

Adopted Minutes Regular Council Meeting March 22, 2011

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 March 22, 2011.

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

ABSENT: Councilmember Willis.

STAFF PRESENT: City Attorney Knutson, Park Director Blank, Deputy Fire Chief Springer, Administrative Services Director Portner, Public Works Director Cote, Police Chief Goldstein, Community Development Director Juetten, Recreation Superintendent Evans, Reconstruction Program Manager Paumen, Water Resources Engineer Asche, and City Clerk Engdahl.

Plymouth Forum

No one was present to address the Council.

Presentations and Public Information Announcements

(4.01) Announcement of Yard and Garden Expo on April 8-9

Recreation Superintendent Evans announced this year's Yard and Garden Expo that will be held on April 8-9 at the Plymouth Creek Center fieldhouse.

(4.02) Announcement of Primavera on April 15-19 at the Plymouth Creek Center

Recreation Superintendent Evans announced this year's Primavera on April 15-19 at the Plymouth Creek Center.

Mayor Slavik thanked staff for their work on the recent City Sampler.

Approval of Agenda

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

Consent Agenda

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

- (6.01) Proposed minutes from the Regular Meeting of March 8.
- (6.02) Resolution Approving Disbursements ending March 12, 2011 (Res2011-082).
- (6.03) Resolution Approving a Final Plat and Amended Development Contract for MFRA, Inc. for "Arbor Grove 2nd Addition" for Property located South of the Intersection of 46th Avenue and Yellowstone Lane (2011004 - Res2011-083).
- (6.04) Resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment Roll for South Shore Drive Rehabilitation Project (10002 – Res2011-084) and a Resolution Setting Hearing on Proposed Assessment for South Shore Drive Rehabilitation Project (10002 – Res2011-085).
- (6.05) Resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment Roll for 8th Avenue Reconstruction Project (10004 – Res2011-086) and a Resolution Setting Hearing on Proposed Assessment for 8th Avenue Reconstruction Project (10004 – Res2011-087).
- (6.06) Resolution Approving Plans and Specifications and Ordering Advertisement for Bids for 2011 Street Crack Repair Program (11009 – Res2011-088).
- (6.07) Resolution Awarding Contract for the 2011 Sanitary Sewer Lining Project (10013 – Res2011-089).
- (6.08) Resolution Approving Staff Comments for Minnehaha Creek Watershed District Draft Stormwater Management and Administrative Rules (Res2011-090).
- (6.09) Resolution Approving the Filling of Wetlands and the Wetland Replacement Plan Application for Speak the Word Church International (Res2011-091).
- (6.10) Resolution Approving Refuse Hauler License Renewals (Res2011-092).
- (6.11) Resolution Approving Renewal of Consumption and Display License for VFW Hamel (Res2011-093) and a Resolution Approving Renewal of Consumption and Display License for West Medicine Lake Community Club (Res2011-094).

With all members voting in favor, the motion carried.

Public Hearings

(7.01) Project Hearing, Assessment Hearing, Approve Public Improvement Assessment Agreement, Approve Easement Agreement, and Award Contract for Cimarron Ponds Reconstruction Project (9113)

Public Works Director Cote reported on the proposed street reconstruction project for Cimarron Ponds. He stated that the Cimarron Ponds Homeowners Association submitted a formal request for the City to assume responsibility for the maintenance of their streets as set forth in City policy. Staff informed the homeowners association that if their streets were upgraded, they would meet the criteria set forth in the policy. The homeowners association signed and submitted an agreement regarding transfer of certain improvements between their association and the City for their streets along with a check for \$90,000 to be escrowed with the City for any costs incurred in administering the agreement. The Council approved this agreement at the September 28, 2010 Council meeting.

Reconstruction Program Manager Paumen provided a short presentation on the project. Construction would begin in May and be completed mid August. He discussed the proposed assessments to the property owners.

Mayor Slavik opened the public hearing.

Maria Vasiliou, 995 Xene Lane North, representing the homeowners association, requested the Council's support for the proposed project. She stated that the residents are very pleased with the cost of the assessment and the interest rate. She noted that the association is concerned about prepaying the assessment, but realizes that if there are any unforeseen costs once the project starts, it would come from the escrow account that has been established. She thanked the Council for considering their project as well as staff for all their hard work on this project.

Lyle Day, 1190 Black Oaks, thanked Ms. Vasiliou for spearheading this project. He requested that the watermains be addressed with this project. He stated this project will assist in increasing their property values.

Mayor Slavik closed the public hearing.

Mayor Slavik asked about the driveways, whether they will be part of the project or property owners will do them on their own. Public Works Director Cote replied the driveways were bid as an alternate. His understanding is that the homeowners association has initiated negotiations with the primary contractor to coordinate that.

Motion was made by Councilmember Bildsoe, and seconded by Councilmember Murdock, to adopt a Resolution Ordering Improvement for the Cimarron Ponds Street Reconstruction Project (9113 – Res2011-095), Resolution Adopting Assessments for the Cimarron Ponds Street Reconstruction Project for Assessments up to \$5,000 (9113 – Res2011-096), Resolution Approving Public Improvement and Special Assessment Agreement for the Cimarron Ponds

Street Reconstruction Project (9113 – Res2011-097), Resolution Approving Easement Agreement for the Cimarron Ponds Street Reconstruction Project (9113 – Res2011-098), and a Resolution Awarding Contract for Cimarron Ponds Street Reconstruction Project (9113 – Res2011-099). With all members voting in favor, the motion carried.

(7.02) Project Hearing for 2011 Mill and Overlay Project (11007)

Public Works Director Cote reported on the project which includes mill and overlay for Peony Lane from Highway 55 to 51st Avenue. Construction would begin in June and be completed in August.

Councilmember Johnson asked if repairing the split rail fence on the bridge is included with this project. Public Works Director Cote replied that fence sustained damage this winter like a lot of other fences did in the community. Rather than going through the general contractor to repair this fence and others, the City would hire a fence contractor.

Mayor Slavik opened the public hearing.

Mayor Slavik closed the public hearing.

Motion was made by Councilmember Johnson, and seconded by Councilmember Bildsoe, to adopt a Resolution Ordering Improvement and Preparation of Plans and Specifications for 2011 Mill and Overlay Project (11007 – Res2011-100). With all members voting in favor, the motion carried.

General Business

(8.01) Award of Bid for Replacement of Athletic Field Lighting and Additional Improvements

Park Director Blank reported on the bids that were received for replacement of athletic field lighting and additional improvements. These improvements consist of placing new wiring and new fixtures on 128 existing steel light poles and installing 28 new poles where the existing poles are either in the wrong location, or they are too short to reach the light foot-candles necessary for the sport. The contractor would be removing and removing and disposing the 28 lights poles that are being replaced.

He stated staff is recommending the low base bid from Kilmer Electric in the amount of \$1,885,645 plus the following alternates for this project:

1. Alternate No. 1: 10 year warranty on all parts and labor on the system at a cost of \$83,029.
2. Alternate No. 2: Lighting of one of the two little league baseball fields at Zachary Playfield at a cost of \$55,343 (*staff received a bid of \$101,113 to light both fields but is only recommending the lighting of one of the fields*).

3. Alternate No. 3: Lighting of the girls fastpitch softball field at Parkers Lake Park in the amount of \$69,190.
4. Alternate No. 4: Adding soccer field lighting at Elm Creek Playfield in the amount of \$190,578.

He stated the funding for this project would come as an intra-departmental loan from the community improvement fund. The loan would be at 3% over 10 years, with an annual payment of \$234,461. The use of community improvement funds requires a public hearing, and that hearing would be scheduled for April 12th Council meeting if the Council approves the bids as requested this evening.

He stated there would be “desktop control” of all the lights so staff can regulate when they are operating, and the system would be monitored 24 hours a day and would be able to identify weaknesses.

Councilmember Black discussed alternate bid No. 2 that was received for the lighting of one or both baseball fields at Zachary Playfield, and she asked if staff contacted the baseball association to inquire lighting both fields. Park Director Blank replied no, as that could be exasperating an issue with parking problems and the times the games are scheduled if they light the second field. He stated 30-40 additional parking stalls would be needed which would cost approximately \$250,000. He has suggested staggered starting times for the games in order that the parking lots have a chance to clear out as 40 additional cars are arriving at 7:15 p.m.

Councilmember Black if staff knows how much the parking is used at Pilgrim United Methodist Church. Park Director Blank stated the overflow of parking at the church hasn't been a problem.

Councilmember Black suggested that staff discuss the parking situation with the Plymouth-New Hope Baseball Association if the City would light the second field at Zachary Playfield. Park Director Blank stated if it was determined to light the second field, that could be presented at a later date as a change order.

Motion was made by Councilmember Black, and seconded by Councilmember Bildsoe, to adopt a Resolution Awarding Bids for Athletic Field Lighting (Res2011-101), the base bid and the four alternates as listed above. In addition, staff is directed to discuss with the Plymouth-New Hope Baseball Association the lighting of the second field at Zachary Playfield. With all members voting in favor, the motion carried.

Reports and Staff Recommendations

(9.01) Set Future Study Sessions

The Council scheduled a Study Session to discuss the future of the park system on May 10 at 5:00 p.m.

(9.02) Legislative Update

Administrative Services Director Portner provided a legislative update to the Council.

Motion was made by Councilmember Black, and seconded by Councilmember Johnson, to direct staff to send a letter Senator Gen Olson stating that Minnesota Statutes need to be clear that cities and counties have the same authority when it comes to imposing conditions as part of a variance (Senate File 13). With all members voting in favor, the motion carried.

Adjournment

Mayor Slavik adjourned the meeting at 8:05 p.m.



Sandra R. Engdahl, City Clerk