

**Addenda
Minnetonka City Council Meeting
Meeting of July 26, 2021**

ITEM 6A – Metropolitan Airports Commission Presentation

The attached correspondence was received after distribution of the packet.

ITEM 13A – Final plat approval and vacation of easements of Doran at 5959 Shady Oak Road and an unaddressed parcel

A revised final plat was provided after distribution of the packet. The revised plat is attached. In addition, staff has added a final plat approval condition.

ITEM 14B – Resolution for the Shady Oak Lake Outlet Project

After distribution of the packet, staff requested a change in the order of items. Item 10D was moved to Item 14B on the agenda. This resulted in Item 10E becoming 10D on the agenda. A revised agenda, with these changes made, is attached.

In addition, the attached correspondence was received after distribution of the packet.



14600 Minnetonka Blvd. | Minnetonka, MN 55345 | 952-939-8200 | minnetonkamn.gov

TO: City Council
FROM: Loren Gordon, AICP, City Planner
DATE: July 26, 2021
SUBJECT: Change Memo for July 26, 2021 City Council Meeting

Item 6A – Metropolitan Airports Commission Presentation

The following correspondence was received after the packet was distributed.

Item 13A – Doran Final Plat, 5959 Shady Oak Road

The attached revised final plat was provided after the council report was finalized.

Additionally, staff has included the following final plat approval condition:

1. Record a declaration of private sanitary sewer facilities on the 10900 Red Circle Drive property.

From: Rebecca Schack
Sent: Monday, July 26, 2021 8:18 AM
To: Geralyn Barone
Subject: Fwd: Airplane Study

Hi Geralyn,

Below are some comments/questions I received about the noise study. I think there are some good questions in the e-mail and I am hoping some of it will be addressed during the presentation.

Rebecca

Begin forwarded message:

From: "Key, Beth" [REDACTED]
Date: July 25, 2021 at 10:48:14 PM CDT
To: Rebecca Schack
Subject: Airplane Study

Hi Rebecca,

Thanks for the heads up on the airplane noise study.

There is a lot of data in that report, and truthfully, I'm not really sure how to interpret much of it.

This data looks similar to the report we got from them a few years back when we first started to talk with MAC. I am glad they are coming to present/clarify the findings tomorrow night. Becky and I will be there.

In the report, it seems as though they are mixing the modeling data with the actual data from the remote measuring device, which is causing a bit of confusion.

Questions:

1. Did the remote monitoring device actual measurements make a difference in their modeling?
2. Did they put the remote monitoring system there because their modeling doesn't work? Why do both?
3. If they are trying to update their modeling data, they should put the box where people are complaining, not some distance away.
4. They found 144 events over 65db, what are they doing to do about that?
5. The top 10 measured aircraft events, 72-76db, what is the consequence of that?
6. The one over 78db for over 18 seconds, means that people outside their home were not able to hear each other for about 20 seconds – what are they doing to do about this? This can be a safety issue for people on the ground.
7. Are they using the different sound levels for the same aircraft type to help find what causes a particular flight to be noisier than another? And what are they doing about that?
8. Is any of these data being used to alter the pilots' behavior to make all of the flights the 'quieter ones'?

I do have a few other points I would like to share with you:

There are 3 general flight situations that we've noticed over these last few years the planes have been coming over our neighborhood.

- a. They circle around Eden Prairie, come up to Wayzata, Ridgedale, into our neighborhood, then to the flight path.
- b. They circle around New Hope/Golden Valley, come towards 394, over the Siemens building, over our neighborhood, then into the flight path.
- c. Planes are sent to Maple Grove area, then come in a straight line super highway, side by side over our neighborhood, then into the flight path.

We in this neighborhood would like to suggest 3 items:

1. Keep the planes over the highways:
 - a. for situation A above, consider having the planes loop in at highway 7, then pick up the flight path to the airport
 - b. for situation B above, consider having the planes loop in at highway 100, then pick up the flight path to the airportThis will also move the turn around point to over the highways, which from what we've experienced, tends to be a higher noise generation exercise for the planes.
 - c. for situation C above, consider moving the planes further apart rather than wing to wing, spreading the noise impact so no concentrated highway area is taking the whole noise hit
2. Slow the planes down, we've noticed they make more noise when they are going fast. Every now and again, once comes in very slow, which tends to be quieter.
3. Keep the planes higher for as long as possible. We see the planes coming in at varying altitudes, and if they are higher, the noise tends to be less on the ground.

Again, not really sure if the study can assist in supporting these asks, but here is what the neighbors need regarding the plane traffic over our homes.

Also, between you and me, having the airport do the studies seems a bit like the fox guarding the hen house. Maybe these studies should be done by independent parties? It seems too close the pharmaceutical companies telling us how safe their opioids are (sorry, I'm cynical tonight).

Thank you again for all your help on this.

See you tomorrow.

Beth

Beth Key
HR Solutions Technology, Project Manager

Pearson Education Inc.
5601 Green Valley Dr #220, Bloomington, MN 55437

DANIEL JAMES ADDITION

R.T. DOC. NO. _____
C.R. DOC. NO. _____

KNOW ALL PERSONS BY THESE PRESENTS: That Shady Oak Apartments, LLC, a Delaware limited liability company, fee owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

That part of the North 1/2 of the Southwest 1/4 of Section 36, Township 117, Range 22, described as follows:

Beginning at a point in the South line of said North 1/2 of the Southwest 1/4 distant 658.67 feet East of the Southwest corner thereof; thence at a right angle North, 404.1 feet; thence Westerly deflecting to the left 89°, a distance of 166.6 feet; thence Westerly 94.89 feet along a tangential curve to the left having a radius of 494.27 feet and a central angle of 11°; thence Westerly, tangent to the last described curve, 95.04 feet to the New Easterly line of County Road No. 61; thence Southerly 386.09 feet along the New Easterly line of said road to its intersection with the South line of said North 1/2 of the Southwest 1/4; thence East along the South line of said North 1/2 of the Southwest 1/4, 306.66 feet to the point of beginning, according to the United States Government Survey thereof and situate in Hennepin County, Minnesota.

(Abstract)

AND

OUTLOT I, THE TOWNHOUSES OF SHADY OAK.
(Torrens)

Has caused the same to be surveyed and platted as DANIEL JAMES ADDITION, and does hereby dedicate to the public for public use the public way and the drainage and utility easements as created by this plat.

In witness whereof said Shady Oak Apartments, LLC, a Delaware limited liability company, has caused these presents to be signed by its proper officer this _____ day of _____, 20____.

SIGNED: SHADY OAK APARTMENTS, LLC

By: _____
Anne T. Behrendt, _____

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____, 20____, by Anne T. Behrendt, _____ of Shady Oak Apartments, LLC, a Delaware limited liability company, on behalf of the company.

Signature Notary Printed Name

Notary Public, _____ County, Minnesota
My Commission Expires _____

I Mark R. Salo do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20____.

Mark R. Salo, Licensed Land Surveyor,
Minnesota License No. 43933

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____, 20____, by Mark R. Salo.

Signature Notary Printed Name

Notary Public, _____ County, Minnesota
My Commission Expires _____

CITY COUNCIL, CITY OF MINNETONKA, MINNESOTA

This plat of DANIEL JAMES ADDITION was approved and accepted by the City Council of the City of Minnetonka, Minnesota at a regular meeting thereof held this _____ day of _____, 20____, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

City Council, City of Minnetonka, Minnesota

_____, Mayor _____, Clerk

RESIDENT AND REAL ESTATE SERVICES, Hennepin County, Minnesota

I hereby certify that taxes payable in 20____ and prior years have been paid for land described on this plat, dated this _____ day of _____, 20____.

Mark V. Chapin, County Auditor

By: _____, Deputy

SURVEY DIVISION, Hennepin County, Minnesota

Pursuant to Minnesota Statutes Section 383B.565 (1969), this plat has been approved this _____ day of _____, 20____.

Chris F. Mavis, County Surveyor

By: _____

REGISTRAR OF TITLES, Hennepin County, Minnesota

I hereby certify that the within plat of DANIEL JAMES ADDITION was filed in this office this _____ day of _____, 20____, at _____ o'clock ____ .M.

Registrar of Titles

By: _____, Deputy

COUNTY RECORDER, Hennepin County, Minnesota

I hereby certify that the within plat of DANIEL JAMES ADDITION was recorded in this office this _____ day of _____, 20____, at _____ o'clock ____ .M.

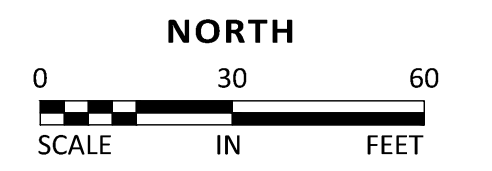
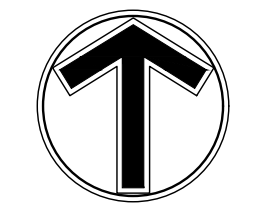
County Recorder

By: _____, Deputy

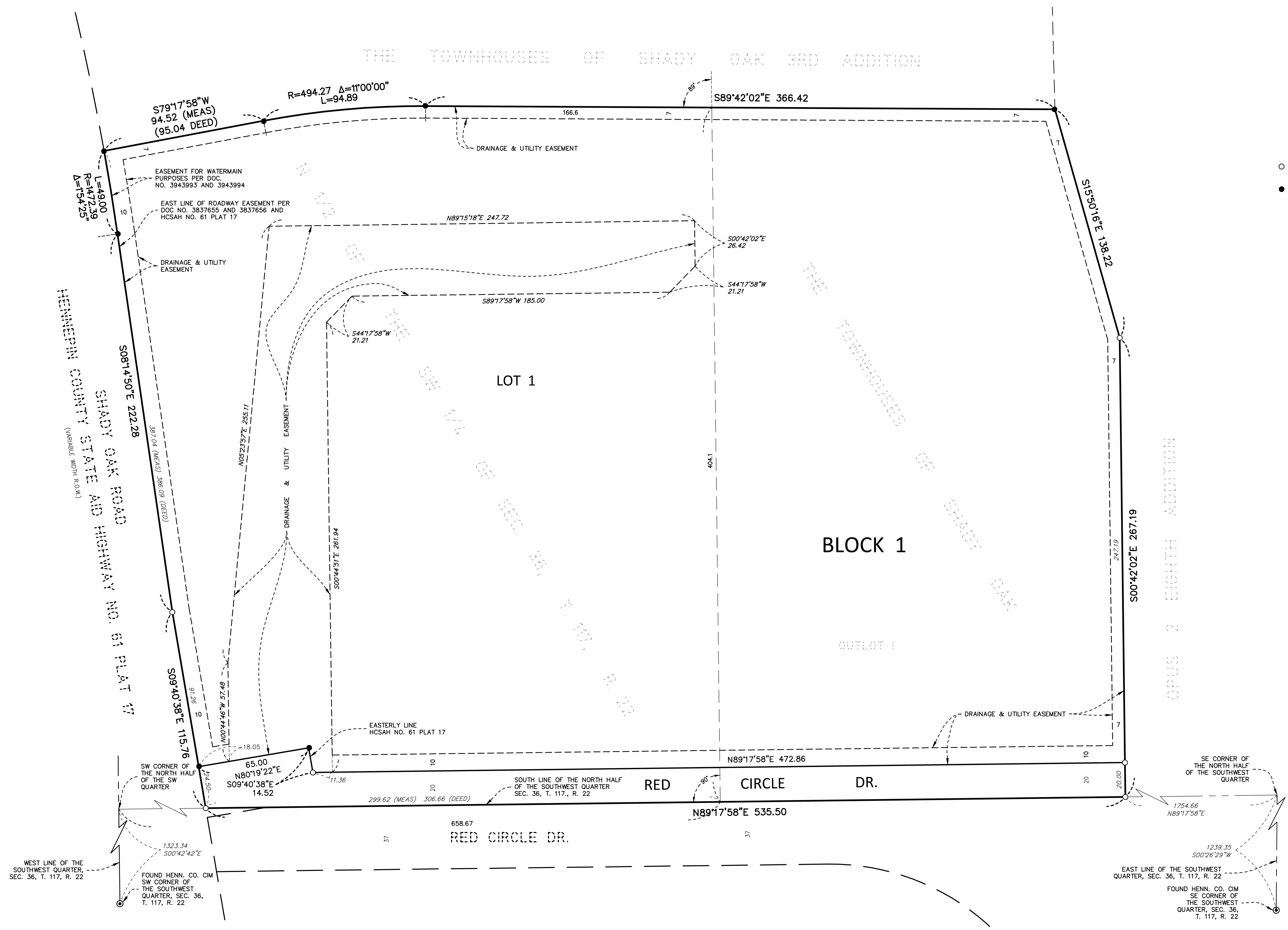
DANIEL JAMES ADDITION

R.T. DOC. NO. _____

C.R. DOC. NO. _____



- DENOTES A 1/2 INCH BY 16 INCH SET IRON MONUMENT MARKED BY LICENSE NUMBER 43933
 - DENOTES A 1/2 INCH FOUND IRON MONUMENT MARKED BY LICENSE NUMBER 44900 UNLESS NOTED OTHERWISE
- THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 117, RANGE 22 IS ASSUMED TO HAVE A BEARING OF NORTH 89°17'58" EAST.



SAMBATEK, INC.
ENGINEERING, PLANNING
AND LAND SURVEYING



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TO: City Council
FROM: Will Manchester, Public Works Director
Hanna Zinn, Interim Assistant to the City Manager
DATE: July 26, 2021
SUBJECT: Change memo for July 26, 2021

ITEM 14B - Resolution for the Shady Oak Lake Outlet Project

After the packet was distributed, a change was requested by staff in the order of items. Item 10D was moved to become Item 14B. Item 10E was then moved to become Item 10D.

Additionally, the attached correspondence was received after distribution of the packet.



**Agenda
Minnetonka City Council
Regular Meeting
Monday, July 26, 2021
6:30 p.m.
Council Chambers**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call: Kirk-Schack-Carter-Calvert-Schaeppi-Coakley-Wiersum
4. Approval of Agenda
5. Approval of Minutes:
 - A. June 21, 2021 study session
 - B. July 12, 2021 regular meeting
6. Special Matters:
 - A. Metropolitan Airports Commission Presentation
Recommendation: Hear the presentation. No formal action required.
7. Reports from City Manager & Council Members
8. Citizens Wishing to Discuss Matters Not on the Agenda
9. Bids and Purchases: None
10. Consent Agenda - Items Requiring a Majority Vote:
 - A. Twelve-month extension of the SEMRUD HILLS final plat at 4716 Williston Road
Recommendation: Approve the twelve-month time extension to record the final plat (4 votes)
 - B. Conditional use permit for Rush Bowls, a restaurant within a multitenant shopping center, at 13005 Ridgedale Drive
Recommendation: Adopt the resolution approving the permit (4 votes)

- C. Items concerning Culver's, a fast food restaurant with a drive-up facility, at 17555 Hwy 7
Recommendation: Adopt the resolution (4 votes)
- D. Strategic profile quarter two report
Recommendation: Approve the report (4 votes)
- 11. Consent Agenda - Items Requiring Five Votes: None
- 12. Introduction of Ordinances:
 - A. Ordinances pertaining to definitions and lot shape
Recommendation: Introduce the ordinances and refer to the planning commission (4 votes)
- 13. Public Hearings:
 - A. Final plat approval and vacation of easements for Doran at 5959 Shady Oak Road and an unaddressed parcel
Recommendation: Hold the public hearing and adopt the resolutions (4 votes)
- 14. Other Business:
 - A. Resolution approving the Three Rivers Park District Eagle Lake and Bryant Lake Regional Trails Master Plan
Recommendation: Adopt the resolution (4 votes)
 - B. Resolution for the Shady Oak Lake Outlet Project
Recommendation: Adopt the resolution (4 votes)
 - C. Items concerning ISLAND OAKS at 16509 McGinty Road West
Recommendation: Review the planning commission recommendations and adopt the ordinance and resolution (4 votes)
- 15. Appointments and Reappointments: None
- 16. Adjournment

Kyle Salage

Subject: FW: Shady Oak Outlet

From: Deborah Calvert

Sent: Monday, July 26, 2021 3:42 PM

To: GERALYN BARONE <gbarone@minnetonkamn.gov>; MIKE FUNK <mfunk@minnetonkamn.gov>

Subject: Fwd: Shady Oak Outlet

Sent from my iPhone

Begin forwarded message:

From: "Russell, Lyn C"

Date: July 26, 2021 at 2:00:32 PM CDT

To: Deborah Calvert

Subject: Shady Oak Outlet

I wanted to let you know,

I think this is so important to keep the milfoil out of any further waterways..... I am watching the Shady Oak Lake deteriorate in front of my eyes it's so sad! This is incredibly invasive and has taken over the lake so quickly.

This is the third year that Shady Oak Lake has had Eurasian watermilfoil I am shocked as to how quickly it has taken over the lake (especially the middle lake)! Precisely where the proposed outlet is to be placed. I will be happy to provide you pictures.

I know this evening the outlet is being proposed to the Minnetonka City Council. An issue caused by all of the drainage now going into the Shady Oak Lake after the construction 10 or so years ago on Shady Oak Road. Clearly a flaw in the planning back then. It is easy to see, many of the ponds created for that runoff process never have any water after a heavy rain or standing water at all these past years even with the high water.

It is critical to point out, the management of the Milfoil issue on the Shady Oak Lake is not being addressed. Only a screen placed in so the invasive weed will not travel down 9-mile creek.

The pandemic increased the use of water sports such as paddle boarding, kayaking, canoeing, swimming on Shady Oak Lake. With the deterioration of Lone Lake (water quality), Shady Oak Lake has many more users than ever before (Wonderful)! There is also a substantial increase in affordable and other housing in OPUS planned or already in the process which will again bring more users into the lake... wonderful!

**Shady Oak Lake Needs Protection and Management of Milfoil Plan.
Nothing in the proposal to the City Council will Manage Milfoil.**

Eurasian watermilfoil can take over the lake as quickly as two years.

Eurasian watermilfoil impacts:

- Dense mats at the water's surface inhibit water recreationists.
- Overtakes habitat and outcompetes native aquatic plants, potentially lowering diversity.
- Provides unsuitable shelter, food, and nesting habitat for native animals.

There are ways to manage and control it,

Mechanical control can be done by cutting or pulling the plant by hand or with equipment such as rakes or cutting blades.

Herbicide control can be done using two systemic herbicides (2,4-D and triclopyr) and two contact herbicides (endothall and diquat). Systemic herbicides are taken up within plants, killing the leaves, stems, and roots. Contact herbicides damage or kill only the parts of plants with which they come into contact.

Biological control involving a native insect (weevil) is currently being researched.

Many of the users on Shady Oak Lake are from Hopkins, the burden of management/cost of managing the invasive milfoil should also be a joint expense.

The milfoil continues to grow in Shady Oak Lake at such a rapid rate without a plan to manage it, I can't imagine this screen is a 100% guarantee that the milfoil will be prevented from entering another water way in Minnesota.

Thank you so much for your time,

Lyn Davis

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