

Adopted Minutes

Regular Council Meeting

July 10, 2012

Mayor Slavik called a Regular Meeting of the Plymouth City Council to order at 7:00 p.m. in the Council Chambers of City Hall, 3400 Plymouth Boulevard, on July 10, 2012.

COUNCIL PRESENT: Mayor Slavik, Councilmembers Willis, Bildsoe, Black, and Johnson.

ABSENT: Councilmembers Wosje and Stein.

STAFF PRESENT: City Manager Ahrens, City Attorney Knutson, Deputy Director of Park and Recreation Northway, Assistant City Engineer Renneberg, Community Development Director Juetten, Police Chief Goldstein, Deputy Fire Chief Springer, Public Works Director Cote, and City Clerk Engdahl.

Plymouth Forum

There was no one present to address the Council.

Presentations and Public Information Announcements

(4.01) Announcement of “Night to Unite” on August 7

Mayor Slavik proclaimed August 7 as “Night to Unite.”

(4.02) Acceptance of Donations from Home Depot and Heritage Woods Estates Homeowners Association

Deputy Director of Parks and Recreation Northway announced contributions from Home Depot towards improvements to the Parkers Lake Cemetery and Parkers Lake fishing pier and from Heritage Woods Estates Homeowners Association for improvements to the Bass Lake playfields.

Mayor Slavik thanked the Plymouth Civic League and City staff for their work on the July 3 Music in Plymouth.

Mayor Slavik announced that the Farmers Market opens July 10 at 2:30 p.m. at LifeTime Fitness parking lot. The Farmers Market will be held every Wednesday through October 11.

Approval of Agenda

Motion was made by Councilmember Bildsoe, and seconded by Councilmember Johnson, to approve the agenda. With all members voting in favor the motion carried.

Consent Agenda

Motion was made by Councilmember Black, and seconded by Councilmember Bildsoe, to adopt the Consent Agenda that included the following items:

- (6.01) Regular and Special Council Meeting minutes of June 26.
- (6.02) Resolution Approving Disbursements ending June 30, 2012 (Res2012-197).
- (6.03) Resolution Approving the Appointment of Election Judges for the 2012 Primary and General Election (Res2012-198).
- (6.04) Resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment for the Revere Lane/6th Avenue/Kilmer Lane Mill and Overlay Project (12005 – Res2012-199).
- (6.05) Resolution Accepting Streets for Continual Maintenance for Elm Creek Highlands 2nd Addition (2010013 - Res2012-200).
- (6.06) Resolution Approving Special Assessment Agreement Foundation Hill Montessori School, 15855 61st Avenue North (Res2012-201).
- (6.07) Resolution Accepting Donations for City's Special Events, Programs and Park Projects (Res2012-202).

With all members voting in favor, the motion carried.

Public Hearings

(7.01) Improvement and Assessment Hearing for Kingsview Heights Edge Mill and Overlay Project (12002)

Public Works Director Cote stated this item and the next item require six affirmative votes of the Council in order to proceed with the projects. Staff suggests conducting the hearings and take testimony and continuing action to the July 24 meeting.

Assistant City Engineer Renneberg stated this project is in the CIP for 2012. Construction would begin in August and be completed in September.

Mayor Slavik opened the public hearing.

Councilmember Willis noted correspondence received from Shirley Wohlrabe who is opposed to this project.

Brian Ferro, 14715 43rd Avenue North, requested approval of the project.

Nick Stocking, 14415 43rd Avenue North, also requested approval of the project and asked if the delay tonight will delay the construction schedule. Public Works Director Cote replied no.

Mayor Slavik closed the public hearing.

Motion was made by Councilmember Johnson, and seconded by Councilmember Willis, to table this item to the July 24 meeting. With all members voting in favor, the motion carried.

(7.02) Improvement and Assessment Hearing for Plymouth Boulevard Mill and Overlay Project (12006)

Assistant City Engineer Renneberg stated this project is in the CIP for 2012. Construction would begin the end of July and be completed mid September. This project shouldn't interfere with Plymouth on Parade unless there would be unforeseen circumstances. He noted correspondence received from Lynne Fisher who resides at Plymouth Creek Condominiums regarding the two assessments they received for two different PIN numbers (one for the living unit and one for the garage). He noted that there are 72 living units and 80 garage units. He stated the Council could keep the proposed assessments the way they are, or assess the 72 living units for the full amount and not the garages which would be an increase in the assessment which would require re-notification. The City could also not assess the amount attributed to the garage units.

He noted the low bid for the project was received for Knife River. However, due to this firm not completing two recent projects within the time frame specified in the contract documents, staff is recommending awarding the bid to Bituminous Roadways, Inc. who complies with the bidder qualification criteria policy.

Councilmember Johnson asked how the City's assessment policy treats properties that don't have direct access on Plymouth Boulevard. She referenced correspondence received from Prosperwell Financial regarding their office suites at 15600 35th Avenue North. Their claims are that their suites don't sit on Plymouth Boulevard, don't have parking on Plymouth Boulevard, and they can't see Plymouth Boulevard from their entrance. The suites are located on 35th Avenue North and face that street. They object to the proposed assessment. Public Works Director Cote replied staff looked at the history of those properties. They looked at the property in total and the buildings built upon it. They have parking available on all four sides. The parking bays on Plymouth Boulevard benefit the property. The entire building was included in the 1995 project when it was originally done.

Councilmember Black asked why a number of businesses in this area, such as Cub Foods, that have no direct access on Plymouth Boulevard aren't being assessed. Public Works Director Cote replied all of the properties being assessed for this project were assessed with the original project. Those properties that have parking bays on Plymouth Boulevard are being assessed. Cub Foods has no access or parking bays on Plymouth Boulevard.

Councilmember Johnson asked if someone doesn't access the street being reconstructed, can the City still access their property based on trip generation. Public Works Director Cote replied a bill was introduced, but it was defeated. The City's current assessment policy doesn't reference trip generation.

Councilmember Willis stated regarding Plymouth Creek Condominiums, the Council could order the project at the next meeting and hold the assessment hearing at a later date. He stated he would be inclined to reassess that fraction of the project as it's an equity issue. Mayor Slavik agreed. The Council could adopt the assessments for that portion of the project after the project is completed.

Ray Costello, 15600 35th Avenue North, voiced his opposition to the assessments. He stated in 1995 when Plymouth Boulevard was last improved, his building wasn't there. They have no driveway access on Plymouth Boulevard, and no one would park on Plymouth Boulevard since they have parking in the back and parking on 35th Avenue. They also paid for the assessment for 36th Avenue as they had a driveway accessing it. He stated they could potentially pay for three assessments for 35th Avenue, 36th Avenue, and Plymouth Boulevard.

Mayor Slavik closed the public hearing.

Mayor Slavik stated she supports the project, but she's concerned about the concerns Mr. Costello raised.

Councilmember Johnson agreed and stated because of development, access, and driveways, it does impact the City's assessment policy.

Motion was made by Councilmember Bildsoe, and seconded by Councilmember Willis, to table this item to July 24. With all members voting in favor, the motion carried.

Mayor Slavik summarized that the majority of the Council supports this project but is concerned about assessments. She requested a report from staff on other projects these properties on Plymouth Boulevard were assessed for. She noted that she also supports awarding the bid to Bituminous Roadways.

Councilmember Black stated she would be interested in discussing area wide assessments at a future study session.

(7.03) On-Sale and Sunday Liquor Licenses for Norish Enterprises LLC, d/b/a Grizzly's Wood Fired Grill, 220 Carlson Parkway North

City Clerk Engdahl reported on the on-sale and Sunday liquor license applications received from Norish Enterprises LLC, d/b/a Grizzly's Wood Fired Grill at 220 Carlson Parkway North.

Mayor Slavik opened the public hearing.

Mayor Slavik closed the public hearing.

Motion was made by Councilmember Bildsoe, and seconded by Councilmember Black, to adopt a Resolution Approving the On-Sale Liquor and Sunday Intoxicating Liquor Licenses for Norish Enterprises, LLC, d/b/a Grizzly's Wood Fired Grill, 220 Carlson Parkway North (Res2012-203). With all members voting in favor, the motion carried.

General Business

(8.01) Variance for Construction of New Homes at 12025 and 12015 28th Avenue (Michlitsch Builders – 2012031)

Community Development Director Juetten reported on the application of Michlitsch Builders, Inc. to allow a new home to be constructed within the bluff for the two properties located at 12015 28th Avenue and 12025 28th Avenue as recommended by the Planning Commission. He stated the variance is required due to the lots being on a bluff. Without this variance, the lots couldn't be used for any residential purpose. He summarized the Planning Commission discussion and the conditions in the resolution regarding the grading of the property, storm sewer being routed to the property, rock construction entrances for both driveways, etc.

Councilmember Willis stated the drop in the terrain across these lots is something that he hasn't seen for quite some time. He asked if it's correct that the current volume and rate of runoff won't be exceeded with the construction of these homes. Community Development Director Juetten replied no runoff would go to the east, and any additional runoff would go into the storm sewer.

Councilmember Willis stated this could be a potential problem as the runoff could contain silt and eventually end up in Medicine Lake.

Councilmember Willis asked if staff is aware of any possible springs on the hillsides. Community Development Director Juetten replied no.

Councilmember Willis stated he's concerned about how this project is developed as the water will be going in a different direction which will create problems for the City. The terrain is atrocious. He stated staff will have to make sure this is handled properly.

Councilmember Black asked if this application has been reviewed watershed district. Public Works Director Cote replied this site doesn't meet the threshold for BMPs or watershed review which is why there are conditions contained in the resolution to address runoff.

Councilmember Black stated there could be issues with the sewer being too small to handle rain events in the future or a spring on the property that could be an issue for the neighbors.

Jeff Bodner, 2745 Hemlock Lane North, stated he and his wife own the property directly to the east of this site. He stated the information provided by the applicant thus far is a concept sketch, and there are no buyers for the lots. He asked what happens when the buyers want to change the plans. He recommended that the variance is granted on the final design, not conceptual plans.

Marvin Michlitsch, applicant, stated that he has a purchase agreement on the lots. He recommended a culvert drawn under the lower driveway versus staff's recommendation for a catch basin out to the storm sewer. With is culvert approach, the runoff could flow slower to the pond. He stated the reason for the variance is to build in the bluff. He explained he has the upper house basically designed. The homes would be built and sold one at a time. The lower home is still in concept.

Public Works Director Cote explained staff's recommendation for a catch basin was to capture water to prevent it from flowing to the east.

Mayor Slavik stated she's not convinced that the drainage issues will be solved with this development.

Councilmember Willis stated these lots were platted over 20 years ago, and there's a good reason why these lots haven't been developed because they are difficult. He asked if the Council can the make it a condition of approval that the Bassett Creek Watershed Commission reviews the application due to the unique circumstances of the extreme terrain. Public Works Director Cote replied staff could seek their approval whether it exceeds their threshold or not.

Councilmember Johnson stated the City's review deadline is October 5. Since the Council has concerns, she suggested postponing this item in order to address these concerns.

Councilmember Black agreed as she's not convinced that this plan will prevent drainage to the property to the east.

Motion was made by Councilmember Johnson, and seconded by Councilmember Black, to postpone this item no later than the second meeting in September.

Mr. Michlitsch stated he desires to construct the upper house this year in order to stabilize the land. If the variance wouldn't be granted until September or October, this wouldn't be possible. He asked if the Council is relying on input from the watershed district for the Variance.

Councilmember Willis stated his concern is the rate and volume of runoff generated from the lots and how that will affect the property owner to the east and drainage into Medicine Lake and creating siltation. If the City Engineer and Mr. Michlitsch's engineer could guarantee that the rate and volume won't exceed the current runoff, then he wouldn't have much of an issue.

Mr. Michlitsch stated he has already met with staff twice, and he used a civil engineer. He noted the conditions contained in the resolution before a building permit is issued for either lot are the result of those conversations. Therefore, he's unsure what else the Council desires.

Public Works Director Cote commented that the Bassett Creek Watershed Commission's permit requirement is different than their review. When one goes to build, they have to get a permit from them to review for erosion control. Any threshold in the water district requires a permit.

The Council reiterated that the concerns discussed this evening be addressed before this item is brought back to the Council.

There being no further discussion and with all members voting in favor, the motion carried.

(8.02) Preferred Alignment and Authorize Distribution of Environmental Assessment Worksheet for Peony Lane North of Schmidt Lake Road (10015)

Public Works Director Cote reported on the technical analysis and two neighborhood meetings held on the realignment of Peony Lane north of Schmidt Lake Road. Staff and the City's consultant have determined that Alignment 3 best meets the City's needs because it has fewer impacts to private property, it requires fewer relocations, it is slightly better for future land use opportunities, less expensive due to lower right-of-way costs, and appears to be the preferred alignment for the property owners impacted by the proposed alignments.

Mayor Slavik asked why Alignment 3 was selected over Alignment 4. Public Works Director Cote replied Alignment 4 has a number of significant considerations, such as wetland and flood plain impact and impact to City property. It also renders the City property un-useful for any purpose other than park. He stated out of all the other criteria, wetlands and cost of private property, Alignment 3 had the lowest cost of all alignments. Some of the criteria included travel time, access, intersection geometrics (County Road 47), number of privately owned impacted parcels (right-of-way), parcels with structures that require relocation, usability of park, etc. Alignment 4 was the second most costly and has twice the amount of impact to the wetlands. There would need to be a compelling reason to select Alignment 4.

Councilmember Black asked about the soils for the various alignments. Public Works Director Cote stated additional soil borings were done. The information for the soil borings was included in the costs, not the analysis. Bret Weiss, from WSB & Associates, City's consultant, stated they were very close to the previous estimates for soil. The soil cost is significant.

John Baer, 812 6th Avenue South, Stillwater, representing his parents, William and Betty Baer, who reside at 5440 Ranier Lane, stated Alignment 3 would significantly impact their property. This alignment would take the top off the hill on their property, approximately 70% of the tree cover, and affect the wildlife. He stated the cost of the right-of-way is based on an assumption of \$2.50 per square foot when the cost was \$6 per square foot when the sewer line was constructed.

Councilmember Johnson stated she had a conversation with Betty Baer regarding her concerns and green acres. City Manager Ahrens stated the City doesn't have any definitive information regarding green acres as the determination of green acres and how it's determined is done by the County. She stated there are two parcels, but one taxable parcel totaling 35 to 36 acres. If it goes under 10 acres, that's when green acres ceases to exist.

Mr. Baer stated the remnant parcel, excluding a construction easement, is 9.5 acres.

Betty Baer, 5540 Ranier Lane North, stated when they previously went through condemnation, they fought the Metropolitan Council, and at that time, their parcel of land, including the road, belongs to them. Their property, including Ranier Lane, is 40 acres, and they are taxed for 37.5 acres even though many years they have paid taxes on the road. She stated they support Alignment 4 for the reasons that her son mentioned as well as it follows property lines, and it would be three acres destroyed versus nine acres including the hillside.

Charlotte Hoes, 2370 Brockton Lane North, stated she supports the Baer family. This family has been there 80 years, and this process doesn't seem civil or friendly.

Anne Marie Solberg, attorney representing Bill and Betty Baer, stated if the City selects Alignment 3, it will be less than 20 years to regret the decision. Any neighborhood meetings that have been held, the residents have stated they prefer Alignment 4. Alignment 3 would be taking one-fourth of the Baer property. The temporary easement would be within 75 feet of their barn.

Joan Baer-Malikowski, 138 Broadway Avenue North, Wayzata, showed a painting of her parents farm. This farm has been here for 80 years. Alignment 3 will take approximately 10 acres of their property and it will change their livelihood. She asked who will protect her parents.

Ms. Solberg raised the following questions and answers were provided by Public Works Director Cote and Consultant Weiss:

1. *Future street access on "A" on the map.* There have been no decisions as to where the roadway locations would be. These are only conceptual locations where accesses could be.
2. *Fewer crossings of MUSA line is desired.* The Metropolitan Council has requirements where you can cross their line. The fewer crossings of their facility will minimize impacts to their lines. Staff is unsure what their requirements and impacts will be. Alignments 1 through 3 would have the same number of crossings, but there would be additional crossings with Alignment 4.
3. *Funding for the project.* The City is still identifying the funding source and there are some options. The Council has had ongoing discussions for road improvements in the City. The Council needs to determine the path and prepare the scope of the project in order to drill down to the costs.
4. *Right-of-way costs - \$2.50 per square foot versus \$6.00 per square foot.* This is just an estimate for the current market compared to the 2002 market.

5. *Significant traffic issue.* This relates to the overall transportation system for the City not one parcel. In this area, with the design that is proposed and ancillary roads proposed, there isn't a significant traffic issue to address. The new roadway would be referenced as a minor arterial street according to the Metropolitan Council's determination which is similar to Vicksburg Lane in designation, and Schmidt Lake Road for traffic volume.
6. *Trespassing issue.* This isn't a significant issue in the community.
7. *Replacement of trees.* This will be taken care of as part of the project. This will also be part of the negotiation for the right-of-way easement, especially in the temporary easement area.
8. *Temporary easement formidable.* This would be put back to its original condition. It's a sloping easement, and if it was farmed before, it could be a farmable condition to some point.
9. *Tree inventory.* A tree inventory hasn't been completed to date. If there are issues, this will be handled with the property owners.
10. *Two lane or four lane roadway.* The initial plan is for two lane roadway. Once the alignment is selected, the Council can determine what type of roadway would be effective.
11. *When will the right-of-way be taken.* This is dependent on when the project will proceed.
12. *Why AUAR instead of EAW.* Essentially the same criteria are in both documents, so there isn't a need for the extra expense.
13. *Assessments.* When the City is looking at acquisition and there is funding in place, assessments could be determined and if they would be charged.
14. *Why would the City 10 acres of the Baer property.* Due to property being severed in these type of situations, the City would be required to pay full price, and usually the property owners prefer the City to take it all due to possible wetland and floodplain issues. This would part of the negotiations for the property.
15. *Traffic study completed since 2009.* There hasn't been a traffic study since the Comprehensive Plan update. However, the County has done one as part of their update, and the City reviewed their data. The traffic volumes between the County and City were fairly consistent.
16. *Sound barriers.* Sound barriers are required for major highways, but not for this type of project. If they are required, it would come through the environmental process.
17. *Erosion.* There would be a storm water prevention plan to make sure all those measures are taken care of and monitored after rainfalls.
18. *Plan for City park property.* This property is part of the Legacy Greenway and potential trail. Property would be useless other than open space if Alignment 4 is selected. This parcel impacts the greenway the most.

Consultant Weiss compared Alignments 3 and 4. He stated they explored the historic issue with the Baer property, and that isn't considered significant to other agencies. The impact to the wetland with Alignment 4 is of greater concern. If there is an alignment to avoid the wetland, such as Alignment 3, that is the alignment that they will prefer.

Councilmember Black asked if Alignment 4 could be wrapped around the wetland and route it back up to Alignment 3 of Alignment 1. Consultant Weiss replied the alternatives that have been

developed are really the only alignments available. He stated trying to draft another alignment at this point could be a whole lot difficult and won't be a lot different than the other ones.

Ms. Solberg asked about the effects of carbon monoxide on the Baers if they are sandwiched between two roads and about dewatering that would have to be done with the construction process as their property is on a well. Consultant Weiss replied the carbon monoxide issue is a difficult question to answer. With large roadway projects, it's more common to air pollution. He isn't familiar with questioning the impacts from a local road. Just for comparison, I-94 usually doesn't hit the threshold. Regarding dewatering, if there is a concern with a well, they can monitor that to make sure there are no issues. Any of these issues that have been brought up, the City's engineering staff will not ignore those issues and they will be addressed.

Ms. Baer-Malikowski asked what happens if her parents have no water. Consultant Weiss replied the well could be deepened or water could be provided through the City system. These are all factors that can be addressed through the design process.

Ms. Baird reiterated their concern regarding carbon monoxide. That's a huge problem for air quality where the new road could be moved to the east with Alignment 4. Consultant Weiss stated Alignment 3 or 4 will have no change to the air quality of their home.

Councilmember Bildsoe asked if during the design phase, there is the ability to tweak the alignment. Consultant Weiss replied there is some flexibility. They just have to design according to the horizontal factors. He mentioned using retaining walls on the east side of the Baer's barn.

Councilmember Bildsoe stated the Council isn't making a determination this evening on whether the road will be two lanes or four lanes.

Councilmember Johnson echoed those thoughts and stated she can appreciate the comments received by the Baer family. She would like to know what the goal is for the City property. She's also concerned about the green acre issue for the Baers. She would like the beset option for the City and the Baer family.

Mayor Slavik asked what happens if the City selects Alignment 4 and the City doesn't receive approval from the other agencies. Consultant Weiss replied as the agencies go through their criteria, they are going to look at avoidance of environmentally sensitive areas. When the City has an alignment (Alignment 3) that avoids that impact in half, the challenge would be to convince them that Alignment 4 is better. He stated there's not a lot of flexibility, and it's not an emotional decision for those agencies. The City has made the case that the wetland can be avoided. From that standpoint, it would be difficult to get their approval of Alignment 4.

Councilmember Bildsoe asked what the quality of the wetland is to the east of the Baer property. Public Works Director Cote replied it's a high quality wetland.

Councilmember Black stated the Elm Creek Watershed District is doing a TMDL area wide. She asked staff when that is to be completed. Public Works Director Cote replied by the end of this year.

Councilmember Black asked what kind of implications would there be for this project. Public Works Director Cote replied he's unsure, but this area appears to be more undisturbed compared to Elm Creek where there are more opportunities.

Public Works Director Cote added Peony Lane/Lawndale Lane has been identified in the County's Transportation Plan as a County road which is through a turnback agreement with another City street.

Councilmember Johnson stated if the Council approves Alignment 4, and it's denied, can the City submit Alignment 3 and not lose a year in the process. Consultant Weiss replied he and Public Works Director Cote don't believe that the City would issue a permit to construct Alignment 4. The answer will be that the City can avoid 7.1 acres of wetland as there is another alignment (Alignment 3).

Motion was made by Councilmember Black, and seconded by Councilmember Willis, to adopt a Resolution Approving Preferred Alignment 3 and Authorizing Distribution of Environmental Assessment Worksheet for Peony Lane North of Schmidt Lake Road (10015 – Res2012-204).

Councilmember Black stated she understands the impact to private property. Alignment 3 might not be perfect, but it's the best alignment that the City can proceed with.

Councilmember Willis stated the City went through an internal process to look at the alignments. Of the alignments before the Council, Alignment 3 is the one closest to the alignment that will be approved by regulatory agencies. In a developing community, concerns that were addressed this evening will come forward with these types of projects. If Alignment 3 is approved, the Council will do their best to further minimize impacts to the Baird property.

Mayor Slavik agreed. The Council has to look at the community as a whole and balance. Alignment 3 is the best option as it avoids the highest quality wetland. She stated along the process, the Council will see if there are any ways to minimize impacts to the Baer property.

Mr. Baer thanked the Council for being heard this evening. He stated this whole process has focused on environmental issues. He asked if the Metropolitan Council approached the MUSA line the same way. Councilmember Johnson replied the low point was chosen for the MUSA line, and roads might have different criteria.

Councilmember Bildsoe stated he supports the motion, and this will be on an ongoing process. He stated the City looks at wetland and environmental issues very seriously and mitigate the best they can.

There being no further discussion and with all members voting in favor but Johnson, the motion carried.

The Council took a five minute break.

Reports and Staff Recommendations

(9.01) Funding and Future Operations of the Police Firearms Range

Police Chief Goldstein highlighted his report and requested direction from the Council on the funding and ongoing operations of the Plymouth Police Department's firearms range at Fire Station 3. He stated there are water issues with the facility that have resulted in a massive mold outbreak throughout the facility. Since 1989, the City has spent approximately \$174,000 in upgrades to the facility and more improvements are necessary to address the water and mold conditions.

He stated the police department schedules shooting exercises five to six times each year for its general sworn personnel the range. The SWAT team uses the range 11 times each year and the explores train there approximately nine time a year. The department also completes its required outdoor firearms training at Camp Ripley each September and has also used the indoor gun range the Hennepin Technical College for Law Enforcement where there are longer shooting lanes to help with rifle training. For both of these exercises, there are a greater number of shooters on the firing line in that these facilities can accommodate more people at once. He noted there are three viable options for ranges to use if the City's facility is not available or if it was to close. These are the South Metro Training Facility in Edina, the Hennepin Technical College Law Enforcement Center in Brooklyn Park, and the Maple Grove Range and Training Center. The Southwest Metro Training Facility they could become a member. The Hennepin County Technical College only offers hourly rate which would make scheduling incredibly difficult. He noted the Southwest Metro in Edina range that they can become a member. Hennepin County Technical College only offers hourly rate. Scheduling would be incredibly difficult. Maple Grove range to be completed at the end of this year could be used hourly, but they are looking at a partner to help manage at 125,000. They are going to open their range to the public and use that opportunity to generate revenue which would be split between them and us. They are looking for direction from the Council. He noted the three options identified in the report. If the train closed now, we could fulfill our training obligations through Southwest Metro and Hennepin County Technical College through the end of the year. He n toed that they have to go off-site for training a couple of times per year. They think they can provide a better training venue for their officers at other facilities.

Jim stated he favors something that terminates the use of the City's facility. He asked which of the three alternatives work the best economicvally and scheduling. Mike replied the Maple Grove facility. Closer and easier time in scheduling. Jim stated it's time to pull the plug on that facility.

Tim agreed with Jim that it's time to pull the plug on the City's facility. Costs are important, but he also thinks that officers and staff have the ability to train in a top quality facility. Looking at the alternatives, he's kind of looking at Maple Grove, but he's not sure. Unsure if there are opportunities at any of the other City facilities. Recommends not making a decision tonight, but look at it in another 6 months. Doesn't feel he has enough information to shut it down tomorrow. Use that time to analyze other options that were outlined.

Ginny agreed with Jim. The time has come to shut down the facility. She asked about timing on the Maple Grove range. Mike stated it's under construction and plans are to be completed in December. They had been partnering with the Sheriff's Office, and the County has left that relationship to go with the Hennepin Technical College. Ginny doesn't want to lose the opportunity.

Mike stated they plan out a year in advance which is what Maple Grove will do. Southwest only allows 6 months planning in advance. Also, at our current range, we can only have two people down there to shoot, but can have up to seven people shooting at the other ranges.

Kelli agreed with Jim and she doesn't want to put any more money into our facility. There are also issues with equipment there. She prefers having a partnership with Maple Grove with their new facility.

Judy echoed the comments.

Ginny asked about next steps. Mike replied we can close the range now, we can use Southwest Training Facility for indoor shoot in November. If we proceed with Maple Grove, we can work that out. Come back with joint powers agreement if we go partnership route. If we don't close now, we could continue to operate and have the one department shoot in November. We're poised to use Southwest for our November shoot. To him, that is simple and clean.

Ginny states she prefers to close our range, do November shoot at Southwest Training Facility, and negotiate with Maple Grove.

Laurie stated no motion is necessary but just direction. What their intention is going forward, that we will close our range soon and begin working approaching with Maple Grove and look at the other alternatives to see if there is anything else that we should consider.

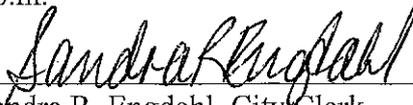
Tim stated his preference is keep our facility open and finish the year out and begin 2013 with a new plan. Have the flexibility to keep the facility open until you have an actual contract.

Reports and Staff Recommendations

There were no reports and staff recommendations.

Adjournment

Mayor Slavik adjourned the meeting at 11:05 p.m.



Sandra R. Engdahl, City Clerk