

MINUTES OF A REGULAR COUNCIL MEETING
PLYMOUTH, MINNESOTA
MAY 4, 1970

A regular meeting of the Plymouth Village Council was called to order by Mayor Hilde at 7:30 P.M. on May 4, 1970.

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

ABSENT:

MINUTES

MOTION was made by Councilman Spaeth, second by Councilman Johnson to approve the minutes of April 20, 1970 with the following amendments:

RE: MINUTES OF
APRIL 20, 1970

Page 3, 2nd paragraph, 5th line: After E-1 add "contingent upon a signed contract that he will convey 40 acres or less of park land directly north of the Cavanaugh Addition."

3rd paragraph: Add the balance of the paragraph above to the 5th line which will read "only on the westerly 230' of Lots 5 and 6, Block 1, etc."

Page 4, 5th paragraph: Delete words "rezoning request and" in second line.

Page 10: Resolution #70-147 should be changed to Resolution #70-148 and Resolution #70-148 should be Resolution #70-147.

Motion carried, unanimous vote.

COMMUNICATIONS

A communication was received by Mayor Hilde from James L. Jones, Secy. of the Maple Grove Civic Association concerning a meeting to be held May 7, 1970 at the Osseo East School at 7:30 P.M. regarding their proposed sewer installation inviting anyone interested to attend.

RE: MAPLE GROVE
SEWER PROPOSAL

Mayor Hilde said Marilyn Larson, Village Manager of New Hope, sent a letter to the Metropolitan Council for a hearing on the Plymouth Guide Plan. Mayor Hilde said Plymouth should be represented at the hearing when it is scheduled. He asked that Engineer Hagen, Planner Howard Dahlgren and one or two council members be in attendance. Councilman Kindseth will check out which guide plan this hearing will be in reference to.

RE: GUIDE PLAN

PUBLIC HEARING

Public hearing opened regarding the variance request made by Wm. V. Snyder. Mr. Snyder explained that the variance was requested due to the topography of his property. Public hearing closed.

RE: VARIANCE REQUEST
WM. V. SNYDER

MOTION was made by Councilman Spaeth, second by Councilman Johnson to adopt RESOLUTION NO. 70-153, A RESOLUTION APPROVING THE VARIANCE OF 11'6" REDUCTION OF FRONT SETBACK REQUIREMENT ON PLAT 43834, PARCEL 0560, 465B PINEVIEW LANE REQUESTED BY WILLIAM V. SNYDER. Motion carried 5 aye roll call vote.

RES. NO. 70-153
VARIANCE APPROVED
WM. V. SNYDER

PETITIONS, REQUESTS & COMMUNICATIONS

Engineer Hagen said the rezoning request by Premium Service Corp. for I-1 from R-0 on property for road and streets to serve Mammoth Industries was not resolved by the Planning Commission due to the proposed Hennepin County Highway Department's realignment of County Roads #15 and #61.

RE: REZONING REQUEST
PREMIUM SERVICE

Messrs. Richard Cox and Rey Kirkman of MIP discussed the proposed roadway and added that they need a location to store excessive fill for which an Excavation Permit has been applied for. However, they want the rezoning request approved first.

A citizen at 515 Wedgewood said the residents are concerned about the rezoning as the plan does not allow for a buffer zone between the residential area; it is against the guide plan; the industrial area will encroach on the residential area and the roads will bring in increased traffic from County Roads #15 and #61. They ask that alternate road designs be submitted for consideration. Another citizen feels the road should be designed to go between the church and proposed Abbott Hospital.

Councilman Kindseth suggested the Engineer and Planner discuss this issue with MIP so it can be settled in order to complete the thoroughfare plan.

MOTION was made by Councilman Hintz, second by Councilman Johnson to adopt RESOLUTION NO. 70-154, A RESOLUTION REFERRING THIS REQUEST TO THE PLANNING COMMISSION AND ASK THAT THEY TRY TO COME UP WITH A SOLUTION WHEREBY A PORTION OF THE REQUEST CAN BE REZONED SO THAT THE THOROUGHFARE PLAN WILL NOT BE A FACTOR. Motion carried, 5 aye roll call vote.

RES. NO. 70-154
PLANNING COMMISSION
STUDY

Mrs. Elaine Clem presented a petition signed by several hundred residents asking the Council to investigate the possibility of establishing safe walkways adjacent to County Road #6 and Highway #101. Mayor Hilde told her the Council is now working on this matter and that the Planner has been asked to submit the cost for this improvement. He told Mrs. Clem her interest was appreciated.

RE: WALKWAYS ON
CTY. RDS #6 & #101

A site plan covering the B-4 rezoning request by Rollie Peterson for his property north of County Road #6 and west of Highway #101 was discussed by Mr. Clark Erickson of Super Value. He described the proposed construction and decor details of the 20,000 square foot Super Value store which will include a bakery and delicatessen. He pointed out on a map the ample parking area to be provided with proper ingress and egress points to keep traffic moving safely and easily. Council discussed his site plan with respect to ingress and egress and area for unloading semi-truck deliveries.

RE: REZONING REQUEST
ROLLIE PETERSON

MOTION was made by Councilman Hintz, second by Councilman Spaeth to adopt ORDINANCE NO. 70-21, AN ORDINANCE TO REZONE FROM R-0 TO B-4 THE PROPERTY OF ROLLIE PETERSON LOCATED NORTH OF COUNTY ROAD #6 AND WEST OF HIGHWAY #101. AMENDMENT WAS MADE BY COUNCILMAN HINTZ, SECOND BY COUNCILMAN KINDSETH THAT THE REZONING SHALL BE SUBJECT TO PROVIDING A RIGHT TURN LANE ON THE WEST SIDE OF HIGHWAY #101 BETWEEN THE ENTRANCES AND COUNTY ROAD #6 AND A LEFT TURN LANE GOING NORTH ON HIGHWAY #101 FROM COUNTY ROAD #6 TO THE FIRST ENTRANCE. Amendment passed 4 aye vote, Councilman Johnson abstained. Motion carried, 4 aye roll call vote, Councilman Johnson abstained.

ORDINANCE NO. 70-21
REZONING APPROVED
ROLLIE PETERSON

MOTION was made by Councilman Spaeth, second by Councilman Johnson to set the time of 5:30 P.M. for the Board of Review on July 14, 1970 in the Village Hall council chambers. Motion carried, unanimous vote.

RE: BOARD OF REVIEW

MOTION was made by Councilman Hintz, second by Councilman Johnson to adopt RESOLUTION NO. 70-155, A RESOLUTION APPROVING THE FINAL PLANS AND SPECIFICATIONS OF THE HENNEPIN COUNTY HIGHWAY DEPARTMENT FOR CONSTRUCTION OF AN INTERCHANGE AT COUNTY STATE AID HIGHWAYS #18 AND #9. Motion carried 5 aye vote.

RES. NO. 70-155
INTERCHANGE AT
CTY. RDS. #18 & #9

MOTION was made by Councilman Johnson to adopt a resolution approving the subdivision waiver requested by Mr. Ivan Olson on Plat 43720, Parcel 5037. Councilman Hintz second the motion for discussion and asked why this did not go before the Planning Commission because of the activity in this area and pending discussion for a complete plan of this area. Engineer Hagen said this came before Council as there is no acting Board of Appeals and there have been several requests to study the area of County Road #24 and Highway #101. Councilman Hintz withdrew his second and Councilman Johnson withdrew his motion.

RE: SUBDIVISION WVR.
IVAN OLSON

Mr. Mel Getten told Council he wants to buy 110' of this property so Mr. Olson asked for the subdivision waiver. Mayor Hillie asked him about the possible necessity for a separate access point onto County Road #24. Mr. Getten said there is a drainage creek on the west side of the property line and because of this a request for access onto County Road #24 will not be forthcoming.

MOTION was made by Councilman Johnson, second by Councilman Hintz to adopt RESOLUTION NO. 70-156, A RESOLUTION APPROVING THE SUBDIVISION WAIVER REQUESTED BY IVAN OLSON ON PLAT 43720, PARCEL 5037. Motion passed 5 aye roll call vote.

RES. NO. 70-156
SUBDIVISION WAIVER
APPROVED, I. OLSON

REPORTS BY OFFICERS, BOARDS & COMMITTEES

MOTION was made by Councilman Hintz, second by Councilman Johnson to adopt RESOLUTION NO. 70-157, A RESOLUTION EFFECTIVE JULY 1, 1970 TO ENFORCE THE ORDINANCE PERTAINING TO NO PARKING OF SCHOOL BUSES AND TRUCKS IN RESIDENTIAL AREAS. Motion carried 5 aye roll call vote.

RES. NO. 70-157
NO PARKING, BUSES
AND TRUCKS

MOTION was made by Councilman Hintz, second by Councilman Johnson to adopt RESOLUTION NO. 70-158, A RESOLUTION DECLARING THE PROPERTY ON THE TAX FORFEITED LAND CLASSIFICATION LIST #644C OF 1970 ON FILE IN THE CLERK'S OFFICE AS NON-CONSERVATION LAND. Motion carried, 5 aye roll call vote.

RES. NO. 70-158
NON-CONSERVATION
LAND LIST #644C

MOTION was made by Councilman Hintz, second by Councilman Johnson to adopt RESOLUTION NO. 70-159, A RESOLUTION CONVEYING THE FOLLOWING PARCELS FOR PARK PURPOSES:

RES. NO. 70-159
CONVEYING LIST
#644C FOR PARK LAND

<u>PLAT #</u>	<u>PARCEL #</u>		<u>PLAT #</u>	<u>PARCEL #</u>	
43731	2400	--- Ben. Hts. 2nd	44020	6150	--- Elmhurst
"	2500		44285	1300	Klausman
"	2600		44560	2400	Shortline
"	2800		"	2710	"
"	2900		"	2800	"
"	3000		44600	2300	Suburbandale
"	3100		"	2350	"
"	6000		44285	1420	Klausmans
"	6200				
"	6300				
"	7000				
"	7100				

Motion carried 5 aye roll call vote.

MOTION was made by Councilman Spaeth, second by Councilman Hintz to adopt RESOLUTION NO. 70-160, A RESOLUTION TO CONVEY PLAT 43920, PARCEL #210 OF THE CLASSIFICATION LIST #644C OF 1970 FOR STORM SEWER DRAINAGE. Motion carried 5 aye roll call vote.

RES. NO. 70-160
PARCEL FOR STORM
SEWER

RESOLUTIONS & ORDINANCES

MOTION was made by Councilman Spaeth, second by Councilman Johnson to adopt ORDINANCE NO. 70-20, AN ORDINANCE AMENDING THE UNIFORM BUILDING CODE RELATING TO LOCKS AND LATCHES. Motion carried 5 aye roll call vote.

ORDINANCE NO. 70-20
LOCKS AND LATCHES

BID AWARD

MOTION was made by Councilman Johnson, second by Councilman Spaeth to adopt RESOLUTION NO. 70-161, A RESOLUTION AWARDED THE BID FOR THE SOUTHWEST STREET RESTORATION PROJECT TO C. S. MCCROSSAN OF OSSEO IN THE AMOUNT OF \$397,015.00. Motion carried 5 aye roll call vote.

RES. NO. 70-161
BID AWARD FOR SW
STREET RESTORATION

CLAIMS & DISBURSEMENTS

MOTION was made by Councilman Spaeth, second by Councilman Johnson to adopt RESOLUTION NO. 70-162, A RESOLUTION APPROVING THE REGULAR PAYROLL FOR THE PERIOD ENDING APRIL 30, 1970 IN THE AMOUNT OF \$16,750.58. Motion carried 5 aye roll call vote.

RES. NO. 70-162
DISBURSEMENTS

LICENSES & PERMITS

MOTION was made by Councilman Spaeth, second by Councilman Johnson to approve the Taxicab License for Duane Lamke. Motion carried, 5 aye vote.

RE: TAXICAB LICENSE

MOTION was made by Councilman Johnson, second by Councilman Hintz directing the Attorney to draw up an agreement concerning the excavation permit as requested by MIP to transport fill from one place to another. Motion carried, unanimous vote.

RE: MIP EXCAVATION
PERMIT

MISCELLANEOUS

Engineer Hagen was directed by Mayor Hilde to check with Larry Teberg concerning the agreement made with the developer with respect to the pile of dirt still remaining behind the 4 Seasons area.

RE: AGREEMENT ON DEVELOPMENT

Councilman Kindseth reported that the person holding the village hall property purchase option which expired April 30, 1970 requested an extension of time. He offered the Village the use of a home to the east of the village property if we find we need more space. Council discussed drawing up a new option agreement and what should be stated therein.

RE: VILLAGE PROPERTY OPTION

MOTION was made by Councilman Johnson, second by Councilman Spaeth to adopt RESOLUTION NO. 70-163, A RESOLUTION DIRECTING THE ACTING MANAGER TO CONTACT HARRY DEZEIL IMMEDIATELY AND ADVISE HIM HIS OPTION IS NO LONGER IN FORCE AND IN ORDER TO TAKE OUT A 30 DAY OPTION HE MUST PAY \$2,000 OR \$5,000 FOR 90 DAYS. Motion carried, 5 aye roll call vote.

RES. NO. 70-163
PURCHASE OPTION
H. DEZEIL

MOTION was made by Councilman Johnson, second by Councilman Hintz directing the Engineer to proceed with contracts and specifications to implement village hall remodeling plan #3. Motion carried, 5 aye vote.

RE: REMODEL VILLAGE HALL

Mayor Hilde said over 50 applications were received for the position of Village Manager. The Council is not attempting to rush this job. They are proceeding satisfactorily at this point. It cannot be predicted when the appointment will be made.

RE: VILLAGE MANAGER

Councilman Kindseth said since there are three new members appointed to the Planning Commission, some means of getting acquainted with them should be made and they should receive some type of brochure or pamphlet about the village, as is done in some other communities. Councilman Johnson consented to work something out along these lines.

RE: PLANNING COMMISSION

Engineer Hagen told Council that in the future the Planning Commission will meet the first and third Wednesday of each month to expedite bringing matters before Council for action.

Councilman Hintz asked that when sewer and water is considered for the Belgarde property it also be considered for the Cavanaugh Addition residents. It is very badly needed.

RE: IMPROVEMENTS
CAVANAUGH ADDITION

Engineer Hagen told Council that the bids taken for Pumphouse No. 1 and No. 2 and Plymouth Plaza included floccidation and chlorination but Mr. Benard now refuses to have the chlorination put in the Plymouth Plaza system due to the cost of \$10,000. After considerable discussion the following action was decided.

RE: PUMPHOUSES

MOTION was made by Councilman Johnson, second by Councilman Hintz to adopt RESOLUTION NO. 70-164, A RESOLUTION TO DELETE THE PLYMOUTH PLAZA PHASE OF THE PUMPHOUSE PROJECT AND AUTHORIZE A CHANGE ORDER TO INCREASE THE CONTRACT BY \$1375.00 ON THE BALANCE OF THE WORK. Motion carried 5 aye roll call vote.

RES. NO. 70-164
CHANGE ORDER FOR
PLYMOUTH PLAZA

MISCELLANEOUS - Continued

MOTION was made by Councilman Hintz, second by Councilman Johnson to adopt RESOLUTION NO. 70-165, A RESOLUTION AUTHORIZING THE USE OF EMINENT DOMAIN TO ACQUIRE EASEMENTS FOR THE NORTHEAST INTERCEPTOR SANITARY SEWER SYSTEM AND FOR THE MINNEAPOLIS CONNECTION. Motion carried 5 aye roll call vote.

RES. NO. 70-165
EASEMENTS FOR NE
INTERCEPTOR AND MPLS
FORCE MAIN

Councilman Kindseth was asked to summarize the present status of the Thoroughfare Plan in accordance with his report dated May 4, 1970 on file in the Village Clerk's office. He reviewed the road classifications and the seven problem areas as defined in this report.

RE: THOROUGHFARE
PLAN

Councilman Kindseth and the Engineer discussed with the Council what maps will have to be prepared and the amount of time that will be involved to prepare the plan for presentation at a public hearing to adopt the Thoroughfare Plan and before which, a joint review will be held with the Planning Commission. Engineer Hagen felt it will take a total of 5 months before a public hearing can be scheduled.

Mr. Richard Cox of MIP asked what they could do to help shorten the time and added that in respect to the interchange proposal at County Road #15 and Interstate #494 the area should be rezoned first to make it worthwhile. He was told that they could be working with the Highway Department on the interchange and prepare maps of their road plans for negotiation with the Village.

MOTION was made by Councilman Johnson, second by Councilman Hintz directing the Engineer to prepare a base and overlay maps of the thoroughfare plan for study and pay particular attention to the petition submitted March 16, 1970 by the residents in the area of County Road #61 and #15 to realign this thoroughfare. Motion carried, unanimous vote.

MOTION was made by Councilman Johnson, second by Councilman Spaeth to direct the Engineer to include a diamond interchange at County Road #6 and Interstate #494 and continue to urge the Highway Department to accept such a plan and develop arguments for support of the plan. Motion carried, unanimous vote.

MOTION was made by Councilman Hintz, second by Councilman Johnson to indicate the Council's desire to cooperate with MIP in the design of a new alignment of County Roads #61 and #15 and Interstate #494 for the thoroughfare study, which is also part of the Central Guide Plan. Motion carried, unanimous vote.

MOTION was made by Councilman Hintz, second by Councilman Johnson to adopt RESOLUTION NO. 70-166, A RESOLUTION AUTHORIZING THE ACTING MANAGER TO SPEND \$633 TO ATTEND A FINANCE DIRECTOR'S CONVENTION IN MIAMI BEACH, FLORIDA STARTING MAY 21, 1970. Motion carried 5 aye roll call vote.

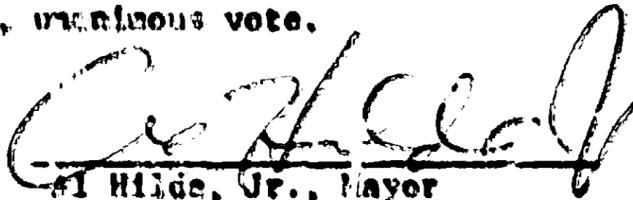
RES. NO. 70-166
FINANCE DIRECTOR'S
CONVENTION

MISCELLANEOUS - Continued

MOTION was made by Councilman Johnson, second by Councilman Hintz to adopt RESOLUTION NO. 70-170, A RESOLUTION AUTHORIZING THREE DEPARTMENT HEADS TO ATTEND THE ANNUAL MEETING OF THE MINNESOTA LEAGUE OF MUNICIPALITIES TO BE HELD JUNE 10, 11 AND 12TH AT DULUTH, MINNESOTA AND EXPEND \$87.25 PER MAN FOR EXPENSES. Motion carried, 5 aye roll call vote.

RES. NO. 70-170
LEAGUE OF
MUNICIPALITIES

MOTION was made by Councilman Johnson, second by Councilman Hintz to adjourn at 11:15 P. M. Motion carried, unanimous vote.



Carl Hilde, Jr., Mayor

Attest: 