years.

Attorney Lefler was asked if we go ahead and sell our own bonds, then if they take over, will they charge us back according to their own schedule? He said no, they'll include it in a later issue and it is correct to assume they really do not have a plan.

Councilman Spaeth asked about the federal grant we are getting and what

the Metropolitan Council will do with it. Attorney Lefler said they will give the Village credit for it. Councilman Spaeth asked if we bond and get this, when they assume our bond and if we keep the federal funds of \$500,000 and invest it, would we not be further ahead due to the interest earned? The Attorney said we have the option to use it for construction expenses and Councilman Spaeth said maybe we could use it for 5 years. Councilman Johnson reminded him that this was all reviewed by Jim Olsen in a previous report. A discussion followed in respect to New Hope and Golden Valley and the aspects of bonding ourselves vs. the Metropolitan Council.

Attorney Lefler suggested that answers to some of the questions be obtained and that a committee be appointed consisting of Acting Manager Barnes, Engineer Bonestroo, Mayor Hilde and himself to meet with Mr. Dougherty and Mr. Honeoy and anyone else that can speak with authority, to answer questions we will have listed before Thursday. Councilman Hintz said Engineer Ragen should be included in the committee. A meeting was scheduled for Thursday, the 23rd at 7:30 A.M. in the village hall for the purpose of giving a report from the committee to the Council.

The subject of assessment negotiations to be taken up by the Attorney with developers was brought up again. Mayor Hilde asked Attorney Lefler if all we have to determine on some of the land is where they will pay the 100% acreage charge and should it be included in the determination and how they propose to zone it? Also, should there be a \$250 or \$350 acreage charge? Attorney Lefler said what the land is zoned at the time of the assessment hearing will determine the formula for assessment. Mayor Hilde said we are only collecting 82% for sewer and water and 100% for streets, maybe it would be more feasible if a different arrangement is made. All R-O landowners pay the same single family rate and industrials pay 150%. Councilman Spaeth said the contract should include a method of getting the type of assessing rate for the unplatted land that we would get when it is eventually zoned.

RE: ASSESSMENT
NEGOTIATION

MOTION was made by Councilman Hintz, second by Councilman Kindseth directing the Attorney to include in the points for negotiation with these developers, notwithstanding that their land was zoned R-O that it would have to agree to permit it to be assessed on the same basis as though it was commercial, industrial or multiple dwellings, which is 150% of the residential rate. Motion passed 5 aye vote.

MOTION was made by Councilman Hintz, second by Councilman Johnson authorizing the Mayor and Clerk to execute and sign the deed correction covering an easement on Lot 7, Block 3, Elmhurst Addition. Motion carried, unanimous vote.

Councilman Kindseth said there will be increased activity for apartment building inspections and since Mr. Kamman must spend most of his time in the office and Mr. Ernst is out most of the day there is need for another inspector. It is time to look for a qualified man.

MOTION was made by Councilman Johnson, second by Councilman Spaeth authorizing the hiring of another inspector. Councilman Spaeth said he should be a man more experienced in plumbing rather than heating. Mayor Hilde reminded Council that under Plan B the Council only makes a recommendation, the Manager has charge of hiring employees. Councilman Spaeth withdrew his second and Councilman Johnson withdrew his motion.

BID AWARD

MOTION was made by Councilman Hintz, second by Councilman Johnson to adopt RESOLUTION NO. 70-146, A RESOLUTION AWARDED THE BIDS FOR PUMP HOUSES NO. 1 AND 2 AS FOLLOWS: GENERAL CONSTRUCTION TO KRUEGER CONSTRUCTION CO. IN THE AMOUNT OF \$10,020; MECHANICAL CONSTRUCTION TO LEE RICHERT PLUMBING & HEATING CO. IN THE AMOUNT OF \$16,227; ELECTRICAL CONSTRUCTION TO COMMONWEALTH ELECTRICAL CO. IN THE AMOUNT OF \$14,064. Motion carried 5 aye roll call vote.

RES. NO. 70-146
BID AWARD
PUMPHOUSE #1 & #2

RESOLUTIONS & ORDINANCES

Councilman Spaeth reviewed a letter and read a resolution recommended for adoption by New Hope concerning the proposed interchange at County Roads #18 and #9.

RE: INTERCHANGE
CTY. RDS. #18 & #9

MOTION was made by Mayor Hill, second by Councilman Hintz that we adopt RESOLUTION NO. 70-147, A RESOLUTION RESOLVING THAT PLYMOUTH IS SYMPATHETIC TO NEW HOPE'S CONTENTION THAT THE CURRENT CLOVERLEAF PLAN WILL CREATE HARDSHIP AND DISTURBANCE FOR EXISTING DEVELOPMENT IN THE SW QUADRANT OF THE INTERCHANGE AND THAT THE HENNEPIN COUNTY HIGHWAY DEPT. BE REQUESTED TO GIVE FULL AND CAREFUL CONSIDERATION TO THE APPEAL OF THE VILLAGE OF NEW HOPE FOR MORE STUDY OF THE LAND USE AND ACCESS PROBLEMS OF THE CLOVERLEAF ALIGNMENT. Motion passed 5 aye roll call vote.

RES. NO. 70-147
INTERCHANGE AT
CTY. RDS. #18 & #9

MOTION was made by Councilman Johnson, second by Councilman Hintz to adjourn at 12:30 A.M. Motion carried, unanimous vote.


At Hilde, Jr., Mayor

Attest: 