

MINUTES
REGULAR COUNCIL MEETING

February 3, 1975

A regular meeting of the Plymouth City Council was called to order at 7:35 P.M. in the Council Chambers of the Public Works Building, 14900 Twenty-third Avenue North, on February 3, 1975.

PRESENT: Mayor Hilde, Councilmen Hunt, Neils, Seibold and Spaeth, Manager Willis, Engineer Goldberg, Planner Dillerud, Attorney Drawz, Deputy City Clerk Bolnick.

ABSENT: None.

MINUTES

MOTION was made by Councilman Seibold, seconded by Councilman Hunt, to approve the minutes of the January 27, 1975 special Council meeting.

MINUTES - SPECIAL
COUNCIL MEETING -
JANUARY 27, 1975
Item 4

Councilman Spaeth noted that on page 31, eighth paragraph, third line, the word "is" should be corrected to read "if".

Motion to approve the minutes carried, four ayes. Councilman Neils abstained.

Mayor Hilde informed Council members of the upcoming meeting with Robert Short, Metropolitan Council District 11 representative, on February 13, and asked who would be attending. All Council members except Councilman Hunt indicated they would attend.

PETITIONS, REQUESTS AND COMMUNICATIONS

The Planning Commission reviewed and recommended approval of Site Plan for the City of Plymouth Water Treatment Plant, subject to the conditions cited in the January 29, 1975 staff report.

CITY OF PLYMOUTH - SITE
PLAN OF WATER TREATMENT
PLANT
Item 5-A

MOTION was made by Councilman Seibold, seconded by Councilman Hunt, to adopt a resolution approving Site Plan for the City of Plymouth Water Treatment Plant.

Councilman Hunt asked if the six parking spaces shown were sufficient and if there was sufficient provision for trucks, buses, etc. Engineer Goldberg said that space was provided only for bringing in of chemicals and for a few parking spaces for visitors. Manager Willis stated that persons working in the plant would not be there on a full-time basis.

Planner Dillerud said that Planning Commission approval was recommended with the understanding that the blacktopping would

be completed from the parking area to the utility road.

Councilman Neils suggested that staff be asked to begin anew, developing a site plan for the whole facility site, including the existing building. This should go through the Planning Commission again, when enough details are known.

Mayor Hilde said additional information would be needed in the following areas: (1) the Council would want to know the shape and dimensions of the truck loading area; (2) how many parking spaces are really needed; (3) where will the utility road go -- what else will it be used for; (4) is it the most efficient way to get in and out; and (5) more detail is needed on landscaping, including anticipated costs.

Councilman Neils said he would also want to see the site plan in terms of potential addition to the facility in the future 10 to 20 years.

Councilman Hunt said that with private development, the Council would require that 23rd Avenue go to the east property line. Councilman Spaeth pointed out, however, that extension of 23rd had previously been discussed by the Council. Property owners in the area did not desire construction of 23rd unless determined by development in the area.

Council members agreed that the site plan should be for the entire area, and not just for the water treatment facility.

SUBSTITUTE MOTION was made by Councilman Neils, seconded by Councilman Spaeth, that the matter of Site Plan approval be referred to staff for overall Site Plan for projected requirements for a reasonable period of 10 - 20 years, including technical details of parking, loading space, future additions to the plant and the existing facility; and that the four points of the proposed resolution prepared by staff be taken into consideration; and that the proposed Site Plan be brought to the Council by staff in terms of cost estimates and timing for phases of work and having the budget considerations addressed by Council; and it is the intent of this motion that referral of Site Plan be made to the Planning Commission.

MOTION was made by Councilman Hunt, seconded by Councilman Spaeth, to amend the substitute motion to add that a landscaping figure of \$10,000, exclusive of sod, be used.

Councilman Hunt explained that the \$10,000 figure was for the entire site, not just the plant.

Motion to amend the substitute motion carried, five ayes.

Council members discussed whether the utility road and parking area should be gravel base or blacktopped. Mayor Hilde stated it would depend upon how much use is anticipated, and suggested that Council wait before making a decision. Manager Willis said staff will research the traffic and weight demands; Engineer Goldberg said the staff report would include cost estimates of alternatives.

Substitute motion, as amended, carried, five ayes.

The Planning Commission reviewed the request of Floyd B. Olson for approval of Preliminary Plat and Subdivision Unit Project for Maple Creek, and recommended approval of same, subject to the conditions cited in the January 29, 1975 staff report. Planner Dillerud pointed out that the Planning Commission recommendation included the recommendation of the Park and Recreation Advisory Commission that one-half of the park dedication be on the site of the proposed neighborhood park on the south part of the parcel.

FLOYD B. OLSON -
PRELIMINARY PLAT
& SUBDIVISION UNIT
PROJECT - MAPLE CREEK
Item 5-D

Councilman Neils expressed concern re the access to the park. The 30' provided is not adequate for a park of that size.

Councilman Hunt said that the cul-de-sacs should be symmetrical.

Mayor Hilde questioned the park area to the north. Planner Dillerud explained that this would be needed for drainage, that it would not, in fact, be a park.

Petitioner Olson said that rearrangement of the park dedication, from the 7.8 acres in the north as he proposes, would cause undue hardship in his dealings with the property owner, Mr. Taylor.

It was suggested that easements be obtained from Mr. Taylor for the trail and park land. Mayor Hilde suggested that Mr. Taylor, as owner of the property, dedicate easements at this time, and make the park dedications at the time of final plat.

Mr. Olson asked about a variance for one lot. Councilman Hunt suggested that this might not be needed once the cul-de-sacs are made symmetrical.

MOTION was made by Councilman Neils, seconded by Councilman Spaeth, to adopt RESOLUTION NO. 75-82, A RESOLUTION APPROVING PRELIMINARY PLAT AND SUBDIVISION UNIT PROJECT FOR MAPLE CREEK, ADDING THE FOLLOWING WORDS AT THE END OF CONDITION #3: "IF REQUIRED AFTER MAKING SYMMETRICAL CUL-DE-SACS".

RESOLUTION NO. 75-82

MOTION was made by Councilman Neils, seconded by Councilman Spaeth, to amend Resolution No. 75-82 by changing condition #2 to read as follows: "That the drainage area of 7.8 acres on the north side of the plat be dedicated as a drainage area, and that a 10-rod width of drainage and trail easements along the east side of the plat be dedicated.

MOTION was made by Councilman Spaeth, seconded by Councilman Hunt, to amend the amendment to add the park area.

Councilman Hunt suggested stating that the dedication of trail and park land will be taken care of at the time of development of the parcel to the east.

Councilman Spaeth accepted same as a friendly amendment.

Motion to amend the amendment carried, five ayes.

Motion to amend Resolution No. 75-82, as amended, carried, five ayes.

MOTION was made by Councilman Neils, seconded by Councilman Hunt, to amend Resolution No. 75-82 by adding condition #4: "That the creek drainway line through Lots 4, 5, 6 and 7, Block 4 be appropriately altered to provide for usable lots and necessary drainage easements." Motion to amend carried, five ayes.

MOTION was made by Councilman Neils, seconded by Councilman Hunt, to amend Resolution No. 75-82 by adding condition #5: "That full street right-of-way of 60' be provided between Lot 12, Block 2 and Lot 1, Block 3, and as part of the Development Contract, improvement of that street be required to the rear lot line of Lot 1, Block 4."

Councilman Seibold questioned if 60' would be needed.

Motion to amend carried, four ayes. Councilman Seibold voted nay.

Mr. Olson said that he would not be able to get the required easements from Mr. Taylor. Mayor Hilde informed Mr. Olson that the City Manager and the City Attorney would be of assistance to him in explaining the situation to Mr. Taylor.

The Planning Commission reviewed and recommended approval of the request of the City of Plymouth for approval of Site Plan and sign variance, and Conditional Use Permit for water storage facilities.

MOTION was made by Councilman Hunt, seconded by Councilman Spaeth, to adopt RESOLUTION NO. 75-83, A RESOLUTION APPROVING SITE PLAN AND SIGN VARIANCE FOR CITY OF PLYMOUTH - WATER STORAGE FACILITIES. Motion carried on a roll call vote, five ayes.

MOTION was made by Councilman Spaeth, seconded by Councilman Seibold, to adopt RESOLUTION NO. 75-84, A RESOLUTION APPROVING CONDITIONAL USE PERMIT FOR CITY OF PLYMOUTH - WATER STORAGE FACILITIES. Motion carried on a roll call vote, five ayes.

Councilman Spaeth asked about use of fencing. Engineer Goldberg said he would check into it.

MOTION was made by Councilman Spaeth, seconded by Councilman Seibold, to adopt RESOLUTION NO. 75-85, A RESOLUTION APPROVING REQUEST FOR PAYMENT NO. 10 (FINAL) - CHELSEA WOODS - PROJECT NO. 138-002. Motion carried on a roll call vote, four ayes. Councilman Hunt abstained.

SITE PLAN AND CONDITIONAL USE PERMIT - CITY OF PLYMOUTH - WATER STORAGE FACILITIES
Item 5-B
RESOLUTION NO. 75-83

RESOLUTION NO. 75-84

REQUEST FOR PAYMENT NO. 10 (FINAL) - CHELSEA WOODS - PROJECT 138-002
RESOLUTION NO. 75-85

REPORTS OF OFFICERS, BOARDS AND COMMISSIONS

It was the recommendation of staff that Council pass a resolution authorizing reimbursement to Lundgren Brothers for providing sewer and water service to two parcels and directing that the City collect back said costs from the parcels at the time of connection to the sewer and water system.

SHILOH ADDITION -
PAYMENT FOR INSTAL-
LATION OF SERVICES
Item 6-A

MOTION was made by Councilman Seibold, seconded by Councilman Hunt,* to adopt a resolution authorizing reimbursement to Lundgren Brothers.

*amended 2/10/75

Councilman Neils suggested that it might be more appropriate to assess sewer and water for these two lots, and at the time of public hearing determine benefit. It would then be a matter of public record.

Mayor Hilde expressed concern re payment to the contractor for monies not expended.

SUBSTITUTE MOTION was made by Mayor Hilde, seconded by Councilman Neils, to refer the matter back to staff for (1) determination of the incremental additional cost the developer expended; and (2) determination of what is the proper way of assessing these homes for sewer and water.

Councilman Neils said that this should be handled as a public improvement, so there is a record. Mayor Hilde agreed.

Substitute motion carried, three ayes. Councilman Seibold voted nay and Councilman Spaeth abstained.

MOTION was made by Councilman Spaeth, seconded by Councilman Seibold, to adopt RESOLUTION NO. 75-86, A RESOLUTION ADOPTING POLICY - USE OF SCHOOL FACILITIES. Motion carried on a roll call vote, five ayes.

PROPOSED POLICY RESO-
LUTION - USE OF
SCHOOL FACILITIES
Item 6-B
RESOLUTION NO. 75-86

MOTION was made by Councilman Neils, seconded by Councilman Hunt, to adopt RESOLUTION NO. 75-87, A RESOLUTION REQUESTING THAT THE METROPOLITAN TRANSIT COMMISSION PROVIDE FINANCIAL ASSISTANCE TO THE MEDICINE LAKE BUS LINES.

METROPOLITAN TRANSIT
COMMISSION
Item 6-C
RESOLUTION NO. 75-87

MOTION was made by Mayor Hilde, seconded by Councilman Neils, to amend Resolution No. 75-87 by adding, beneath the fourth paragraph, the following wording: "Whereas, the MTC has a duly adopted written policy of (1) providing assistance to the private carriers, (2) promoting ridership on the private carriers, and (3) assuring the viability of private carriers, and". Motion carried, five ayes.

Motion to adopt Resolution No. 75-87, as amended, carried on a roll call vote, four ayes. Councilman Spaeth voted nay.*

*amended 2/10/75

It was the recommendation of the staff that 4.11 miles of 49th Avenue, from County Road 18 to Vicksburg Lane, be added to the MSA system, plus either Fernbrook Lane, from County Road 9 to 49th Avenue, or Larch Lane, from 49th Avenue to County Road 9.

REVISIONS TO THE
MUNICIPAL STATE AID
STREET SYSTEM
Item 6-D

MOTION was made by Councilman Neils, seconded by Councilman Spaeth, that the Larch Lane alternative be accepted as an MSA addition.

Mayor Hilde said he would prefer not to make final determinations at this time. He suggested the following procedure: (1) review of what is presently in the MSA system and what is needed; and (2) direction to the staff for development of a policy for use of MSA funds.

Councilman Neils stated he would reword his motion to designate that Larch Lane, from County Road 9 to 49th Avenue, be identified as a high priority. Councilman Spaeth, as seconder, agreed.

Motion carried, five ayes.

MOTION was made by Councilman Hunt, seconded by Councilman Neils, to designate 49th Avenue, from County Road 18 to West Medicine Lake Road, as a high priority. Motion carried, five ayes.

MOTION was made by Councilman Hunt, seconded by Councilman Spaeth, that the rest of the staff recommendation not be adopted at this time. Motion carried, five ayes.

Council members suggested other streets to check for possible designation as MSA streets: Niagara Lane, 10th Avenue, 13th Avenue and Medina Road.

MOTION was made by Councilman Neils, seconded by Councilman Hunt, to direct the staff to consider the previous motions identifying priorities, and the questionables, and to include the Planning Department, and to come back with recommendations for the balance. Motion carried, five ayes.

MOTION was made by Councilman Hunt, seconded by Councilman Neils, to add proposed 34th Avenue, north of the Cavanaugh Addition, those streets being considered. Motion carried, five ayes.

MOTION was made by Mayor Hilde, seconded by Councilman Spaeth, that the following be used by staff as guidance in development of a policy regarding how to use MSA funds: (1) assess whenever possible; (2) determine priorities; and (3) bond when necessary, based on detailed projections of costs and available funds.

MOTION was made by Councilman Neils, seconded by Councilman Spaeth, to amend the motion by adding that relating to industrial/commercial areas, all costs be assessed except for the incremental additional costs for street width beyond those standard for industrial/commercial areas. Motion carried, five ayes.

Main motion, as amended, carried, five ayes.

Councilman Neils asked what should be done in the situation where a major thoroughfare or collector goes through residential property entirely. Mayor Hilde stated that there was no assessment policy, and that staff should bring in recommendations.

MOTION was made by Councilman Hunt, seconded by Councilman Spaeth, to add to the motion passed above, that land should not be assessed where another street has to be provided for their benefit. Motion carried, five ayes.

MOTION was made by Councilman Hunt, seconded by Councilman Seibold, to adopt RESOLUTION NO. 75-88, A RESOLUTION AWARING BID FOR 1975 POLICE CARS TO ITEN CHEVROLET. Motion carried on a roll call vote, five ayes.

AWARD OF BIDS - TRUCKS
& POLICE CARS
Item 6-E
RESOLUTION NO. 75-88

MOTION was made by Councilman Hunt, seconded by Councilman Spaeth, to adopt RESOLUTION NO. 75-89, A RESOLUTION AWARING BID FOR A 1975 PICKUP TRUCK TO WALTON FORD. Motion carried on a roll call vote, five ayes.

RESOLUTION NO. 75-89

There was some discussion around the service cost factor in purchasing vehicles from distant dealerships. Councilman Neils said that he would prefer not to have a written policy regarding automobiles, but would want one regarding major vehicles where service might be an important factor.

MOTION was made by Councilman Neils, seconded by Mayor Hilde, to direct the staff to draw up a policy resolution specifying that for equipment purchases and bid specifications where service can be a significant factor, staff should be directed to include bid evaluation factors to take that into consideration. Motion carried, five ayes.

LICENSES AND PERMITS

MOTION was made by Councilman Spaeth, seconded by Councilman Hunt, to grant approval to the Ridgemount Jr. High PTA request to hold a bingo game on Friday, April 11.

BINGO PERMIT - RIDGE-
MOUNT JR. HIGH PTA
Item 7-A

MOTION was made by Councilman Spaeth, seconded by Councilman Neils, to adopt RESOLUTION NO. 75-90, A RESOLUTION APPROVING TAXI-CAB DRIVERS LICENSES FOR 11 PERSONS DRIVING FOR TOWN TAXI, INC. Motion carried on a roll call vote, five ayes.

TAXI-CAB DRIVERS
LICENSES
Item 7-B
RESOLUTION NO. 75-90

MISCELLANEOUS

The Council was in receipt of a letter from Mr. H. R. Foster regarding disposition of diseased and dead trees in the City.

LETTER FROM MR. H. R.
FOSTER
Item 8-A

Manager Willis explained the ordinance which the City presently has regarding trees diseased from oak wilt or Dutch elm. There is no ordinance provision for other dead tree removal.

Councilman Hunt suggested that, instead of creating an ordinance, the Council take the positive action of encouraging citizens,

possibly in letters to homeowner associations this spring, to handle the dead tree situation independently.

MOTION was made by Mayor Hilde, seconded by Councilman Neils, to direct the staff to prepare a P.R. program designed to let citizens know the law and encouraging voluntary efforts to go beyond the letter of the law to remove dead trees, whether diseased or not. Motion carried, five ayes.

Mayor Hilde reminded the Council that it had not as yet done a compensation evaluation for the City Manager. It was agreed that there was not sufficient information available tonight to make a decision.

CITY MANAGER
COMPENSATION

Mayor Hilde asked Councilman Seibold to obtain the following information to bring back to the Council for their consideration: (1) a report of the salaries of other City Managers in other communities; and (2) a listing of salaries, and effective dates, for department heads for last year and this year.

Mayor Hilde adjourned the meeting at 10:55 P.M.



Lynn RoInick
Deputy City Clerk