

# **Agenda**

## **City of Plymouth Special City Council Meeting**

**Tuesday, February 28, 2006  
6:00 p.m.**

### **Meeting Room A & B**

1. Call to Order
2. Discuss Best Practices Program
3. Receive update on HRA action regarding South Shore Drive property
4. Set future Study Sessions
5. Adjourn



**TO:** Laurie Ahrens, City Manager  
**FROM:** Captain Joel Franz *JF*  
**THROUGH:** Michael S. Goldstein, Chief of Police. *✓*  
**SUBJECT:** **BEST PRACTICE PROGRAM FOR ALCOHOL AND TOBACCO**  
**DATE:** February 21, 2006

- 1. ACTION REQUESTED:** The City Council consider changes to both the Best Practice Alcohol and Tobacco programs.
- 2. BACKGROUND:** The City of Plymouth Best Practice Program for licensed alcohol establishments commenced in 2000. The Tobacco Best Practice Program followed the next year in 2001. Both programs offer incentives to license holders for agreeing to meet specific conditions. The Police Department as part of this program, has conducted the training for licensed establishments.
- 3. ALTERNATIVES:** The City could decide not to make any changes and continue with the program as we have been doing in the past.
- 4. DISCUSSION:** When we began Best Practice training programs, license holders were good about sending their employees to the required training. Most scheduled training dates had sufficient numbers to justify the staff time required for setting up and conducting the training. Although the city staff time was high, it seemed that it was worth doing because of the interest in the training.

We are no longer experiencing this. Many classes are being cancelled at the last moment because there are not sufficient numbers interested and those that are conducted often have less than a handful of students. Spending up to seven hours for these few students is not a very efficient use of our time.

The Police Department up until this point has offered this training for free as a service to our license holders. This has proven to be an expensive benefit requiring almost 25% of Det. Mark Bevins' time.

The City of Edina has developed a program similar to ours for licensed alcohol establishments where they use outside trainers, but require 75% of those who sell in every establishment to go through the approved training program yearly. The license holder is required to show proof of this training 90-days prior to license renewal each year. The

approved trainers are charging between \$230 and \$400 a year. The trainer is then required to provide the city with a class roster and a letter which certifies that 75% of employees were trained.

The City of St. Paul offers a 7% liquor license discount each year to businesses that send at least 75% of their employees through one of two approved training programs. On a first fail, the business has the option of paying a \$500 fine or sending all of their employees to the training.

The City of Minnetonka uses the Minnesota License Beverage Association to provide training for licensed alcohol establishments through a contract. Minnetonka pays them \$229.00 dollars a year to provide monthly training sessions. Each individual is then charged \$10.00 to attend the training which is used to recoup the Cities yearly contract. The Minnesota License Beverage Association also offers online training in both English and Spanish.

We believe it would be beneficial for license holders to maintain a strong training base and therefore are proposing that the City require that 75% of those employees that sell be required to go through training every other year if they desire to be a part of the Best Practice Program. This would ensure that these sellers receive on-going training instead of attending training once and calling it good forever. All current training requirements would continue to be a part of our program including TIPS training, but outside trainers would be identified and approved to conduct the training rather than having the Police Department do it. License holders would be responsible for arranging the training for their employees and ensuring that any language issues are addressed.

While identifying possible outside trainers we found a couple trainers are already offering programs in Spanish. One trainer stated he would be able to provide training in Cantonese. License holders desiring to be a part of the Best Practice program would be required to work with approved trainers to address language issues. The Police Department would also consider approving training programs meeting set criteria, if license holders bring them to our attention.

5. **BUDGET IMPACT:** With minor changes, the City would gain approximately 25% of an officer's time which could be spend more effectively in other areas.
6. **RECOMMENDATION:** Staff recommends the City change the Best Practice Agreements to state that a minimum 75% of serving employees must receive training every other year by a City approved trainer. We would continue to meet with managers and ensure Best Practice license holders are meeting the agreed upon criteria.

Attached to this report are current Best Practice Agreements as well as alcohol and tobacco agreements with the suggested changes.

**CITY OF PLYMOUTH  
U-21 PROJECT  
BEST PRACTICE AGREEMENT**



\_\_\_\_\_ business, operating in the City of Plymouth with an [on-sale off-sale] [intoxicating wine wine/strong beer malt] liquor license agrees to be a “Best Practices” establishment.

With this agreement we understand we must agree to several of the following items, including the first five mandatory items, to a total point value of at least 100 points.

Selected	Points	Item
4	10 *	<b>Inspection/Investigation to ensure criteria are being met</b>
4	10 *	<b>Minimum 75% of employees trained by the Police Department</b>
4	10 *	<b>Program in place for on-going training of new and current employees</b>
4	10 *	<b>Yearly meeting between designated Operating Managers and department personnel</b>
4	10 *	<b>Servers and staff may not consume an alcoholic beverage or have alcohol on their breath while working</b>
	25	Participation in TIPS training program with minimum set number of employees certified
	10	Policy requiring identification checks for anyone appearing to be 40 or under
	10	Employee reward program (program for rewarding employees who catch underage persons attempting to purchase)
	20	Automated identification card scanner system
	10	Approved internal compliance check program
	25	Pre-agreement to meet immediately on violations (meet with Police Department personnel immediately instead of waiting for criminal court proceedings)
	10	Pre-agreement to work with the police department on secondary sales

**\*These five items are mandatory**

**CITY OF PLYMOUTH  
U-21 PROJECT  
BEST PRACTICE AGREEMENT**



\_\_\_\_\_ business, operating in the City of Plymouth with an [on-sale off-sale] [intoxicating wine wine/strong beer malt] liquor license agrees to be a "Best Practices" establishment.

With this agreement we understand we must agree to several of the following items, including the first five mandatory items, to a total point value of at least 100 points.

Selected	Points	Item
4	10 *	<b>Inspection/Investigation to ensure criteria are being met</b>
4	10 *	<b>Minimum 75% of employees that serve must be trained by an approved trainer every other year</b>
4	10 *	<b>Program in place for on-going training of new and current employees</b>
4	10 *	<b>Yearly meeting between designated Operating Managers and department personnel</b>
4	10 *	<b>Servers and staff may not consume an alcoholic beverage or have alcohol on their breath while working</b>
	25	Participation in TIPS training program with minimum set number of employees certified
	10	Policy requiring identification checks for anyone appearing to be 40 or under
	10	Employee reward program (program for rewarding employees who catch underage persons attempting to purchase)
	20	Automated identification card scanner system
	10	Approved internal compliance check program
	25	Pre-agreement to meet immediately on violations (meet with Police Department personnel immediately instead of waiting for criminal court proceedings)
	10	Pre-agreement to work with the police department on secondary sales

**\*These five items are mandatory**

**CITY OF PLYMOUTH  
U-18 PROJECT  
BEST PRACTICE AGREEMENT**



\_\_\_\_\_ business, operating in the City of Plymouth with a tobacco license agrees to be a “Best Practices” establishment.

With this agreement we understand we must agree to several of the following items, including the first three mandatory items, to a total point value of at least 75 points.

Selected	Points	Item
4	15 *	<b>Inspection/Investigation to ensure criteria are being met</b>
4	10 *	<b>Minimum 75% of employees trained by the Police Department</b>
4	10 *	<b>Program in place for on-going training of new and current employees</b>
	10	Policy requiring identification checks for anyone appearing to be 27 or under
	10	Employee reward program (program for rewarding employees who catch underage persons attempting to purchase)
	20	Automated identification card scanner system
	10	Approved internal compliance check program
	25	Pre-agreement to meet immediately on violations (meet with Police Department personnel immediately instead of waiting for criminal court proceedings)
	10	Pre-agreement to work with the police department on secondary sales

**\*These three items are mandatory**

**CITY OF PLYMOUTH  
U-18 PROJECT  
BEST PRACTICE AGREEMENT**



\_\_\_\_\_ business, operating in the City of Plymouth with a tobacco license agrees to be a "Best Practices" establishment.

With this agreement we understand we must agree to several of the following items, including the first three mandatory items, to a total point value of at least 75 points.

Selected	Points	Item
4	15 *	<b>Inspection/Investigation to ensure criteria are being met</b>
4	10 *	<b>Minimum 75% of employees that sell the product must be trained by an approved trainer every other year</b>
4	10 *	<b>Program in place for on-going training of new and current employees</b>
	10	Policy requiring identification checks for anyone appearing to be 27 or under
	10	Employee reward program (program for rewarding employees who catch underage persons attempting to purchase)
	20	Automated identification card scanner system
	10	Approved internal compliance check program
	25	Pre-agreement to meet immediately on violations (meet with Police Department personnel immediately instead of waiting for criminal court proceedings)
	10	Pre-agreement to work with the police department on secondary sales

**\*These three items are mandatory**



# ALCOHOL & TOBACCO COMPLIANCE CHECK AND BEST PRACTICE PROGRAM SUMMARY



## Total

Year	Check	Fail	%
1995	11	5	45.5
1996	11	0	0
1997	94	12	12.8
1998	81	13	16
1999	91	36	40
2000	76	10	13.2
2001	*87	7	8
2002	77	5	7
2003	120	7	5.8
2004	115	15	13
2005	124	13	10
2006			
2007			

3 year totals =

## Alcohol

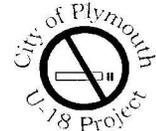
Best Practice			Non Best Practice		
#PBB	Fail	% Fail	#NBPB	Fail	% Fail
78	3	4	42	4	9.5
78	9	11.5	37	6	25
78	8	10	46	5	11

234

**20 8.50%**

124

**15 12%**



## Total

Check	Fail	%
0	0	0
84	41	48.8
47	14	29.8
45	17	38
110	24	22
51	14	27
89	8	9
**98	13	13
80	7	8.7
88	8	9
90	9	10

3 year totals =

## Tobacco

Best Practice			Non Best Practice		
#PBB	Fail	% Fail	#NBPB	Fail	% Fail
52	5	7.7	28	2	10.7
62	4	6.4	23	4	17.4
66	4	6	24	5	20

180

**15 7%**

75

**11 15%**

\*First full year of the Alcohol Best Practice Program

\*\*First full year of the Tobacco Best Practice Program

## 2003 THRU 2005 ALCOHOL & TOBACCO FAILS

### 2003 Alcohol

Business	Employee	Case #	Age	BS	BA	BP	ID'ed	Train	Vio #	Summary	Court
PDQ	Jill	10799	22	M	18	Y2	MNDL	N	1	12/99 violation	Swanson pg 300 CtAdMd
Begin Oaks Golf	Micaela	100746	16	F	18	N	MNDL	N	1	Juvenile County Attorney Refused to Prosecute * See below summary	
Panchero's	Nathan	100806	23	M	20	N	MNDL	N	1	Holmberg was the manager, stated first night at register, & not trained on how to sell alcohol	Gomez pg 350 CtAdMd
Applebee's	Kacee	100899	19	M	18	Y2	MNDL	N	1	11/98 & 12/99 violations	Neville pg 350 CtAdMd
Chilis'	Elizabeth	100897	47	M	18	Y2	MNDL	N	1	Clerk was trying to do "the math in her head"	Schellhas pg 150 CtAdMd
El Azteca	Jennifer	100898	22	M	18	N	N	N	1		Neville pg 350 CtAdMd
Latuff's	Kim	43669	36	M	18	N	N	N	1		Connolly pg 300 CtAdMd

### 2003 Tobacco

Business	Employee	Case #	Age	BS	BA	BP	ID'ed	Train	Vio #	Summary	Court
Lund's	Mary	10359	58	M	16	Y01	MNDL	N	1	Clerk was trying to do "the math in her head" ** See below summary	pg 300
Holiday Vinewood	Jeff	10382	59	M	16	N	MNDL	N	1		pg 300
Essex Court Gifts	Kong	10367	34	M	16	N	N	*N	1	*Kong attended training 09/03 (after the fail)	pg 300
Doolittles	Jessica	39023	21	M	16	Y	N	N	1		pg 300
Plymouth Liquors	Erica	100822	67	M	17	Y01	MNDL	N	1		pg 300
Snyder Drug Lancaster Ln	Carol	100823	37	M	17	Y02	MNDL	N	1	06/01 & 04/02 violations ***See below summary	pg theft 02 75
Rick's Market	Sandra	100821	53	M	17	Y02	MNDL	*N	1	4/02 violation *Sandra attended training 11/05 (after the fail)	Connolly pg 300

**Summary Notes:** 5 / 7 alcohol & 5 / 7 tobacco looked @ the MNDL before making the sale / 14/14 had not attended training

\*Also present and (in-fact retrieved the beer from cooler and put it on the counter) was the 55 year old male employee

\*\*Mary appeared to be in charge, checked buyer's MNDL (which shows when buyer turns 18), after calculating age out loud, told cashier to make sale

\*\*\*Carol checked buyer's MN DL (which shows when the buyer turns 18), checked "age calendar" noted date, ask another employee, they argued, sold

Age (of violator) BS (Buyer's Sex) BA (Buyers Age) BP (Best Practice) ID'ed (did seller ID buyer) Train (was violator trained) Vio # (# of violation)

## 2003 THRU 2005 ALCOHOL & TOBACCO FAILS

### 2004 Alcohol

Business	Employee	Case #	Age	BS	BA	BP	ID'ed	Train	Vio #	Summary	Court
[REDACTED]	Carmen	17414	37	M	18	Y	MNDL	N	1	Conversed with buyer & officer in English [REDACTED]	Roe pg 300 CtAdMd
Dutton's	Joseph	44779	25	F	18	N	N	N	1		Oleisky pg 300 CtAdMd
Eagle Lake Golf	Daniel	44768	17	F	18	N	MNDL	N	1	*See below summary Diverted to deNovo	No Fine
[REDACTED]	Juan	44782	42	F	18	Y03	N	N	2	11/03 violation [REDACTED]	Connolly pg 200 CtAdMd
SA	Benjamin	44772	26	F	18	Y	MNDL	N	1	Clerk stated looked at tobacco calendar not alcohol one 10/01 DAS 12/02 DWI	Scherer pg 300 CtAdMd
Dino's Pizza	Deborah	46369	42	F	18	Y03	MNDL	N	1		Alton pg 300 CtAdMd
Elm Creek Golf	Jeff	46352	44	F	18	N	N	Y	1	07/99 & 06/01 violations *Attended training 06/04 (before the fail) 87 DWI	Nordby pg 300 CtAdMd
Famous Dave's	Darcy	46360	44	F	18	N	MNDL	N			Connolly pg 300 CtAdMd
Four Seasons Liquor	Chaw	46257	41	F	18	N	MNDL	*N	1	11/04 tobacco violation - same clerk [REDACTED] *Training 12/04 (after the fail)	Fitzgerald pg 300 CtAdMd
Grandma's	Sean	46342	23	F	18	Y2	N	Y	1	Attended 05/03	Fitzgerald pg 300 CtAdMd
VFW	Angela	46258	35	F	18	Y2	MNDL	N	1		Duffy pg 300
Star Liquor	Linda	46256	45	F	18	Y2	N	Y	1	Attended training 05/04 (before the fail)	Fitzgerald pg 300 CtAdMd
Tea House	Zheng	46364	18	F	18	N	N	N	1	conversed with buyer & officer in English [REDACTED] 07/99 & 12/00 violations	Bush pg 300 CtAdMd
Rainbow 6th	Yadonna	52606	27	F	18	Y01	MNDL	N	1	Clerk entered DOB 09 / 08/ 66 instead of 86	Fitzgerald WARRANT
Red Robin	Angela	52607	20	F	18	Y03	N	Y	1	*Attended training 07/03 (before the fail) Bartender said normally cards everyone	Fitzgerald pg 300

#### Summary Notes:

8 / 15 looked @ MNDL before making sale / 4/15 had attended training - 2/4 attended in same year as fail

2/4 attended training the year before the fail

\*There was a 33 year old female manager on duty (she retrieved the beer from cooler after telling the buyer they didn't have the brand she wanted) and placed

it on the counter in front of the buyer. Daniel later stated that when he ID'ed the buyer he saw that she was a year older than him but sold to her anyway.

Daniel waited on buyer "against policy"

## 2004 Tobacco

Business	Employee	Case #	Age	BS	BA	BP	ID'ed	Train	Vio #	Summary	Court
Freedom Berkshire	Willie	22762	44	F	15	Y02	**	N	1	**Clerk asked for ID but buyer did not have one clerk said thought buyer was 20	Poston pg 250
[REDACTED]	Chaw	52057	41	F	16	N	MNDL	**N	1	10/ 04 Alco. Vio. same clerk [REDACTED] Conversed with buyer & officer in English	Fitzgerald pg 100
Sami's	Yousri	52056	29	F	16	N	MNDL	N	1	plead guilty 10/02 New Hope to sale of tobacco was fined \$150 fine	Bush pg 300
Cub Foods Vicksburg	Alaina	52439	23	F	16	N	MNDL	N	1	Clerk entered 8/6/86 into register instead of 88	Aldrich pg 300
Holiday Campus	Marci	52777	37	F	16	N	MNDL	N	1	11/00 violation Clerk ask for & received buyer's DL, "swiped" DL, & sold	Fitzgerald pg 300
Holiday Fernbrook	Milteades	52782	18	F	16	Y01	MNDL	N	1	police contacts juv history Clerk dropped DL on floor handed it back without looking at it	Unknown
Snyder Drug Lancaster	Ivy	52762	20	F	16	Y02	MNDL	N	2	06/01, 04/02 & 11/03 violations	Chu pg 300
Herb's	Nicholas	22338	20	F	15	Y02	N	*N	1	11/01 & 04/02 violations Said buyer looked over 20	*Training 6/04 (after the fail) police contacts juv history Pihlaja pg 300

**Summary Notes:** 7 / 8 looked @ the MNDL before making the sale / 8/8 did not attend training

\*Clerk and another employee attempted to "figure out" the buyer's age from the DOB on the driver license.

\*\*Chaw attended training after the fail

## 2003 THRU 2005 ALCOHOL & TOBACCO FAILS

### 2005 Alcohol

Business	Employee	Case #	Age	BS	BA	BP	ID'ed	Train	Vio#	Summary	Court
Haskell's	Jill	9198	26	M	19	Y2	*Y	Y	1	*Attended training 09/02 (before the fail)	Holanan pg 300 CtAdMd
Lund's	Patricia	9177	50	M	19	Y01	MNDL	*N	1	03 tobacco violation *Attended training 04/05 (after the fail)	Holanan pg 300 CtAdMd
Radisson	Marianne	9222	43	M	19	Y2	N	Y	1	12/99 & 12/00 violation *Training 09/02 (before fail) Open bar, private party, buyer did not pay	Rosenbaum Stip Facts 75
	Remedio	9393	35	M	19	Y03	MNDL	Y	3	11/03 & 09/04 violation *Training 11/04 (before fail) <b>*See below summary</b>	Holanan pg 300 CtAdMd
Italiannis	Mary	9361	23	M	19	Y2	MNDL	Y	1	*Attended training 05/04 (before the fail) bartender said she misread DOB	Scherer pg 300 CtAdMd
Pizza Hut	William	9384	41	M	19	N	MNDL	N	1	server stated going thru emotional troubles so wasn't paying close attention to DL	Leung pg 300 CtAdMd
Haskell's	James	37344	54	F	18	Y2	MNDL	*N	2	2/05 violation *Attended training 08/05 (after the sale) Clerk was store owner now under Haskell's is manager	Wexler pg 300 CtAdMd
Target	Nathan	37325	21	F	19	N	*	N	1	<b>**See below summary</b>	Wexler pg 300 CtAdMd
Tea House	Chuan Chen	48203	36	F	19	N	N	N	2	07/99, 12/ 00, 10/04 violations Clerk stated normally does ask for ID	Lange pg 300 CtAdMd
Plymouth Liquors	Erick	50797	23	F	19	Y2	N	N	1	12/00 violation Clerk noted that he is currently on probation for DOC	
The Reserve	Adam	50816	29	F	19	Y02	N	N	1	Open bar, private party	6003791
Woody's	Michyla	50808	24	F	19	N	MNDL	N	1	had been open for 2 weeks	6003783
El Azteca	Alberto	51063	21	F	19	***N	MNDL	N	4	11/03, 09/04, & 02/05 violations ***Removed from BP after 3 violations	

**Summary Notes:** 7 / 13 looked @ the MNDL before making the sale / 4/13 attended training - 2/4 attended same year as fail

\* 11/03, 09/04 02/05 violations = removed BP

\* clerk stated that she was "up all night with sick kids", so wasn't paying attention.

\*\*clerk asked for buyers DOB which she verbally provided, clerk entered DOB into register, it "bonked" him, he entered it again, again the register "bonked" him he attempted a 3rd time with no success, he asked the buyer her DOB again and then entered "some" numbers which allowed the sale to take place

2005 Tobacco											
Business	Employee	Case #	Age	BS	BA	BP	ID'ed	Train	Vio #	Summary	Court
S & S	Michael	10369	25	M	16	Y03	MNDL	N	1	Conversed with buyer & officer in English ██	Leung pg 300
Cub Nathan	Melissa	11333	19	M	16	N	MNDL	N	1	Clerk stated misread DOB on DL as being 1986 not 1989	Anderson pg 328
MGM	Andrew	11323	25	M	16	Y01	MNDL	N	1	12 / 00 violation <b>*See below summary</b> DAS 01/05	Greenberg pg 300
Holiday Plymouth Station	Michael	50789	22	F	16	N	N	N	1	Clerk stated usually ID's but very busy, officer notes 2 people ahead of buyer others behind (2 clerks working)	McKinsey pg 300
CVS	Jenny	51595	32	F	16	N	MNDL	N	1	Conversed with buyer & officer in English ██ <b>**See below summary</b>	Porter pg 300
Essex Court Gifts	Jenna	51621	18	F	16	N	N	N	1	Clerk said did not ID because buy	Porter pg 300
Freedom Co 10	James	51638	52	F	16	Y02	N	Y	1	*Attended training 05/02 (before the fail)	Porter pg 300
Northern Lights	Joanne	51614	79	F	16	N	MNDL	N	1	05/97 St Louis Park sale of tobacco used "age calendar" told officer buyer born "1989"	Porter pg 300
S & S	Hamed	51680	25	F	16	Y03	MNDL	N	2	3 / 05 violation Clerk admit knowing buyer was 16, & was "hitting" on her	McKinsey pg 300

**Summary Notes:** 6 / 9 looked @ the MNDL before making the sale / 1/9 attended training (attended 3 years prior to fail)

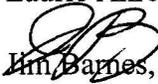
\* Clerk looked at MNDL noted that it was "clipped" so asked for the "paper" DL also, which the buyer had. Clerk later stated that he hadn't been feeling well so has been taking a cold medicine, so was he was confused. Clerk "over-rode" the register security code (using the manager's pass word) to make the sale.

\*\* clerk very upset telling officer that the buyer looked old enough and that she entered the buyer's DOB into register and "it" allowed the sale to take place. Officer and manager checked the register later in the day. It worked properly, manager stated that if clerk entered just "89" into the register the computer would think the buyer was 89 years old. (the officer noted that he did not see the clerk enter anything)

38 / 59 employees looked at the buyer's MNDL before making the sale = 65%

9 / 59 employees had attended training prior to their fail

CITY OF PLYMOUTH  
CITY COUNCIL AGENDA REPORT

TO: Laurie Ahrens, City Manager  
FROM:  Jim Barnes, Housing Programs Manager through Anne Hurlburt, Community Development Director  
SUBJECT: Receive update on HRA action regarding South Shore Drive property  
DATE: February 23, 2006, for the City Council Meeting of February 28, 2006

1. BACKGROUND:

At the Request of the Mayor, HRA staff has put together this brief memo and attached the more recent documents relating to the HRA owned site on South Shore Drive.

At the February Regular HRA meeting the HRA Board of Commissioners discussed a potential partnership with Habitat for Humanity and the HRA. In this partnership, the HRA would sell the property located at 10801 South Shore Drive to Habitat for \$1. In return, Habitat would construct 3-4 units that would be sold to first time homebuyers. The staff report and attachments from that meeting are included with this memo. We have also included the draft minutes from that meeting.

The Board decided not to take action on this item at that time. It was the desire of the Board to wait as the area further developed and evaluate other options. Chair Henderson was unable to attend the meeting and has called a special meeting to further discuss the property that will take place on Monday, February 27. Staff will provide the Council with an update of any action taken by the HRA at their special meeting.

2. ATTACHMENTS:

- 1. February 16, 2006 HRA Staff Report
- 2. February 16, 2006 Draft HRA Minutes

**PLYMOUTH HOUSING AND  
REDEVELOPMENT AUTHORITY  
Agenda Report**

**DATE:** February 6, 2006, for Housing and Redevelopment Authority Meeting of February 16, 2006

**TO:** Plymouth Housing and Redevelopment Authority

**FROM:** *JLB* Jim Barnes, Housing Manager, through Anne Hurlburt, Executive Director *AH*

**SUBJECT:** South Shore Drive Site – Update on potential partnership with Habitat for Humanity

**BACKGROUND:**

In February of 2004 the HRA purchased a vacant lot from Quest Development located at 10801 South Shore Drive. At that time the HRA was working with the Builders Outreach Foundation and Orrin Thompson Homes to develop the site with 3 to 4 affordable for sale attached homes.

As we started the pre-development due diligence work, it was discovered that the site would need soil corrections, which our civil engineer estimated to be around \$100,000. After further discussions with the Builders Outreach Foundation, they decided that this project was too difficult for them and they withdrew from the project.

In late 2005, staff contacted Habitat for Humanity to see if they would be interested in partnering with the HRA on this project and we recently were informed that they are very interested in a partnership. We anticipate the partnership would be similar to the one the HRA had forged with the Builder's Outreach Foundation were we would sell the lot for \$1 and they would construct 3-4 attached units on the site.

To cover the additional soil correction costs, Habitat is applying to Hennepin County for HOME funds at the end of February. Habitat has requested a letter of support for this application from the HRA and the City.

Staff is in support of this partnership. We have never had a Habitat project in the City of Plymouth and this will be an excellent opportunity for the community to come together on a project.

Additionally, the owner of the house directly to south of the HRA lot has expressed interest in selling his lot so we may be able to combine the two sites into one project. From a planning stand point this would be beneficially as this single family house, if untouched, would be situated between two multi-family developments.

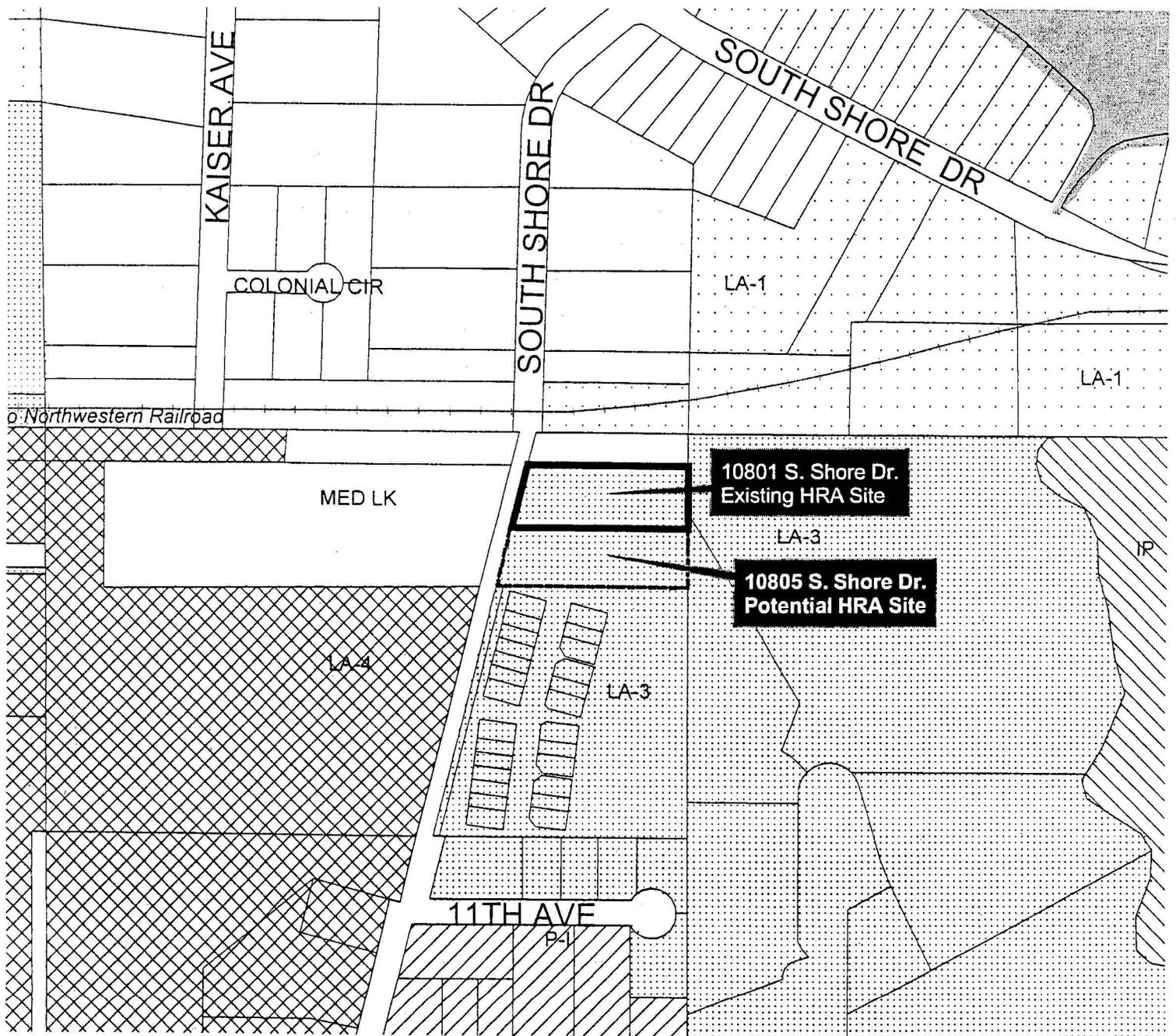
If the Board approves staff's recommendation we will bring the purchase agreement(s) for approval to the board at a later date.

**I recommend that the Plymouth Housing and Redevelopment Authority Board of Commissioners direct staff to 1.) Enter into negotiations to sell the property located at 10801 South Shore Drive to Habitat for Humanity 2.) Enter into negotiations with the Property owner at 10805 South Shore Drive for the potential purchase of his existing house and lot and 3.) Submit a letter of support to Hennepin County on behalf of Habitat for Humanity.**

**ATACHMENTS:**

- 1. Location Map**
- 2. Support Letter**

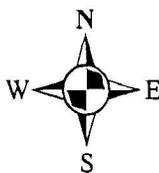
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**Plymouth Housing and Redevelopment Authority (HRA)  
Existing and Potential Site  
East of South Shore Drive and  
North of 11th Avenue**



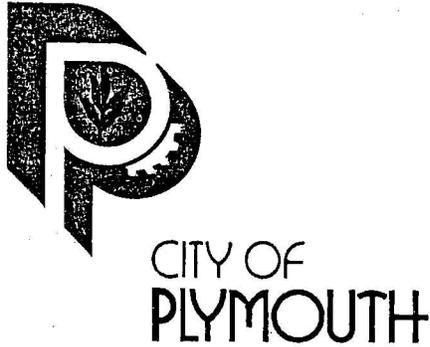
City of  
Plymouth, Minnesota



**Land Use Guide Plan**

- C, Commercial
- CC, City Center
- CO, Commercial Office
- IP, Planned Industrial
- LA-1, Living Area 1
- LA-2, Living Area 2
- LA-3, Living Area E
- LA-4, Living Area 4
- LAR, Living Area Rural
- P-I, Public/Semi-Public/Institutional
- railroad





February 16, 2006

Hennepin County Board of Commissioners  
Hennepin County Community Works and Transit MC-L608  
300 South Sixth Street  
Minneapolis, MN 55415-9989

Dear Commissioners:

The Plymouth Housing and Redevelopment Authority is excited to partner with Twin Cities Habitat for Humanity for the first time. As the Twin Cities grows and expands communities such as ours have experienced dramatic increases in population and housing stock. Twin Cities Habitat has chosen to work as a community partner not only in the core cities of Minneapolis and St. Paul, but also in non-urban municipalities such as Plymouth.

Affordable housing benefits all aspects of society. In addition to helping families achieve the American dream by owning their own homes, effective workforce housing helps economic growth because workers can access places of employment. For businesses, the ability to attract and retain labor depends partly on the availability of decent, affordable shelter for working families.

Twin Cities Habitat for Humanity has sold almost six hundred homes in the metro area and is currently constructing even more. Habitat homes are aesthetically pleasing and any resident would be proud to own one. It is with this in mind that I strongly endorse Twin Cities Habitat for Humanity's application for assistance from the HUD-funded HOME program that is allocated through Hennepin County.

Please feel free to contact Jim Barnes at (763) 509-5412 with any questions regarding this project.

Sincerely,

Susan Henderson, Chair  
Plymouth Housing and Redevelopment Authority

# DRAFT

## MINUTES PLYMOUTH HOUSING AND REDEVELOPMENT AUTHORITY February 16, 2006

**PRESENT:** Commissioners Tim Bildsoe, Steve Ludovissie, Jenny Flansburg and Jim Kovach.

**ABSENT:** Chair Susan Henderson

**STAFF PRESENT:** Executive Director Anne Hurlburt, Housing Program Manager Jim Barnes, HRA Specialists Tracy Jones and Patty Schaffer.

**OTHERS PRESENT:** Link Wilson from Miller Hansen Partners, Plymouth resident Linn Hirst and American Mortgage Corporation representative Vicki Smolich.

### 1. CALL TO ORDER

Commissioner Bildsoe called the Plymouth Housing and Redevelopment Authority meeting to order February 16, 2006 at 7:03 P.M.

Housing Program Manager Barnes requested item 3B be discussed prior to item 3A. The Board granted this request.

Commissioner Ludovissie asked that item 2C be removed from the consent agenda and be listed as item 3D.

### 2. CONSENT AGENDA

- A. Approve January 19, 2006 HRA Meeting Minutes
- B. Plymouth Towne Square. – Accept monthly housing reports.

**MOTION** by Commissioner Flansburg, seconded by Commissioner Kovak, approving the consent agenda.

Vote. 4 Ayes. Motion approved.

### 3. NEW BUSINESS

- A. **Vicksburg Crossing. Approve exterior materials selection.**

Link Wilson, representing Miller Hanson Partners (MHP), was introduced by Housing Program Manager Barnes. Mr. Wilson reviewed the exterior materials selection. He stated the color base block is complete so this item can't be changed. He stated they tried to stay in character with the rendering that was presented and stayed true to what they had

promised the City. He thought as soon as the weather breaks, which will probably be late March, the bricks would start to be laid so he advised the Board that the selection would need to be made soon.

**MOTION** by Commissioner Blidsoe, seconded by Commissioner Flansburg, recommending approval of the exterior materials and colors selected by Miller Hanson Partners.

Vote. 4 Ayes. Motion approved.

**B. First Time Homebuyer Recipient. Appeal of Executive Director's Denial of Request for Subordination**

Housing Program Manager Barnes introduced Linn Hirst and Vicki Smolich. Ms. Smolich stated she is with American Mortgage Corporation and is here representing Linn Hirst. Housing Program Manager Barnes presented an overview of the February 16<sup>th</sup> staff report. He stated the reason for both denials were based on the cash out and the loan-to-value ratio proposed.

Ms. Smolich stated she is trying to consolidate three loans that Ms. Hirst had down to two loans which would be a savings of \$500 a month. Commissioner Bildsoe asked if Ms. Smolich had read the guidelines for subordination. Ms. Smolich stated she had and realizes Ms. Hirst doesn't meet the loan to value ratio, however, she is requesting a waiver of the rules/policy.

Executive Director Hurlburt asked if a new appraisal had been done. Ms. Jones stated we had the appraisal that was done in November 2005 for \$185,000. Director Hurlburt asked Ms. Smolich when we denied the request for subordination if she had used the \$185,000 appraisal. Director Hurlburt stated that was the number used in our formula to come up with 112% loan to value ratio. Director Hurlburt asked if any of those numbers were wrong. Ms. Smolich said the figures were correct.

Commissioner Bildsoe commented that the Board looks at the rules and that is what the Board follows. The decisions made by the Board are the same for everyone. Ms. Smolich again stated that their request was for a waiver of the policy for the financial benefit that Ms. Hirst will receive in the monthly payment reduction. Commissioner Bildsoe stated Ms. Hirst had received a benefit by getting the loan from the City of Plymouth.

The Board was concerned that if Ms. Hirst had to sell the home and the loan to value ratio is still at 110% with our loan considered then the payoff of our mortgage would be at risk.

Commissioner Kovach stated that developing these policies and procedures were done over a substantial period of time and that these rules apply to everyone that obtains financing through the City.

**MOTION** by Commissioner Flansburg, seconded by Jim Kovak, recommending to uphold staff's denial of Ms. Hirst's request to subordinate her first time homebuyer second mortgage to a new loan offered through American Mortgage Corporation.

Vote. 4 Ayes. Motion approved.

**C. South Shore Drive Site. Update on potential partnership with Habitat for Humanity.**

Housing Program Manager Barnes presented an overview of the February 16, 2006 staff report. He stated that the Builders Outreach Foundation found the development more difficult than anticipated and they withdrew from the project. In December of 2005 staff contacted Habitat for Humanity to see if they would be interested in partnering with the HRA to build 3 to 4 affordable homes at 10801 South Shore Drive. They recently informed the HRA that they are very excited about the project. Staff held discussions with Habitat and are working with them to get additional funding through Hennepin County and the State. At this time staff is looking for the Board's permission to move forward with further discussions.

Commissioner Ludovissie mentioned that The Woods at Medicine Lake, a townhome project of which this area was originally a part of, has been selling units and the base price starts at \$345,000 and goes to \$475,000. He said it might make sense to look at selling the property and bail out of the situation and hopefully make money to utilize in another area for another project. He said he wasn't involved in the negotiation for this property and doesn't know how it developed but felt we should keep options open and maybe talk to a real estate agent about listing the property and getting their opinion as to what the value might be. If, in fact the area is developing as it appears to be and it looks like there will be another condo project across the street and if the homeowner has changed his position it could make for a larger site. It could become an option for another developer.

Director Hurlburt pointed out there are a fair number of market rate developments in this area now that are in a higher price range. However, she stated it would be nice to look at how the HRA could bring some affordable units into the mix.

Commissioner Bildsoe stated he feels putting affordable housing in an area that has a higher value is not the best thing to do to get the most for our money. He stated he would be interested in getting some idea of what the property would sell for.

Commissioner Flansburg commented that affordable housing is needed in the City and is difficult to achieve. She stated that discussions have taken place in the past about not wanting to miss affordable housing opportunities and she feels this is an opportunity to create affordable housing which is a goal of the HRA Board.

Commissioner Bildsoe stated he thought if the property could be sold, the proceeds could be used for another site that doesn't need soil corrections. He also commented that the money from Hennepin County and the State of Minnesota could also be used for another project.

Director Hurlburt stated the problem is identifying another site. If this property is sold another might not be found.

Housing Program Manager Barnes stated we paid \$125,000 for this property and by Plymouth standards that is fairly reasonable.

Commissioner Bildsoe stated what he thought staff was recommending tonight was to enter into negotiations to sell the property located at 10801 South Shore Drive to Habitat for Humanity for \$1 and talk to existing property owner of the neighboring property located at 10805 South Shore Drive. Housing Program Manager Barnes confirmed this.

Director Hurlburt asked if staff knew what the assessed value of the parcel at 10805 South Shore Drive was and what kind of shape the house was in.

Housing Program Manager Barnes stated the purchase price was just over \$200,000 two years ago. With a 7% increase the value would be about \$230,000. The question was asked if Habitat could buy the lot. Housing Program Manager Barnes responded that it's possible they could, but it is highly unlikely and explained how Habitat for Humanity projects work.

Director Hurlburt asked if Habitat would rehab the existing house. Housing Program Manager Barnes stated from what he had seen of the exterior he didn't feel the home would be a good candidate for rehab.

Director Hurlburt asked if we take the lot we already own and are able to acquire the other lot for \$250,000; what the estimate would be of how many units and dollars per unit we would actually be subsidizing.

Housing Program Manager stated he has not done the per unit cost evaluation on the other lot.

Commissioner Flansburg stated she sees two things going on: 1) A deadline because of the request by the State to either support Habitat to go forward or say we don't know and want to explore this before making a commitment and 2) Regarding the second site there are too many unknown factors. She stated it would be to our advantage to have both sites combined to make it a more successful project.

Commissioner Bildsoe stated he felt more time was needed. However, his concern was in regards to the funding cycle and he asked if we could wait another 30 days before addressing this.

Housing Program Manager Barnes said Habitat could submit their application next Tuesday without a support letter. Hennepin County may or may not accept a support letter after the fact.

**MOTION** by Commissioner Bildsoe recommended Plymouth Housing and Redevelopment Authority Board of Commissioners direct staff to take no action at this time. The motion died for lack of a second.

The general consensus of the Board was to take no action at this time.

**D. Vicksburg Crossing – Approve Lease-up and Management Contract with Grace Management.**

Commissioner Ludovissie stated he had a few comments regarding the management agreement and referred to page 14 - Term and Termination. He asked if there is a reason the Board wanted to leave it at October 1<sup>st</sup> instead of November 1<sup>st</sup>. Housing Program Manager Barnes stated he would change it to November and he didn't have a problem with that.

Commissioner Ludovissie pointed out the last item was the Term and Termination notice periods. He thought the term 120 days on a one-year automatic renewal is allot of lead time. He would like to see those lead times cut down and suggested not more than 90 days.

Director Hurlburt asked Housing Program Manager Barnes if there would be an issue with changing the time period. He responded no.

**MOTION** by Commissioner Ludovissie, seconded by Commissioner Kovach, to approve the management agreement as submitted with two changes on page for 14 regarding the Term and Termination. October 1<sup>st</sup> will change to November 1<sup>st</sup> and wherever it states 120 days will change to read 90 days.

Vote. 4 Ayes. Motion approved.

**4. ADJOURNMENT**

Meeting adjourned at 8:31 PM.

Agenda Number:

4



**TO:** Mayor and City Council  
**FROM:** Laurie Ahrens, City Manager *ja*  
**SUBJECT:** Set Future Study Sessions  
**DATE:** February 22, 2006, for City Council meeting of February 28, 2006

1. **ACTION REQUESTED:** Review the pending study session topics list, set study sessions and amend the topics if desired.
2. **BACKGROUND:** Attached is the list of pending study session topics, as well as calendars to assist in scheduling.

## **Pending Study Session Topics**

**(at least 3 Council members have approved the following study items on the list)**

### **Other requests for study session topics:**

- Update with City Manager (summer)
- Discuss Solid Waste Program
- Report on staffing needs of City (Willis)
- Meet with Xcel Energy to discuss reliability issues (Willis)
- Request meeting with TwinWest PAC (Willis) – invitation provided to TwinWest, on agenda for TwinWest mayor-manager meeting
- Discuss image relating to funding and opportunities provided to Plymouth (Stein)
- Discuss options for regulating “mobile billboards” (Black)
- Discuss funding of open space options
- Receive Audit Report (June 13 or 27 suggested)
- Water Plant tours (May or later)
- EQC recommendation on student project on reducing greenhouse gases

# OFFICIAL CITY MEETINGS

March 2006

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# OFFICIAL CITY MEETINGS

April 2006

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<p style="font-size: 2em;">2</p> <p>DAYLIGHT SAVINGS COMMENCES - set clocks ahead 1 hour</p>	<p style="font-size: 2em;">3</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p style="font-size: 0.8em;">PRIMAVERA PLYMOUTH FINE ARTS COUNCIL SHOW, Plymouth Creek Center</p> </div>	<p style="font-size: 2em;">4</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p style="font-size: 0.8em;">PRIMAVERA PLYMOUTH ARTS COUNCIL SHOW, Plymouth Creek Center</p> </div>	<p style="font-size: 2em;">5</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p style="font-size: 0.8em;">7:00 PM PLANNING COMMISSION, Council Chambers</p> </div>	<p style="font-size: 2em;">6</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p style="font-size: 0.8em;">7:00 PM HUMAN RIGHTS COMMISSION - Medicine Lake Room</p> </div>	<p style="font-size: 2em;">7</p>	<p style="font-size: 2em;">8</p>																																																																																				
<p style="font-size: 2em;">9</p> <p>PALM SUNDAY</p>	<p style="font-size: 2em;">10</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p style="font-size: 0.8em;">7:00 PM ENVIRONMENTAL QUALITY COMMITTEE (EQC), Council Chambers</p> </div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p style="font-size: 0.8em;">7:00 PM YOUTH ADVISORY COUNCIL, Meeting Room A</p> </div>	<p style="font-size: 2em;">11</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p style="font-size: 0.8em;">5:30 PM BOARD OF EQUALIZATION, Council Chambers</p> </div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p style="font-size: 0.8em;">7:00 PM REGULAR COUNCIL MEETING, Council Chambers</p> </div>	<p style="font-size: 2em;">12</p> <p>PASSOVER BEGINS AT SUNSET</p>	<p style="font-size: 2em;">13</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p style="font-size: 0.8em;">7:00 PM PARK &amp; REC ADVISORY COMMISSION (PRAC), Council Chambers</p> </div>	<p style="font-size: 2em;">14</p> <p>GOOD FRIDAY</p>	<p style="font-size: 2em;">15</p>																																																																																				
<p style="font-size: 2em;">16</p> <p>EASTER SUNDAY</p>	<p style="font-size: 2em;">17</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p style="font-size: 0.8em;">7:00 PM YOUTH SERVICE AWARDS, Council Chambers</p> </div>	<p style="font-size: 2em;">18</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p style="font-size: 0.8em;">6:00 PM SPECIAL COUNCIL MEETING: POLICE STAFFING STUDY; FIRE STAFFING STUDY, Meeting Room A/B</p> </div>	<p style="font-size: 2em;">19</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p style="font-size: 0.8em;">7:00 PM PLANNING COMMISSION, Council Chambers</p> </div>	<p style="font-size: 2em;">20</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p style="font-size: 0.8em;">7:00 PM HOUSING &amp; REDEVELOPMENT AUTHORITY (HRA), Medicine Lake Room</p> </div>	<p style="font-size: 2em;">21</p>	<p style="font-size: 2em;">22</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p style="font-size: 0.8em;">9:00 AM - 3:00 PM YARD &amp; GARDEN EXPO, Plymouth Creek Center and Fieldhouse</p> </div>																																																																																				
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# OFFICIAL CITY MEETINGS

May 2006

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday																																																																																																									
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7	8 7:00 PM YOUTH ADVISORY COUNCIL, Meeting Room A	9 5:30 PM SPECIAL COUNCIL MEETING: DISCUSS COMPENSATION & BENEFIT PRACTICES, Meeting Room A/B  7:00 PM REGULAR COUNCIL MEETING, Council Chambers	10 7:00 PM ENVIRONMENTAL QUALITY COMMITTEE (EQC), Council Chambers	11 7:00 PM PARK & REC ADVISORY COMMISSION (PRAC), Council Chambers	12	13																																																																																																									
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28	29 MEMORIAL DAY (Observed) - City Offices Closed	30	31	<table border="1"> <thead> <tr> <th colspan="7">Apr 2006</th> </tr> <tr> <th>S</th> <th>M</th> <th>T</th> <th>W</th> <th>T</th> <th>F</th> <th>S</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>1</td> </tr> <tr> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>6</td> <td>7</td> <td>8</td> </tr> <tr> <td>9</td> <td>10</td> <td>11</td> <td>12</td> <td>13</td> <td>14</td> <td>15</td> </tr> <tr> <td>16</td> <td>17</td> <td>18</td> <td>19</td> <td>20</td> <td>21</td> <td>22</td> </tr> <tr> <td>23</td> <td>24</td> <td>25</td> <td>26</td> <td>27</td> <td>28</td> <td>29</td> </tr> <tr> <td>30</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		Apr 2006							S	M	T	W	T	F	S							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30							<table border="1"> <thead> <tr> <th colspan="7">Jun 2006</th> </tr> <tr> <th>S</th> <th>M</th> <th>T</th> <th>W</th> <th>T</th> <th>F</th> <th>S</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>1 2 3</td> </tr> <tr> <td>4</td> <td>5</td> <td>6</td> <td>7</td> <td>8</td> <td>9</td> <td>10</td> </tr> <tr> <td>11</td> <td>12</td> <td>13</td> <td>14</td> <td>15</td> <td>16</td> <td>17</td> </tr> <tr> <td>18</td> <td>19</td> <td>20</td> <td>21</td> <td>22</td> <td>23</td> <td>24</td> </tr> <tr> <td>25</td> <td>26</td> <td>27</td> <td>28</td> <td>29</td> <td>30</td> <td></td> </tr> </tbody> </table>	Jun 2006							S	M	T	W	T	F	S							1 2 3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	
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# OFFICIAL CITY MEETINGS

June 2006

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# OFFICIAL CITY MEETINGS

July 2006

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2	<div style="border: 1px solid black; padding: 5px;">           7:00 PM YOUTH            ADVISORY COUNCIL,            Meeting Room A         </div>	INDEPENDENCE DAY	<div style="border: 1px solid black; padding: 5px;">           7:00 PM            PLANNING            COMMISSION,            Council Chambers         </div>	<div style="border: 1px solid black; padding: 5px;">           5:15 PM MUSIC            IN PLYMOUTH,            Hilde            Performance            Center         </div>		
9		<div style="border: 1px solid black; padding: 5px;">           7:00 PM REGULAR            COUNCIL MEETING,            Council Chambers         </div>	<div style="border: 1px solid black; padding: 5px;">           7:00 PM            ENVIRONMENTAL            QUALITY COMMITTEE            (EQC), Council            Chambers         </div>	<div style="border: 1px solid black; padding: 5px;">           7:00 PM PARK &amp;            REC ADVISORY            COMMISSION            (PRAC), Council            Chambers         </div>		
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