

MINUTES
SPECIAL COUNCIL MEETING

May 24, 1976

A special meeting of the Plymouth City Council was called to order by Mayor Hilde at 7:35 P.M. in the Council Chambers of the Public Works Building, 11900 Twenty-third Avenue North, on May 24, 1976.

PRESENT: Mayor Hilde, Councilmen Hunt, Neils, Seibold and Spaeth, Manager Willis, Planner Dillerud, Engineer Goldberg and Administrative Assistant Kreager.

ABSENT: None

MINUTES

MOTION was made by Councilman Spaeth, seconded by Councilman Neils, to approve the minutes of the May 17 regular Council meeting with the following corrections:

**MINUTES - REGULAR
COUNCIL MEETING
MAY 17, 1976
Item 4**

Page 112 - Para. 4 - Change the words "only be" to "not be".

Para. 5 - Change the words "by lateral mains" to "from the main".

Page 115 Para. 1 - Substitute Councilman Neils' motion with a motion to adopt Resolution No. 258A, a Resolution amending Development Contract by adding a further requirement that the release of the developer's bond be only upon the satisfaction of the SUP requirements for recreational open space over the entire Ferndale North area.

Page 120 Para. 5 - Change the vote to read three ayes, Councilmen Neils and Hunt voted nay.

Para. 6 - Record motion carried, five ayes.

Martin Walsh, City Assessor, reviewed the results of the sales ratio study conducted by his office and replied to Council's questions.

**BOARD OF REVIEW DATA
Item 5**

Mayor Hilde requested Council to discuss the following two questions: 1) whether we should use uniform acreage rates for all projects with the balance to be paid by ad valorem and 2) whether we should use a differential or split rate. A lengthy discussion followed on the various methods of assessing storm drainage improvements.

**STORM DRAINAGE
ASSESSMENT POLICY**

Manager Willis reviewed proposed methods of assessments for Project 116, Pinetree Pond storm sewer, Project 601, Deerwood Lane storm sewer, and Project 606, Parker's Lake storm sewer.

MOTION was made by Councilman Hunt, seconded by Councilman Neils to adopt RESOLUTION NO. 76-282, A RESOLUTION APPROVING ASSESSMENT POLICY FOR PINETREE POND STORM SEWER, PROJECT 116, AS PROPOSED BY THE CITY MANAGER IN HIS REPORT DATED MAY 14, 1976, with the added requirement in Item 3 that the \$75,000 from City-MSA go from City-MSA as a transfer of funds to be reimbursed through ad valorem collection from the storm sewer district as collections are made and costs for Item 6 be included in overall costs.

Motion carried on a Roll Call vote, five ayes.

A discussion on uniform acreage assessment followed.

MOTION was made by Councilman Spaeth, seconded by Councilman Seibold, to adopt RESOLUTION NO. 76-283, A RESOLUTION APPROVING UNIFORM ASSESSMENT RATE PER PROJECT DISTRICT FOR PROJECT 116, PINETREE POND STORM SEWER, PROJECT 601, DEERWOOD LANE STORM SEWER, AND PROJECT 606, PARKER'S LAKE STORM SEWER.

Motion carried on a Roll Call vote, five ayes.

MOTION was made by Councilman Hunt, seconded by Councilman Seibold to adopt RESOLUTION NO. 76-284, A RESOLUTION APPROVING ASSESSMENT POLICY FOR DEERWOOD LANE STORM SEWER, PROJECT 601, AS PROPOSED BY THE CITY MANAGER IN HIS REPORT DATED MAY 14, 1976, EXHIBIT B.

Motion carried on a Roll Call vote, five ayes.

MOTION was made by Councilman Hunt, seconded by Councilman Seibold, to adopt RESOLUTION NO. 76-285, A RESOLUTION APPROVING ASSESSMENT POLICY FOR PARKER'S LAKE STORM SEWER, PROJECT 606, AS PROPOSED BY THE CITY MANAGER IN HIS REPORT DATED MAY 14, 1976, EXHIBIT C.

MOTION was made by Councilman Hunt, seconded by Councilman Spaeth to amend Resolution by incorporating emergency pumping costs in Item 6 into overall costs.

Motion to amend carried, five ayes.

Motion to adopt Resolution No. 76-285 as amended carried on a Roll Call vote, five ayes.

MOTION was made by Councilman Spaeth, seconded by Councilman Hunt, to direct staff to meet with City of Minneapolis staff to work out an agreement with them on a reasonable sum to pay for their share of Project 606, Parker's Lake storm sewer.

Motion carried, five ayes.

RESOLUTION NO. 76-282
APPROVING ASSESSMENT
POLICY FOR PROJECT 116
PINETREE POND STORM SEWER
Item 7

RESOLUTION NO. 76-283
APPROVING UNIFORM
ASSESSMENT RATE
PROJECTS 116, 601 & 606
Item 7

RESOLUTION NO. 76-284
APPROVING ASSESSMENT
POLICY FOR PROJECT 601
DEERWOOD LANE STORM SEWER
Item 7

RESOLUTION NO. 76-285
APPROVING ASSESSMENT
POLICY FOR PROJECT 606
PARKER'S LAKE STORM SEWER
Item 7

Mayor Hilde directed the City Manager and Attorney to review the decisions made on assessment policies for Projects 116, 601 and 606 to determine their legality.

Planner Dillerud reviewed the Planning Commission's recommendation to refuse Mr. Bartlett's offer of a land donation for park use because that neighborhood does have park service and this parcel is not in our Park Plan or C.I.P.

James H. Bartlett, 9398 Medicine Lake Road, stated that the offer of the land donation was made for tax purposes.

Manager Willis stated the report on the property showed taxes due for 1966-1970.

Mr. Bartlett stated he would be obligated to pay the balance of \$3,000 still outstanding on the back taxes.

MOTION was made by Councilman Hunt, seconded by Councilman Neils, to adopt RESOLUTION NO. 76-286, AUTHORIZING CITY MANAGER TO DRAW UP A CONTRACT FOR THE BARTLETT PROPERTY AND AUTHORIZING EXPENDITURE OF FUNDS on the basis that taxes be current to January 1, 1976 and the City encumber specials for this year's taxes and this year's taxes.

Motion carried on a Roll Call vote, five ayes.

Mayor Hilde reviewed Mr. Roy Harris' request regarding a possible major development on Fernbrook Lane/I-494. Council discussed the proposed project and the guiding of the land in the Land Use Guide Plan.

Councilman Seibold stated this type of operation did not fit in that area and the Land Use Guide Plan should not be changed to accommodate it.

Councilman Neils did not favor changing the Land Use Guide Plan in this case because the type of operation is not appropriate in that area and because of the precedent it would set for future requests.

Councilman Hunt stated this was a clean operation that we would like to have in Plymouth but the traffic generated by this type of operation in this area would be significant and not consistent with the Land Use Guide Plan.

Mayor Hilde stated he would encourage Mr. Harris to find another location for his proposed development in Plymouth.

Manager Willis requested members of the Council to attend the general appreciation meeting scheduled by the Plymouth II A.A. and Alonon groups on May 27. Mayor Hilde and Councilman Spaeth agreed to attend.

PROPOSED LAND DONATION
Item 9

RESOLUTION NO. 76-286
ACCEPTING LAND DONATION
FROM JAMES BARTLETT &
AUTHORIZING EXPENDITURE
OF FUNDS

GUIDE PLAN-FERNBROOK
LANE/I-494 Item 8

PLYMOUTH II A.A.
AND ALANON MEETING
Item 10

Councilman Spaeth reported that Minnehaha Creek Watershed District had approved the Pinetree Pond storm sewer project. He also reported that the Mooney Lake Study was being delayed because Medina has refused to pay for their share of the study costs. Orono has agreed to pay part of the costs. There was a discussion of the necessity for the study. Mayor Hilde stated that Plymouth will not proceed with the study on the basis that we will have to pay an improper share of the costs.

Councilman Neils requested staff to approach Minnehaha Creek Watershed District and determine if the costs for the proposed improvement could be billed to the three communities individually and be exempt from levy limitations.

Councilman Spaeth also reported that the Feasibility Report for Flood Control in the Bassett Creek Watershed has been reviewed by the U.S. Corps of Engineers and recommends improvement for flood control be made.

Councilman Neils reported the first task of the AMM Land Use Advisory Committee would be to revise the Metro Significance Regulations.

Planner Dillerud reported on the proposed Minnetonka Highway 12 Corridor Plan. Council discussed the advisability of Plymouth retaining its membership in the League of Minnesota Municipalities and how to get favorable attention for suburban affairs within the League. Councilman Neils stated it is to our benefit to stay in the League but our suburban concerns will have to be expressed somewhere else. Council agreed.

Councilman Neils reported he had not been notified of any meetings of the Transit Commission Advisory Committee. Mayor Hilde agreed to call Loring Staples about his appointment.

Dick Williams, Chairman of the Park and Recreation Advisory Commission, stated it was the Commission's wish to deal mainly with neighborhood parks in 1976, using Imperial Hills Neighborhood Park as a prototype and bringing the other parks up to this standard, while designing each park according to the needs of the specific neighborhood. Mr. Williams replied to Council's questions and there was a discussion of the need for proceeding with the neighborhood parks this year and completing as many of them as possible, regardless of the fact that input from Imperial Hills Neighborhood Park will not be available. Mayor Hilde stated that the Park Commission should proceed with their plans for completing the neighborhood parks this year and hold one meeting in each area asking for input from the residents.

Councilman Spaeth stated that parks for the Sunny Acres-Candlelight Park, Creekwood Heights and West Medicine Lake areas should have high priority since those neighborhoods are well established. Planner Dillerud replied neighborhood parks for these areas are scheduled for 1979 in the Park Plan.

MOTION was made by Councilman Seibold, seconded by Councilman Hunt, to adopt RESOLUTION NO. 76-287, A RESOLUTION APPROVING 1976 PARKS CAPITAL IMPROVEMENTS PROGRAM.

Motion carried on a Roll Call vote, five ayes.

MOTION was made by Councilman Seibold, seconded by Councilman Hunt to adopt RESOLUTION NO. 76-288, A RESOLUTION DIRECTING PREPARATION OF PLANS AND SPECIFICATIONS FOR 1976 PARK PROJECTS.

Motion carried on a Roll Call vote, five ayes.

MOTION was made by Councilman Hunt, seconded by Councilman Seibold, to adopt RESOLUTION NO. 76-289, A RESOLUTION APPROPRIATING FUNDS FROM THE PARK DEDICATION ACCOUNT (COMMUNITY PARKS) FOR DESIGN AND CONSTRUCTION OF THE PILGRIM LANE JUNIOR BASEBALL FIELD.

Motion carried on a Roll Call vote, five ayes.

Mayor Hilde requested the Park Commission to hold a joint meeting with the Council for discussion on the rest of the C.I.P. and preparing preliminary plans and strategy for the Central Park bond issue on Tuesday, June 15, at 7:30 P.M. in the Council Chambers.

Mayor Hilde directed staff to put Mr. Besikof's request to dredge the water hole in Ponderosa on the Council agenda for June 21.

Engineer Goldberg presented to Council Philip G. Petersen's request for waiver of assessment hearing on sewer and water area charges in the amount of \$500 and lateral assessment in the amount of \$2,090 to permit these charges to be levied against the property on the 1977 tax statement.

MOTION was made by Councilman Hunt, seconded by Councilman Neils to allow these charges to be levied against the property as special assessments and directed staff to return with a resolution at the next regular Council meeting.

Motion carried, five ayes.

Engineer Goldberg reported on the progress of the T.H. 101/C.R. 6 FAU project and asked Council's guidance on the question of providing an underpass at the Luce Line trail.

**RESOLUTION NO. 76-287
APPROVING 1976 PARKS
CAPITAL IMPROVEMENTS
PROGRAM**

**RESOLUTION NO. 76-288
PREPARATION OF PLANS
AND SPECS FOR 1976
PARK PROJECTS**

**RESOLUTION NO. 76-289
APPROPRIATING FUNDS
FOR DESIGN AND CONSTRUCTION
OF PILGRIM LANE JUNIOR
BASEBALL FIELD**

**WAIVER OF ASSESSMENT
HEARING - SNYDER'S
LAKEVIEW ADDITION
PHILIP G. PETERSEN**

**T.H. 101/C.R. 6
PROGRESS REPORT**

Special Council Meeting
May 2, 1976
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MOTION was made by Councilman Hunt, seconded by Mayor Hilde to proceed with the underpass at the Luce Line trail and incorporate retaining walls if it becomes necessary.

Mayor Hilde adjourned the meeting at 10:45 p.m.

Loretta Garrity

Loretta Garrity
City Clerk