

**Adopted Minutes
Regular Council Meeting
February 12, 2008**

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 February 12, 2008.

COUNCIL PRESENT: Mayor Slavik, Councilmembers Murdock, Stein, Black, and Willis (arrived at 7:17 p.m.).

ABSENT: Councilmembers Hewitt and Bildsoe.

STAFF PRESENT: City Manager Ahrens, City Attorney Knutson, Captain Plekkenpol, Public Works Director Cote, Community Development Director Juetten, Fire Chief Kline, Administrative Services Director Portner, Planning Manager Senness, Transit and Solid Waste Coordinator Hellekson, and City Clerk Engdahl.

Plymouth Forum

There was no one present to address the Council.

Presentations and Public Information Announcements

Mayor Slavik welcomed Calvin Portner, the City's new Administrative Services Director.

Approval of Agenda

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

Consent Agenda

Mayor Slavik reported that item No. 6.03 would be removed from the Consent Agenda and tabled to February 26.

Item No's. 6.11 and 6.09 were removed and placed under General Business as item No's. 8.5 and 8.6 respectively.

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

(6.01) Minutes from the Regular Meeting of January 22 and Special Meeting of January 29.

Adopted Council Minutes
Regular Meeting of February 12, 2008
Page 2 of 7

(6.02) Resolution Approving Disbursements for the Period Ending February 2, 2008 (Res2008-049).

(6.03) (This item was removed from the Consent Agenda and tabled until February 26).

(6.04) Resolution Appointing Individuals to Fill terms on Various Boards and Commissions (Res2008-050).

(6.05) Resolution Receiving Preliminary Engineering Report for County Road 101 Reconstruction Project from 13th Avenue to 30th Avenue (5102 – Res2008-051).

(6.06) Resolution Approving Plans and Specifications and Ordering Advertisement for Bids for 2008 Sunset Trail Retaining Wall Project (8103 – Res2008-052).

(6.07) Resolution Approving Plans and Specifications and Ordering Advertisement for Bids for 2008 Mill and Overlay Project (8109 – Res2008-053).

(6.08) Resolution Accepting Streets and Utilities for Continual Maintenance for Plymouth Crossing (2004116 – Res2008-054).

(6.09) (This item was removed from the Consent Agenda and placed under General Business as item No. 8.6).

(6.10) Resolution Approving Agreement between City of Plymouth and Union Pacific Railroad Company for Highway 169 Frontage Road Railroad Crossing Replacement (8105 – Res2008-055).

(6.11) (This item was removed from the Consent Agenda and placed under General Business as item No. 8.5).

(6.12) Resolution Approving Appointing Calvin Portner as City of Plymouth Representative to the LOGIS Board of Directors (Res2008-056).

Motion carried to approve the Consent Agenda.

Public Hearings

(7.1) Applications for On-Sale Liquor and Sunday Liquor License Applications for Bonfire Restaurant Company, LLC d/b/a Axel's Bonfire, 3000 Harbor Lane

City Clerk Engdahl reported on the applications for On-Sale Liquor and Sunday Liquor Licenses for Bonfire Restaurant Company, LLC d/b/a Axel's Bonfire, 3000 Harbor Lane.

Mayor Slavik opened the public hearing.

Mayor Slavik declared the public hearing closed.

Motion was made by Councilmember Black, and seconded by Councilmember Willis, to adopt a Resolution Approving On-Sale Liquor and Sunday Liquor Licenses for Bonfire Restaurant Company, LLC d/b/a Axel's Bonfire, 300 Harbor Lane (Res2008-057). With all members voting in favor, the motion carried.

(7.2) County Road 101 Reconstruction from 13th Avenue to 30th Avenue

Public Works Director Cote gave a presentation on the proposed project, which is a Hennepin County project. He stated that the County is responsible for the planning, design, right of way, and construction. The City would be participating in the project costs. He stated since this item requires 6/7 vote of the Council, he requested that the Council conduct the public hearing and table action until February 26.

Mayor Slavik opened the public hearing.

Hal Heinze, 2120 Queensland Lane, stated that since his property is adjacent to Snyder Lake, he requested to be informed as to the impact to that lake. He also requested additional information on the scope of the project as well as the finished project.

Todd Baumgartner, representing Oakwood Square at 1400 County Road 101, stated they object to the proposed assessment as there is no benefit to their property. He explained their property is fully developed with curb and gutter and utilities and their setbacks and Variances go with the property. Therefore, they object to the assessment.

City Attorney Knutson clarified that it doesn't preclude an assessment if a property is fully developed.

Don Colpitts, 2255 County Road 101 North, stated that County Road 101 is a major thoroughfare road. Therefore, why wouldn't the assessments be levied against developments that are directly served by this roadway other than just the residences and businesses that directly abut County Road 101.

Mayor Slavik explained that many of the properties being assessed haven't been assessed for street reconstruction.

Erika Toftness, appearing on behalf of Dr. Sam and Jane Allen, 2045 Merrimac, stated their access to County Road 101 would be closed with this project so their clients would need to travel to Merrimac to access their property. Therefore, they aren't receiving a special benefit with this project, and it would be more of a detriment.

Mayor Slavik declared the public hearing closed.

Motion was made by Councilmember Willis, and seconded by Councilmember Black, to table action on this item to February 26. With all members voting in favor, the motion carried.

General Business

(8.1) Interim Use Permit to Allow Reduced Parking for a Plymouth Metrolink Park and Ride to be located at the Southwest Corner of Nathan Lane and 45th Avenue North (City of Plymouth – 2008001)

Community Development Director Juetten reported on the proposed Interim Use Permit to allow reduced parking for a Plymouth Metrolink Park and Ride lot to be located the southwest corner of Nathan Lane and 45th Avenue North (rear of Cub Foods). He explained the City needed to relocate the current park and ride facility at the Four Seasons Shopping Center as that property owner provided the City notice to terminate the lease effective February 16, 2008. The Council was concerned on the cost of the snow removal and how that would impact the transit budget. Community Development Director Juetten stated that staff could investigate the cost of the snow removal as well as the condition of the lot up to May 15.

Terry Bliss, member of the Plymouth Advisory Committee on Transit, thanked staff for working on this alternative site.

Mayor Slavik asked if the new transit facility on Highway 55 was considered as it isn't fully utilized. Community Development Director Juetten replied the proposed park and ride lot is needed in this part of the City. Mr. Bliss added that the City would lose practically all the riders if the routes in this area were relocated to the other facility.

Bonnie Wittenberg, 12300 43rd Avenue North, stated it's very difficult to travel to Highway 55 from Highway 169 due to the traffic congestion. If riders have to travel to the new transit facility on Highway 55, it wouldn't serve any purpose. She suggested that lighting be installed at the proposed park and ride lot to make it safe.

Ruth Carey, 4350 Trenton Lane North, stated she supports the proposed park and ride lot. However, she requests the City to find ways to decrease negative impacts to her neighborhood, such as landscaping and providing another entrance off 45th Avenue to the lot.

The Council suspended the rules to discuss the proposed lease agreement prior to taking action on the Interim Use Permit.

(8.2) Approve New Park and Ride Lease at 45th Avenue and Nathan Lane and Accept Recommendation from Plymouth Advisory Committee on Transit for No Change to Route 793 (Nathan Lane)

City Attorney Knutson stated according to Section 28 of the proposed 20 year lease agreement, the City can "walk away" from the agreement on May 15, 2008 after staff has examined the feasibility of the lot.

Motion was made by Councilmember Stein, and seconded by Mayor Slavik, to adopt a

Resolution Approving Lease at Rockridge Center for Use as Plymouth Metrolink Park and Ride Lot (Res2008-059) and directed staff to provide a report on the maintenance and renovation costs for the April 8 Council agenda, in order to consider whether to continue the lease prior to the May 15, 2008 deadline.

Motion was made by Councilmember Willis, and seconded by Councilmember Black, to amend the main motion to remove “and improvements to the lot” under condition No. 1 of the Resolution. With all members voting in favor, the motion carried.

The Council voted on the amended main motion and with all members voting in favor, the motion carried.

Motion was made by Councilmember Black, and seconded by Councilmember Willis, to adopt a Resolution Approving an Interim Use Permit for the City of Plymouth to allow a Plymouth Metrolink Park and Ride located at the Southwest Corner of Nathan Lane and 45th Avenue (2008001 – Res2008-058). With all members voting in favor, the motion carried.

(8.3) Order an Alternative Urban Areawide Review for the Elm Creek Golf Course Site and the Speak the Word Church Site (City of Plymouth – 2008006)

Planning Manager Senness provided the overview on this item.

Councilmember Willis suggested there be another scenario for parcels D, E, and F, which is to look at residential use of one to three units per acre.

Motion was made by Councilmember Willis, and seconded by Councilmember Murdock, to adopt a Resolution Ordering an Alternative Urban Areawide Review for 233 Acres on the Western Border of the City of Plymouth, North of Highway 55 (2008006 – Res2008-060) with a third scenario for parcels D-F at one to three units per acre.

Linda Fisher, 1500 Wells Fargo Plaza, representing Erickson Companies, stated there would be substantial additional cost to do another scenario. Therefore, she and Planning Manager Senness stated that rather than creating another scenario, they would look at the high and the low end under Scenario 1.

Motion was made by Councilmember Willis, and seconded by Councilmember Black, to amend the main motion to not create a third scenario but that the density ranges examined under Scenario 1 for D-F would be under three and the three to six units per acre. With all members voting in favor, the motion carried.

The Council voted on the amended main motion, and with all members voting in favor, the motion carried.

(8.4) Adopt Council Goals and Legislative Priorities

Motion was made by Councilmember Black, and seconded by Councilmember Willis, to adopt

the 2008 Council Goals and Legislative Priorities with a few minor word corrections. With all members voting in favor, the motion carried.

(8.5) Approve Institution Community Work Crew Program

Councilmember Murdock suggested revisiting this issue in a year.

Motion was made by Councilmember Murdock, and seconded by Councilmember Willis, to adopt a Resolution Approving Institution Community Work Crew Program (Res2008-061). With all members voting in favor, the motion carried.

(8.6) Approve Payments to I-494 Corridor Commission and Suburban Transit Association for Annual Memberships

Mayor Kelli stated she doesn't support the membership to the I-494 Corridor Commission.

Motion was made by Mayor Slavik, and seconded by Councilmember Willis, to adopt a Resolution Approving the Suburban Transit Association Annual Membership (Res2008-062) but tabling the I-494 Corridor Commission membership to February 22. With all members voting in favor, the motion carried.

Reports and Staff Recommendations

(9.1) Set Future Study Sessions

The Council scheduled the following Study Sessions:

1. Added the request of Plymouth-New Hope Little League to the February 26 Special Meeting agenda and changed the starting time to 5:00 p.m.
2. Scheduled a Quarterly Update with the City Manager on April 15 at 6:00 p.m.

The Council requested future reports from staff on alternative uses for the Hilde Performance Center, solid waste contract options, and restrictions on the fireworks ordinance (i.e. not going off at 10:00 p.m. on school nights). In addition, frequent updates are to be provided to the Council on the Laidlaw contract and service.

(9.2) Legislative Update

Mayor Slavik indicated her opposition to the League of Minnesota Cities 2008 Transportation Funding Policy Statement. Therefore, this item was tabled to February 26.

Adopted Council Minutes
Regular Meeting of February 12, 2008
Page 7 of 7

Adjournment

Mayor Slavik adjourned the meeting at approximately 9:30 p.m.



Sandra R. Engdahl, City Clerk