laboratory can be modified easily to examine the effects of other specific priming salts, salt concentrations, priming temperatures, and duration of priming on seed germination.

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In the Eye of the Beholder: The Case of the Minnetonka Lawn Ordinance

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Additional index words. decision case, naturalized landscape, people-plant interaction, city government, turf management, urban conflict issues

Summary. In 1991, a suburban city in Minnesota found its lawn and nuisance weed ordinance the center of controversy as a citizen sought to develop a naturalized landscape that contrasted greatly with her neighbors' mowed lawns. This decision case study presents that situation as faced by the city policymakers and, when presented in a class setting, provides an opportunity to explore real options in a real issue of today. The case objectives are to prepare policymakers to deal with similar issues, and to broaden the outlook of students based in plant and environmental sciences to include the social factors of people-plant interactions. Group problem-solving skills also can be enhanced by this exercise. The abridged teaching note provides guidance for classroom and extension use.

The case

Bill Hise fought his way through the downtown Minneapolis rush hour traffic, avoiding the potholes of April as best he could, but he hardly noticed. He was concentrating on another potential battle coming that evening. Bill was a member of the Minnetonka City Council, which was in the process of

reviewing a proposed revision of the lawn and nuisance weed ordinance. A situation with a local resident had sparked a great deal of controversy over the existing ordinance, and led to the proposal the Council would be considering that night. Looking back, Bill thought that no single issue in his 11 years of tenure had taken as much staff and council time. Tonight, after a year and a half of work, the Council would review the second draft of the ordinance in an open work session and would decide if it was ready to send it forward for an official council vote. "What additional issues will be raised?" he wondered. "What have we missed?"

Bill knew that Minnetonka had first struggled with a lawn and nuisance weed ordinance in 1987 in response to citizen concerns about neglected yards (Exhibit 1). Residents wanted the city to take action against grass that was unmowed. There was an apparent increase in the number of houses going through foreclosure, with homes left unoccupied and untended. Some believed that the unkempt appearance decreased the value of their nearby properties and the enjoyment of their neighborhoods. Generally, the ordinance had been effective in answering those concerns. For example, in 1991, the Community Development Dept. responded to and resolved almost 50 complaints about yard neglect. (Enforcement was only in response to written complaints filed by neighbors directly affected; areas were never sought out and cited by inspectors. This method of "enforcement on demand" had been upheld in court as a just means of allocating city resources that otherwise would have to be spent on a full-time inspection program.)

The Minnetonka Council in 1991 governed a city with a rich variety of landscapes and land usage patterns that presented almost every possible situation, from natural area to city park to farmland to manicured suburbia. In fact, many people in Minnetonka still kept horses, pastured within the city limits, and the Minnetonka Horsemen's Assn. was a well-organized group that promoted owning horses as companion animals. In July 1991, however, one situation raised significant controversy and demanded official attention when a landowner was cited after complaints from her neighbors (Exhibit 2).

Marjie Kline appeared before the

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Many thanks to Desyl Peterson, Minnetonka City Attorney, for inviting me to participate in the development of the new ordinance, and for sharing with me her files and her insight on the process. Thanks also to D.W. Davis for his help in the preparation of this decision case for publication. The cost of publishing this paper was defrayed in part by the payment of page charges. Under postal regulations, this paper therefore must be hereby marked advertisement solely to indicate this fact.

Exhibit 1. Lawn and nuisance weed ordinance, as developed by the City of Minnetonka in 1987.

Ordinance 600.15, Section 5. Definition of nuisance weeds.

The growth of vegetation to a height greater than ten (10) inches, measured from its base at ground level to the tip of each stalk, stem, blade, or leaf, in areas established and groomed as lawn by the owners or occupants within the previous twenty-four (24) months, except:

- a) maintained and weeded gardens, trees, and shrub plantings,
- b) wetlands and floodplains designated on the official zoning map,
- c) property where there has only been periodic mowing to control vegetation and weeds, and
- d) property adjacent to property on which vegetation has been allowed to grow naturally and unimpeded by human means for at least the prior 24 months.

Council on July 15, 1991, and stated that she was developing her yard as a natural area for wildlife by letting the natural vegetation come back while removing noxious weeds. Her method was to leave parts of the entire yard unmowed to allow maple seedlings and other plants to grow. She wanted to retain her yard in a semi-wild condition in keeping with the woods and natural areas near her home. But Bill had driven by Marjie's property several times in advance of the hearing, as had most of the Council, and noted that most of the neighborhood front yards were mowed. It seemed a clear case of respecting the overall neighborhood character, and most Council members felt strongly their obligation to respond to neighborhood complaints. After discussion, however, the Council voted to table action until the next meeting, on July 22, when every council member would be present.

It was at that second meeting that Bill realized how complex this issue could become. Marjie brought an instructor from the Univ. of Minnesota's

landscape architecture program, Bonnie Harper Lore, who urged the Council to respect new naturalizing trends in landscape design. Bill listened as his fellow council members spoke out on various aspects. One was concerned that property values in the neighborhood were decreasing, and wondered if the lack of maintenance meant more nuisance animals. Another mentioned that she herself was trying to return a portion of her property to a natural state, but made sure neighbors were buffered from the area. After hearing evidence for and against natural landscaping, Bill summed up his ambivalent feelings by saying, "It's hard for us as a Council to sit in judgement on issues like this, but it is our ultimate responsibility to make decisions in the best interests of the City as a whole." The Council voted to enforce the ordinance at Marjie's property, and instructed staff to get to work reviewing the ordinance in light of future similar situations.

The local media had been covering the story from the beginning. On

July 24, 1991, the *Minnetonka Sun-Sailor* ran a front-page story titled "Wild Lawn is a Nuisance, According to Council," which raised public attention (Exhibit 3). The larger metro news agencies became interested, and Bill found himself the subject of a WCCO radio interview. In mid-August, Marjie's lawyer obtained a temporary restraining order, and the Council decided to postpone another hearing until the ordinance had been reviewed fully by staff. The *Sun-Sailor* reported in front page news "Wild Lawn Debate Now Heading to Court." Pressure from the media was just part of his job, Bill believed, but he wondered how it seemed to other council members who were up for re-election in the fall.

City staff members, headed by City Attorney Desyl Peterson and Community Development Director Ron Rankin, began an intensive study of the potential problems and issues. They realized that Minnetonka was becoming a textbook case for this question. There were no existing ordinances that seemed to address all the issues. In fact, other municipalities were waiting to see the finished product, hoping for a "metro model" lawn ordinance. City staff attended a seminar on lawn ordinances sponsored by the National Wildflower Research Center, met with Edina and Bloomington city staffs who were studying the same problem, held public information meetings, and contacted many additional experts and special interest groups, including the Minnesota Dept. of Natural Resources, the Minnesota Extension Service, the Minnesota Nursery and Landscape Assn., and the Univ. of Minnesota Dept. of Horticultural Science. Peterson at times remarked that the biological and ecological facts on landscape management and restoration seemed as uncertain as the legal issues.

Bill was really impressed by the staff's thoroughness when they presented their report and first draft at the Feb. 10, 1992, council work session (Exhibit 4), but, again, the discussion raised new questions. Peterson noted that the existing ordinance had enforcement problems and hoped the new ordinance would address that, but City Manager James Miller remarked that it would be impossible to control this issue entirely through legislation. Several council members stated they were pleased with the direction

Exhibit 2. Extract from report by City of Minnetonka staff to Council on nuisance weed complaints against the Kline property². Council letter no. 91-218, meeting of July 15, 1991.

RE: RESOLUTION ORDERING THE ABATEMENT OF NUISANCE CONDITIONS EXISTING AT CERTAIN PROPERTIES IN THE CITY

The property at 15919 Tonkawood Drive has been the subject of several neighborhood complaints about tall vegetation. The property owner, Marjorie Kline, has left parts of the front, side, and back yards unmowed in order to allow small maple seedlings, clover, and other plants to grow. Ms. Kline contends she is in fact complying with the City's nuisance ordinance, by allowing parts of her yard to return to a wild state. Staff believes it may be permissible for part of the back yard to grow wild, but not the front yard, side yard, or the remainder of the back yard. Ms. Kline indicates she will attend the July 15 Council meeting to present her views.

The resolution makes findings and orders the abatement of the nuisance conditions described above. If the resolution is adopted, staff will arrange for abating the nuisance conditions. As provided by City Ordinance, the property owners will become liable for these costs. If they are not paid, the costs will be recommended for special assessment against the properties.

²For the complete original exhibit, contact the author.

Exhibit 3. Front-page story in the *Minnetonka Sun-Sailor*, July 24, 1991.

WILD LAWN IS A NUISANCE, ACCORDING TO COUNCIL

by Richard Crawford

Marjorie Kline maintains she's just trying to let her yard return to its rightful and natural state.

But to Minnetonka City Council members, her lawn is a nuisance. They said so July 22.

Kline said she's prepared to take the matter to court.

The council unanimously passed a resolution declaring Kline's property at 15919 Tonkawood Drive in violation of the city's nuisance ordinance, because some of the grass exceeds 10 inches in height.

"It is in the public's best interest to have this nuisance condition abated," the resolution states.

Kline argues just the opposite. It would be in the public's best interest to maintain property like she does—without the use of chemical fertilizers, excessive watering and lawn mowers.

"In a lot of ways I think you are way ahead of your time," said Minnetonka Mayor Tim Bergstedt. "But your yard definitely stands out from the accepted norm.

It's a clear violation of the ordinance."

To the average person, Bergstedt said, it looks like her property is being neglected.

But Kline said she spends about 14 hours per week introducing native vegetation and pruning noxious weeds from the yard.

"The present golf-course type of lawn will have to change," Kline said. She cited medical reports that are linking illnesses to the amount of toxic substances people are putting on their manicured lawns.

Councilmember Fred Hanus said her lawn is hurting property values in the neighborhood and is introducing more snakes, rabbits and mice into the area.

Kline said the natural growth promotes an ecological balance.

"I have less mice in my yard because I have snakes," Kline said.

The city's nuisance ordinance is only enforced when someone makes a complaint. Generally, people mow their yards when the city notifies them of the situa-

tion.

Kline, who has a bachelor's degree in wildlife biology, said she has found 80 residences within a mile of her home that would be in violation of the city's ordinance.

She also took pictures of each council member's property and found some noxious weeds.

"You can't have two sets of rules," she said.

Councilmember Robert DeGhetto recognized the irony of the situation.

"My grass is in violation if somebody complains," he said.

The council resolution requires Kline to mow the portion of her property that is in violation of the ordinance. If she doesn't, the city will and bill her for it.

But Kline said she doesn't want the city to do anything until her attorney can appeal the matter.

The council is planning to review the nuisance ordinance at an upcoming work session.

the new ordinance was taking, but one also believed that encouraging diversity in landscape types opened the door to possible abuse. He suggested posting areas of natural vegetation based on more precise definitions. "What about requiring a resident to file a restoration plan for the site?" he asked. "Then neighbors could be notified and discuss it at public hearings." Another wanted an ordinance that could be enforced if the neighbors were concerned about the way a yard looked. The effect on property values was brought up again.

In the midst of staff and council member discussion, some citizens had spoken out as well. Marjie offered her ecological concerns on high-maintenance landscapes requiring too much water and chemical inputs. On the other hand, another resident spoke out against allowing what she viewed as obnoxious weeds. A Chanhassen resident also offered his case: He planned to purchase land in Minnetonka and develop a natural landscape, but wondered how the ordinance would affect his property. "How will you separate situations that are aesthetically pleasing to some but not to others?" he asked the Council. Bill wondered the same thing.

The City Council decided late that evening that this first draft was too

complicated. They asked the staff to continue working on a second draft, consulting experts and holding public hearings to get citizen input. This revised version of the new ordinance, which would cover the majority of situations, would come before the Council for a vote of confidence at the Apr. 13, 1992, work session. It was this meeting that Bill was pondering as he drove home. Would they have all the necessary background information? Had they thought out the future far enough? Would this ordinance last, or would they be rewriting it again next year? He had a copy of the second draft in his briefcase (Exhibit 5). If they were asked to vote on adopting this version of the ordinance tonight, could he approve it, confident that the Council had discharged its public duty?

Teaching note

Context. At first glance, horticulture does not seem a likely arena for ethical issues. Yet, because we can define horticulture as the purposeful use of plants by people, we automatically implicate human judgement. Which plants are used in a particular landscape? How are they determined to be appropriate? To what ends are they used (food, aesthetics, playground, etc.)? How are the plants maintained

with regard to physical and chemical safety? Who benefits from the landscape, and who pays for it? All of these questions raise socioeconomic issues that can be of great concern to public or private groups.

In recent years, as part of the general anti-chemical movement (Nesbitt, 1991), lawns have been singled out as "environmentally unfriendly" landscapes because of a perception that green turf requires heavy inputs of dangerous chemicals to grow well (Hillbery, 1992). Even mowing a lawn has been criticized as a waste of nonrenewable petroleum energy and as a source of grass clippings that burden our landfills. Different groups have responded by seeking to rebut these ideas (Angle, 1993; Ottoboni, 1992) by developing alternative methods of low-input lawn care (Mugaas et al., 1991; Nordgren, 1991), or by advocating use of naturalized landscapes in place of turf (Rushing, 1992; Sandoval, 1992). The latter approach is one that has led to conflict in many communities between established lawn ordinances and personal landscape preference (Diekelmann and Bruner, 1978; Gillespie, 1990).

My involvement in the Minnetonka controversy was as a scientific expert, giving opinions on specifics of

Exhibit 4. Summary of memo from City of Minnetonka staff to Minnetonka City Council on lawn and nuisance weed issue, including first draft of proposed new ordinance, presented Feb. 10, 1992².

Ronald S. Rankin, Community Development Director, and Desyl L. Peterson, City Attorney, review the history of nuisance lawn problems in Minnetonka, and describe current staff research on that subject. To balance the interests of having a variety of vegetation with the need to ensure proper maintenance, they propose a new ordinance that identifies the standards of care expected for four different kinds of vegetation and areas in the City: Turf grasses and weeds, planned landscape areas, restoration areas, and natural areas. Turf grasses and weeds must not exceed ten inches in height, and vegetation must be properly maintained to prevent it from spreading from the landowner's property to adjoining property, affecting an adjacent owner's rights to choose and keep a different type of vegetation.

In restoration areas, where native vegetation is being re-established by human means, the proposed ordinance requires a border or fence between a restoration area and land owned by others because of the unkempt appearance during the establishment period and the striking contrast between native vegetation and the more common mowed lawn, with some exceptions. The native vegetation has to be cut once a year; no burning would be allowed.

The maintenance standards would apply only to developed property, previously developed property, and property which has received development approvals. City staff do not recommend city-wide application in Minnetonka because there is so much undeveloped property.

They also reject the idea that citizens should obtain a City permit for any "alternative" landscaping. "We believe that this is administratively burdensome, potentially discriminatory, and unnecessary. If we were to require a permit, we would need some standards in the ordinance to guide issuance of the permit. We believe that just establishing the standards in the ordinance without the requirement for a permit should accomplish the same result. This allows all residents to know the expected standards without singling out any particular type of landscaping for a permit. It also relieves the burden of administering such a program."

A draft of the proposed new ordinance is introduced by the following preamble: "The City Council finds that there are a variety of landscapes in the City which adds diversity and a richness to the quality of life. There are certain expectations and standards regarding the proper maintenance of these areas, which if not met, may decrease the value of adjacent properties and may threaten public safety. The City Council also finds that it is in the public's best interests to encourage the restoration of native vegetation which requires less moisture, places a lower demand on the public's limited water resources, and provides a natural habitat for wildlife. The City Council enacts this ordinance to balance the public interest in a variety of vegetation with the public need to ensure proper maintenance of that vegetation."

²For the complete original exhibit, contact the author.

lawn care and natural landscaping, such as the actual effect of mowing, the identification of weeds and grasses, and the process of establishing a meadow, prairie, woodland, etc. As events unfolded, I came to understand that the biological realities of how the plants grew and functioned in the landscape were not as important as how the City of Minnetonka and its citizens perceived the landscape itself. The people-plant and people-people interactions were the real issues at hand, not plant-plant.

Case objectives, audience, and classroom use

This decision case is designed to be used with city managers, planners, staff, council members, conservation officers, and other public policymakers

to help them understand the complexities of these interactions. A secondary audience is students who might one day fill those positions: Those studying horticulture, landscape architecture, parks and recreation, fisheries and wildlife, ecology, or conservation. Knowledge of the basics of plant growth and ecology could be helpful, but is not necessary; in fact, a biological approach to solving the case can blind students to the sociological concerns addressed here. In teaching this case, the objective is to sensitize policymakers to the many deeply held, but often unexpressed, opinions of their constituents with regard to private and public landscapes. By increasing their awareness of points of probable disagreement, advisors and policymakers can come more quickly to acceptable solutions.

It is important in teaching this case to keep Marjie Kline's specific situation separate from the central question of the new ordinance. In my classroom experience, some students identify strongly with Kline and her environmental beliefs, causing potential problems in discussion, but also adding depth of interest. The teacher needs to direct discussion away from the Council's particular decision about her property. Actually, the Council here is setting a precedent that will guide other situational solutions in their community and in others. Clearly, people have a right to landscape their property as they choose, but within limits, and it is those limits that form the central question in the case.

Students unfamiliar with decision cases may have trouble accepting that the teacher does not have "the answer," but is rather guiding an open-ended discussion (Stanford et al., 1992). However, I have found that most students enjoy this case and readily enter the discussion. Perhaps the greatest learning comes when statements, offered as general truths, are shown, when challenged, to be personal beliefs. Some students may find decision cases unsettling for this reason, and the teacher must take care to keep the discussion centered in the Council's objectives and actions, in light of its obligation to its citizenry.

Study questions. These are open-ended questions that can form the basis for class discussion or can be assigned before or after discussion for written evaluation.

1) What are the short-term objectives of Bill and the Council? The long-term objectives? Can you rank these in order of importance?

2) What were the Council's options when Marjie Kline challenged the old ordinance? What were the possible ramifications of those options?

3) How can Bill and the Council decide which action to take? How will they agree on the language and intent of the new ordinance?

4) How applicable is their solution to other municipalities?

5) How do you negotiate compromise between personal freedom and public good?

6) How biologically realistic is the proposed ordinance?

7) How do changes between the first and second draft reflect the thinking of City staff and Council?

Exhibit 5. Second draft of proposed new lawn and nuisance weed ordinance, presented to the Minnetonka City Council on Apr. 13, 1992.

.01. PREAMBLE. The City Council finds that there are a variety of landscapes in the City which adds diversity and a richness to the quality of life. There are certain expectations and standards regarding the proper maintenance of these areas, which if not met, may decrease the value of adjacent properties and may threaten public safety. In addition, if vegetation is not properly maintained or is allowed to go wild, there may be the following adverse impacts on public health, safety, and welfare:

- a. Invasive vegetation such as buckthorn and tatarian honeysuckle may develop and threaten to supplant other vegetation which is an integral part of the State's plant communities, and
- b. Vegetation which causes allergic reactions, such as ragweed, may develop.

The City Council also finds that it is in the public's best interests to allow the restoration of native vegetation which is more drought-resistant, places a lower demand on the public water supply, and provides a natural habitat for wildlife. The restoration of native prairie vegetation requires special consideration because weeds will grow during the first few years of transition before the native vegetation predominates. The restoration of native woodlands species does not require special consideration because untended grass or weeds are not an integral part of such a restoration. Rather, restoration is best accomplished by eliminating competition around the seedlings through such techniques as organic mulch. The City Council enacts this ordinance to balance the public need to ensure proper maintenance of that vegetation.

.02. DEFINITIONS.

Subd. 1. "Native prairie vegetation" is grasses and flowering broad-leaf plants which were present in the State of Minnesota before or at the time of the first European-American settlements. Lists of these species are contained in the Resource Inventories for State Prairies of the Scientific and Natural Areas Program administered by the Minnesota Department of Natural Resources.

Subd. 2. "Noxious weeds" and "secondary noxious weeds" are those plants designated as such by the State of Minnesota pursuant to Minnesota Statutes Section 18.171, Subd. 5.

Subd. 3. "Regularly cut" means mowing or otherwise cutting the vegetation so that it does not exceed ten inches in height.

Subd. 4. "Turf grasses" are grasses commonly used in regularly cut lawn areas, such as bluegrass, fescue and rye grass blends, and weeds which may be interspersed with them.

Subd. 5. "Weeds" include all noxious weeds, secondary noxious weeds, purple loosestrife, buckthorn, tatarian honeysuckle, ecologically harmful exotic species as defined in Minn. Stat. 84.967 et seq. (1991 Supp.), and all volunteer vegetation which was not intentionally planted by human means. A plant species is presumed to have been planted by human means if it or its seed is commonly available for purchase through commercial nurseries in Minnesota and Wisconsin, except those specifically listed as weeds in this subdivision. Except for native prairie vegetation, a plant species is presumed to be a weed if it or its seed is not commonly available for purchase through commercial nurseries in Minnesota and Wisconsin.

Subd. 6. "Wild area" is a wetland or floodplain designated on the official zoning map or an area which the property owner can prove has not been regularly cut for at least five years.

.03. MAINTENANCE STANDARD.

The maintenance standard in this section applies to property which has been developed with a structure as defined in the Building Code, including vacant property combined with developed property for tax purposes, and property which has received development approval(s) from the city:

1. All turf grasses and weeds must not exceed a height of ten inches, measured from the base at ground level to the tip of each stalk, stem, blade, or leaf.
2. This requirement does not apply to the following:
 - a. a wild area, and
 - b. an area being restored with native prairie vegetation if:
 1. the area is completely reseeded with native prairie vegetation,
 2. the area is cut at least once per year to a height less than 12 inches until the native prairie vegetation covers at least 75% of the area being restored, and
 3. a sign is posted on the property in a location likely to be seen by the public, advising that the area is undergoing a prairie restoration. This sign shall be in addition to any sign permitted by the sign ordinance but shall be no larger than six square feet and no higher than six feet tall. The sign is no longer required when the native prairie vegetation has covered at least 75% of the area being restored.

.04. DECLARATION OF PUBLIC NUISANCE.

The following are public nuisances subject to abatement under this chapter.

1. Noxious weeds,
 2. Vegetation which does not meet the maintenance standard specified in Section _____.03, and
 3. Vegetation which violates the sight-distance standards in Section 300.15, Subd. 9(e) and Section 300.28, Subd. 20 of this code.
-

8) How will the citizens of Minnetonka react to their Council's proposal? How will the media react? Special interest groups? Voters in council elections?

Analysis and interpretation.

The primary objective of Bill Hise and the Minnetonka Council is to decide on ordinance language that will reflect the unique landscape and social values of Minnetonka and stand into the future. They seek language restrictive enough to have force with few loopholes, yet flexible enough to respect diversity of opinion. They also have the responsibility, as elected officials, to respond to the concerns of their electorate. Their alternatives are, first, to ignore the problem, but the Council then would be renegeing on its implied promise to address citizen concerns. Second, they could allow neighborhoods to set their own unique standards. However, a Council cannot legally delegate such authority to a non-elected body such as a neighborhood. A third option would be to strengthen the "traditional" ordinance from 1987, which, unfortunately, would ignore changing aesthetics and new public concerns about chemical safety. Another option of the Council is to recognize specific alternative landscapes in a new ordinance, which would require a conscious description of Minnetonka landscape values. On the other hand, they could also decide to allow all landscape values to be expressed, as was the case prior to the 1987 ordinance.

As students work through the case, they should be encouraged to explore all the potential issues raised by the revision of the ordinance. These include how decisions about the public good are made, such as how to determine neighborhood standards in the light of new trends in landscaping and changing aesthetics. Ideally, the Council wanted to base their policies on landscape management in scientifically accurate information, but they found disagreement among experts and commonly held opinion. The practicality of the new ordinance was also a major concern on the part of city staff. Distinguishing "neglect" from "intent" was difficult enough, but an expanded ordinance could present new problems. For example, if the Council decided that people had the right to file landscape plans for review, who would review them? How would standards be

Table 1. *Historical listing of events during the Minnetonka lawn and nuisance weed ordinance controversy.*

July 1991	Complaints against Marjie Kline's property by several neighbors; Code Enforcement inspection and notice of violation.
July 15, 1991	General Council meeting: Kline violation discussed and tabled.
July 17, 1991	Local media coverage began.
July 22, 1991	General Council meeting: ordered abatement of Kline nuisance; staff directed to review existing ordinance.
Aug. 1, 1991	Temporary restraining order issued against abatement; hearing postponed.
Aug. 15, 1991	Bill Hise interviewed by WCCO radio.
Nov. 1991	Staff attended National Wildflower Research Center conference on lawn ordinances; met with Robert J. Mugaas, Hennepin County Extension Horticulturist.
Dec. 1991-Jan. 1992	Staff met with Edina and Bloomington staff to discuss similar ordinances.
Feb. 10, 1992	Council work session: first draft.
Feb. 1992-May 1992	Drafts reviewed by outside experts
Mar. 11, 1992	Public information meeting with staff.
Apr. 13, 1992	Council work session: second draft.
May 26, 1992	General Council meeting: first reading of ordinance (final draft); approved.
June 1992	Numerous articles and letters in <i>Minnetonka Sun-Sailor</i> .
June 8, 1992	General Council meeting: second reading of ordinance; adopted with minor revision.
Postscript	During Summer 1992, Marjie Kline was again cited and a resolution was adopted by the Council requiring her property to come into compliance with the new ordinance. On Sept. 24, 1992, a temporary restraining order against the city was issued and a hearing set for Oct. 8, 1992. That hearing ran over and was scheduled to be continued in early 1993. Before that date, Kline and the City of Minnetonka, in consultation with Kline's neighbors, reached a settlement out of court. She agreed to bring her front yard into compliance with the new ordinance and the city agreed not to enforce the ordinance in her back yard. This agreement was signed Dec. 29, 1992, and further court proceedings were dropped. No complaints against the property were received by the city in 1993.

set? How would review decisions be enforced? How would neighborhoods have input? A major issue on the part of individual council members was maintaining balance between their own self-interest and the public trust, complicated by the light of media scrutiny. Preserving traditional neighborhood integrity and property values was challenged by new environmental thinking and individual freedom of choice.

In fact, the solution the Council sought was an ordinance that balanced diverse values, although it knowingly prohibited some existing landscapes, and relied on the concept of "managed change" in cases of landscape change. The ordinance would be enforced on demand, and the Council reserved the right to find "no nuisance" existed even if a complaint was brought.

Supplemental materials.

Newspaper articles can be used to fur-

ther increase the "real-life" setting of this case (Crawford, 1991a, 1991b, 1991c, 1992a, 1992b, 1992c; Hillbery, 1992; plus letters to the editor). Minutes of council meetings and work sessions can provide a rich resource for students to explore, and are available as public record from the City of Minnetonka (City of Minnetonka, 1991-1992). Council sessions were videotaped, as well as recorded by written minutes. In addition, intermediate drafts of the new ordinance annotated with comments by technical experts are available from me. Table 1 gives the events of the case in chronological order, and may be helpful to students in class discussion, but I suggest that the teacher withhold the last two entries (June 8, 1992, and Postscript) from the students until the end of the exercise. Scholarly work on landscape perception by Nassauer (1983), Groen-

ing and Wolschke-Bulmahn (1992), and Kaplan (1989) may provide some objective background information.

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