

September 8, 2015

To The City of Edina,

Last year I phoned the City of Edina several times to discuss my objections as a non-waterfront property homeowner to paying the same assessment for Minnehaha Creek Aquatic Vegetation Harvesting as the residents who have waterfront property. As someone who lives across the street from the creek the impact of the harvesting has a different impact on me than those who have waterfront property. Last year when I voiced my concerns with city employees I was told I should go to the designated City Council meeting in the fall to voice my objections. During the summer I received a notification from the City of Edina regarding the date and time of this meeting. I attended the meeting only to be told that although this was indeed the meeting to protest the assessment, the City could not do anything about the assessment at this time, it was too late for the City to make any adjustments and that the City would look into this issue next year.

Earlier this year I phoned Chad Millner to inquire about the equity issue and was told it would be discussed at a staff meeting during the summer. I followed up again a few weeks ago and was able to speak to Jessica Van Der Werff about the situation. Jessica informed me that the survey I had just received from the City would be used to make a decision on whether to assess non waterfront property owners the same as waterfront property owners for the aquatic vegetation removal. When I pointed out to Jessica that nowhere on the survey does it mention this issue, Jessica responded that the City would be using question #2 – “... How would you rate the overall value of the service compared with the price paid?” as the barometer for whether non water front and waterfront property owners should be assessed the same amount. This is absurd to me as this question has nothing to do with the issue of an equitable assessment. Finding value in this service and the question of equity are two separate issues.

During my conversation with Jessica she also mentioned that the City has not assessed people differently for services provided. I am not as familiar as others with all of the assessments levied by the City but I do know of two assessments with differing assessment

values for different properties. The first was for the Highway 100 sound wall. Residents closer to highway 100 were assessed a larger amount than those further away with the amounts varying quite a bit. The second assessment that had varied amounts levied was the Country Club water, sewer, curb, road project. The residents on Drexel and east were assessed a lower amount than those on Wooddale Avenue and west.

It is true that some of us have a view of Minnehaha Creek from our homes because we have Browndale Park across the street. I feel having Browndale Park across the street is a privilege but that privilege comes with a price to it that I am not sure this committee is aware of. Former Browndale resident Bill Horn organized the neighbors surrounding Browndale Park in the late 1970's to maintain the park. This was well before the City came up with the Adopt-A-Park program. We have had annual cleanups as well as worked during the year, especially during the summer with its higher park usage, to make sure it is clean and picked up. In addition to that, the neighbors surrounding the park have had, at their expense, the elms treated for protection against Dutch Elm Disease. When we have lost trees, these same neighbors have replaced trees. To date we have planted 5 Elms and one Buckeye. We have had to water these trees since the city would not put them on the water schedule which meant carrying buckets of water to the park from our homes. In the past we have had to pay for some pruning on boulevard trees that the city did not deem hazardous but we did. All of these costs have been out of our pockets with no reimbursement from the city.

In addition to the planting of trees we have also removed trees, buckthorn! We removed Buckthorn from the steep waterfront area and more recently took out the bramble of buckthorn near the lower park bench. Once the Buckthorn was removed we planted a garden. Since we were not in the City budget we were not able to receive any plants or mulch. All of the plants and mulch were provided by the residents that border the park. Again, we did not make the City's list of areas to water on a regular basis so after a few weeks of the City letting us use a portable water tank we again hauled water to water the plants. We continue to water and weed this garden, which cannot be seen from any of our homes, it is something for the people across the creek, on the creek and those sitting on the lower bench to enjoy.

One last item that I feel the City should know about is the cost of the fence removal in Browndale Park that the properties bordering the park had to pay for. A few years ago the City put a chain link fence up in the park when someone stepped off the park's low stone wall. The City did this without any input from the residents or contacting the Browndale Park Association. This chain link fence was an eyesore for anyone who looked at the park, not just those who lived across the street. To have this fence removed we met with John Keprios who told us we would have to pay to have the fence removed and the land graded so that the one foot step down would be removed and the park would be safe for those walking through it. Again, those of us living across from Browndale Park sent the money to the City to have the chain link fence removed and the land graded.

I love where I live and am grateful to be across from Browndale Park and Minnehaha Creek. I do feel strongly that it is wrong for the residents who do not live on the creek to be assessed the same amount as those who live directly on the creek. I hope the City of Edina will come to the same conclusion.

Thank you,

A handwritten signature in cursive script that reads "Becky Briggs". The signature is written in black ink and is positioned above the typed name and address.

Becky Briggs

4509 Browndale Avenue

Edina, MN 55424

Jessica Van Der Werff

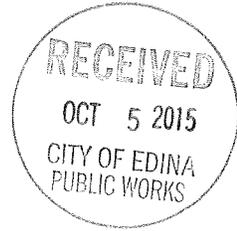
My name is Douglas Haugland. I have lived at 4901 East Sunnyslope Road for 54 years. I have seen the Mill Pond in good times and bad, low water and high. I have even lost several trees along the pond due to high waters. I am told that during the drought of the 1930s, they used pumps on the other side of highway 100 to fill the pond.

I realize that we now have a new problem with milfoil and other invasive weeds. The pond looks pretty good now in high water, but earlier this summer it was a disaster. We have overcome bigger problems in the past. We have worked within the DNR rules for years. We have become almost too paranoid about them. Both the city management of the pond and the weed cutter we hire seem afraid to restore the pond. An example are a few water lilies just beyond our home. The weed cutter now is afraid to come within 100 feet or more of them. The last time the weed cutter was here, he went up and down in the center of the pond once and then pulled out, leaving behind many, many weeds. Vince used to ride with them and show them how to trim the edges.

This talk of "we can't get too close to the shore" is new. We either have the wrong company or they have the wrong equipment. We can live with the DNR rules and still have a good-looking pond.

Please help change the look of the pond that we have had the last two years. Please restore our Mill Pond with whatever it takes.

Douglas Haugland



October 6, 2015

Notice of Appeal on Aquatic Weeds Improvement No. AQ-15 for 4905 Browndale Ave., Edina 55424

Attention: The Clerk of the City of Edina

This will serve as our written appeal to the proposed assessment for our property at 4905 Browndale Ave, Edina MN 554424 for \$220.88.

This assessment has been ongoing for many years, and our property has NEVER had direct access to the Mill Pond as it is across the street from the actual pond. During the summer months when the pond is free of ice, the vegetation is so thick we cannot see the water at all. We do not feel that we should bear any special assessment as our property is not adjacent to the pond and has no view.

Thank you for considering our request.

Doug and Renelle Nelson

4905 Browndale Ave.

Edina, MN 55424

A handwritten signature in black ink that reads "Doug Nelson".

A handwritten signature in black ink that reads "Renelle Nelson".

**DONNA HANBERY
4705 SUNNY SIDE ROAD
EDINA, MN 55424**

October 12, 2015

**COMMENTS ON MILL POND
ASSESSMENT AND MEETING**

Ms. Jessica Van Der Werff
Water Resources Coordinator
Engineering Department
7450 Metro Boulevard
Edina, MN 55439

Dear Jessica Van Der Werff:

I am writing this letter to follow up on my participation in the meeting about the Mill Pond harvesting and current assessment methods that took place on September 30, 2015.

I am writing to request that no change be made in the present method of assessing the 63 homes that border, or have a direct view, of the creek and the Mill Pond area. I expressed my views at the meeting, but I will summarize them below:

- The biggest source of concern with the Mill Pond harvesting is the change in practices and DNR enforcement that changed the removal of most of the vegetation, to only “an area constituting 50 percent” of the 14 acres of the Mill Pond. For those of us that live directly on, near, or with a view of the Mill Pond, the magnitude of the weeds that can over grow and clog the Mill Pond can be overwhelming if not removed. I have lived in my home, or stayed at this property, since I was born in 1952. Over the years, the water quality has degraded with more weeds, vegetation, and “gunk” than when I was a child and would come to this home. But for the periodic harvesting, the Mill Pond looks like a swamp.
- Based on the feedback you shared at the meeting, there have been very few people objecting with the assessment. The biggest objection is the effectiveness of the 50 percent harvesting done twice a year.
- With the exception of the two homes at 4905 and 4509, that have a view that is obstructed by trees, every home that is on the creek, or across the road from the creeks, has a view of the Mill Pond. The one assessment I would question the most is why the property next to 4513, with a direct view of the creek, is not on the list of assessed homes.
- Whether you are on the creek, or looking at the creek, looking at flowing water, as opposed to a clog of weeds and stuck styrofoam, cans, logs and other garbage, affects the quality of your home and your views from the street or your windows.
- But for harvesting, the amount of gunk that gets stuck in the creek becomes a harborage for bugs and more garbage. Whether you are on the creek, or near to it, this is not desirable.

Ms. Jessica Van Der Werff

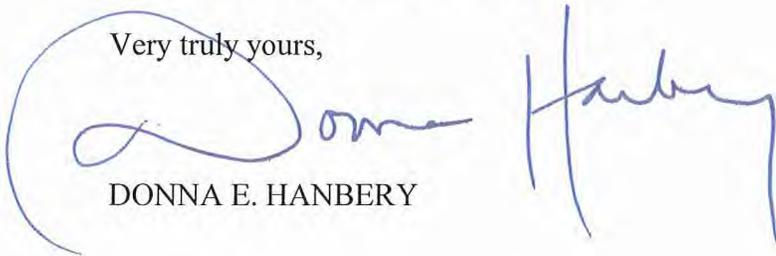
October 12, 2015

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- In terms of fairness, I can recall the assessment that was imposed to build the sound barrier wall along highway 100. Our house was assessed approximately \$6,000.00. (if I remember right, for that wall. When I attended a meeting with the engineers about the wall, I was told that the wall would have little or no impact of the noise experienced from homes that were more than 500 feet away from the wall.) Yet that assessment was imposed on a broad area to presumably benefit all properties.
- Once you start opening up the methods of assessment, you open up a significant can of worms. For example, there was concern about areas that cannot be effectively "harvested" by the machine. They may be in more shallow areas from time-to-time. Most of these properties will still have a view of the rest of the creek. But if you start dropping off properties, I would open the question for you to ask "why you are assessing based on individual lot, rather than square footage along the creek?" Although my home benefits as a home along the creek, our footage of shoreline is probably a fraction of the overall footage if you were to start doing your assessment based on linear feet of lot line next to the creek.

For all the reasons above, I would ask that you share a view with the counsel that virtually everyone that attended the meeting on September 30, 2015, was comfortable with the present method of assessment, but was predominately concerned about the limits of only harvesting 50 percent of the area at a time. I got the sense from staff that this was a pretty hard and fast rule with the DNR. But it is a crying shame that we now seem to have 50 percent more "gunk", and very little natural vegetation, in most of the Mill Pond Area.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Donna Hanbery". The signature is written in a cursive style with a large loop at the beginning.

DONNA E. HANBERY

C/C Edina Council by email

Jessica Van Der Werff

From: Jessica Kelly <jess_442@yahoo.com>
Sent: Monday, October 05, 2015 8:08 PM
To: Jessica Van Der Werff
Subject: Mill Pond association

Hi Jessica,

I know my response is late as the community meeting occurred on Sept 30. I was wondering if interest was expressed in forming an association group. That sounds like a viable solution for the current situation with the pond management. I'd appreciate any information you can relay from the meeting.

Best,
Jessica
4630 Edgebrook Pl

Jessica Kelly
612-986-0470

Jessica Van Der Werff

From: Kathy Sandy <kathymsandy@yahoo.com>
Sent: Wednesday, September 30, 2015 5:39 PM
To: Andy Faris
Cc: Jessica Van Der Werff
Subject: Re: Creek and Millpond Meeting Tonight

Sweet of you to cc me on your reply Andy. I agree with you 100% and I do not even live on the Millpond directly. I will do whatever it takes as well. I don't think an Association is such a bad thing either, but I think it would be separate from our existing association because it would be made up exclusively of residents who live on (or maybe across) from the Millpond or on Creek.

Thanks for supporting the Millpond.

Kathy Sandy

From: Andy Faris <andy.faris@hardware.com>
To: "jvanderwerff@EdinaMN.gov" <jvanderwerff@EdinaMN.gov>
Cc: Kathy Sandy <kathymsandy@yahoo.com>
Sent: Wednesday, September 30, 2015 4:06 PM
Subject: Creek and Millpond Meeting Tonight

Hi Jessica,

I live on the Millpond and unfortunately I am unable to attend tonight's meeting regarding the Creek and Millpond.

I just wanted to put forth a few of my views relating to this topic:

- 1) It appears that the amount of weed abatement and control has been insufficient in the past several years as the weeds have become an eyesore and much worse, in my opinion, than previous years.
- 2) We would be willing to pay more as a direct Millpond resident to assist in this effort.
- 3) I believe our neighborhood association might be willing to take over these efforts if necessary.
- 4) Having fewer weeds keeps property values high and provides a wonderful recreational outlet for both residents and visitors.

Thank you for organizing the meeting. I look forward to hearing more in the future.

Best regards,
Andy Faris
4929 East Sunnyslope Road
(home) 952-926-8450

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Jessica Van Der Werff

From: Sarah Foster <sarahfoster47@gmail.com>
Sent: Tuesday, September 15, 2015 7:17 PM
To: Jessica Van Der Werff
Subject: Aquatic vegetation meeting

We won't be able to attend this meeting, but I did want to express our opinion that even those living across the street from the Mill Pond should be equally assessed. They enjoy the same views that we on the pond do, and actually never run the risk of flooding!

We look forward to hearing the results of the survey.

Jim and Sarah Foster

4707 Sunnyside

Jessica Van Der Werff

From: Sandy, Lewis G <lewis_g_sandy@uhg.com>
Sent: Wednesday, January 27, 2016 3:12 PM
To: Jessica Van Der Werff
Cc: Kathy Sandy (kathymsandy@yahoo.com)
Subject: RE: Millpond report-clarification?

Thanks Jessica; there is also the same typo on pg 5.

On the substance of the recommendations:

We would support inclusion in the Lake and Pond Policy
We would support forming an association
We would support increasing the harvesting frequency to 3x/year
We would support the proposed new assessment adjustments

Thx, Lew and Kathy Sandy (4800 E. Sunnyslope)

From: Jessica Van Der Werff [<mailto:JVanDerWerff@EdinaMN.gov>]
Sent: Tuesday, January 26, 2016 12:02 PM
To: Sandy, Lewis G
Subject: RE: Millpond report-clarification?

Hi Sandy,

Staff is recommending that 4 properties on Sunnyslope Rd E be reduced, as is shown in Appendix G. Thanks for bringing the typo to my attention – I have made the correction in the version that will be shared with City Council.



Jessica Van Der Werff, CFM, Water Resources Coordinator

952-826-0445 | Fax 952-826-0392

JVanDerWerff@EdinaMN.gov | www.EdinaMN.gov

...For Living, Learning, Raising Families & Doing Business

From: Sandy, Lewis G [mailto:lewis_g_sandy@uhg.com]
Sent: Tuesday, January 26, 2016 11:34 AM
To: Jessica Van Der Werff
Subject: Millpond report-clarification?

Hi Jessica, I read the new Millpond report with interest. On page 6, it says staff recommends 4 properties on Sunnyside have a reduced assessment, but in the Appendix G map, looks like you mean Sunnyslope-can you clarify? Thx, Lew Sandy (4800 E. Sunnyslope)

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