

Adopted Minutes Regular Council Meeting June 10, 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 June 10, 2008.

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

ABSENT: None.

STAFF PRESENT: City Manager Ahrens, City Attorney Knutson, Police Chief Goldstein, Public Works Director Cote, Administrative Services Director Portner, Park and Recreation Director Blank, Fire Chief Kline, Community Development Director Juetten, Transit and Solid Waste Manager Hellekson, and City Clerk Engdahl.

Plymouth Forum

There was no one present to address the Council.

Presentations and Public Information Announcements

(4.01) Proclamation Recognizing Carlson's 70th Anniversary

Matt Van Slooten, President of Carlson Real Estate, and Mark Herreid, President of Tonkawa (Carlson Family Office) and Senior Vice President and Chief Financial Officer of Carlson Holdings, were present to accept the Proclamation declaring July 9 as "Carlson Day" in recognition of the company's 70th anniversary.

(4.02) Announcement of 5K Run on June 28 and Music in Plymouth on July 2

Barbara Willis, Kris St. Martin, and Mele Willis of the Plymouth Civic League, spoke of this year's Music in Plymouth on July 2 at the Hilde Performance Center as well as the 5K run on June 28.

Approval of Agenda

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

- (6.01) Minutes from the Special and Regular Council Meetings of May 27, 2008.
- (6.02) Resolution Approving Disbursements for Period ending May 31, 2008 (Res2008-182).
- (6.03) Resolution Approving a Registered Land Survey to Subdivide Property in Plymouth Station to Create a Separate Property for Taco Bell for Property located at 16855 County Road 24 (2008032 - Res2008-183).
- (6.04) Resolution Approving a Conditional Use Permit Amendment for Komplete Academy at 9909 South Shore Drive (2008041 – Res2008-184).
- (6.05) Resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Well No. 16 (7114 – Res2008-185).
- (6.06) Ordinance Amending Chapter 20 of the City Code Concerning Shade Tree Disease Control (Ord2008-16).
- (6.07) Resolution Repealing Various Policies (Res2008-186) and an Ordinance Amending Chapter 2 of the City Code Concerning City Council Rules of Procedure (Ord2008-17).
- (6.08) Ordinance Amending Chapter 9 of the City Code Concerning Dangerous Weapons and Facsimile Firearms (Ord2008-18).
- (6.09) Ordinance Amending Chapter 13 of the City Code Concerning U-Turns (Ord2008-19).
- (6.10) Continue Conditional Use Permit and Site Plan Amendment consideration for an additional retail building to be called the “Shops of Plymouth Town Center” for property located at 3550 Vicksburg Lane North (Inland Commercial Property Management, Inc. – 2007114).
- (6.11) Continue consideration of Findings of Fact for denial of a Planned Unit Development amendment and Preliminary Plat to create 20 single family lots and one out from one existing outlot for property located west of Cheshire Parkway and north of 55th Avenue North (The Rottlund Company, Inc. – 2008003).

Motion carried to approve the Consent Agenda.

Public Hearings

(7.1) Purchase and Resale of Surplus Property and Dispensing with Statutory Requirements for review by the Planning Commission of the Acquisition and Disposal of Property located at 14306 County Road 9

Public Works Director Cote reported on the request.

Mayor Slavik opened the public hearing for testimony.

There being no one wishing to appear before the Council to give testimony, Mayor Slavik declared the public hearing closed.

Motion was made by Councilmember Bildsoe, and seconded by Councilmember Hewitt, to adopt a Resolution Authorizing the Purchase and Resale of Surplus Property and Dispensing with Statutory Requirements for Review by the Planning Commission of the Acquisition and Disposal of the Property (Res2008-187). With all members voting in favor, the motion carried.

General Business

(8.1) Variance to the Side Yard Setback for Construction of a Third Stall Garage Addition for Property located at 5125 Forestview Lane North (Donald and Dianne Salmela – 2008031)

Community Development Director Juetten reported on the request for a variance to reduce the side yard setback to six feet, where 15 feet is the minimum side yard setback required under the Zoning Ordinance. The variance would allow construction of a third garage stall on the east side of the applicant's existing attached doubled garage. The Planning Commission recommended denial of the variance.

Dianne and Donald Salmela, 5125 Forestview Lane North, requested that their variance request be approved due to the slope and shape of their lot. In addition, if they were to construct the garage in the backyard, it would be difficult due to the drop in elevation of the lot and having to remove a number of mature trees. They presented two letters from neighbors who support their request.

Tim Wold, 5135 Forestview Lane North, adjacent neighbor, stated that he supports the request. He stated this is the only option due to the shape of the property and the need for it to fit with the neighborhood.

Motion was made by Councilmember Black, and seconded by Councilmember Willis, to adopt a Resolution Approving a Variance for Donald and Dianne Salmela for a Garage Addition for Property located at 5125 Forestview Lane North (2008031 – Res2008-188). With all members voting in favor, the motion carried.

(8.2) Improvements to Various Streets

Public Works Director Cote discussed the three areas that could use temporary overlays since they are not in the 2008-2012 Capital Improvement Program (CIP), but yet meet the criteria for street reconstruction:

1. 8th Avenue
2. Balsam Lane/Forestview Lane/48th Avenue

3. 18th Avenue

He stated a fourth area, which is Trenton Lane/Revere Lane/43rd Avenue, is not recommended for temporary overlay since it's tentatively programmed for street reconstruction in 2012 in the CIP.

Councilmember Willis suggested that the funding for the overlays come from the street maintenance fund rather than the street reconstruction fund. Staff stated if the funding source changed, the Council would need to eliminate some of the streets that are planned in the CIM or over budget.

A few of the Councilmembers were concerned about the watermain breaks in the 8th Avenue area, and the uncertainty whether those lines have been totally repaired. With a street reconstruction project, versus an overlay, the utilities would be replaced.

Motion was made by Councilmember Willis, and seconded by Councilmember Murdock, to order the three projects listed above with \$150,000 coming from the street maintenance fund.

The suggestion was made to move reconstruction of 8th Avenue to 2009 in the CIP and to utilize the 2007 surplus funds and other funding sources for the cost of the project.

Motion was made by Councilmember Willis, and seconded by Councilmember Murdock, to amend the main motion to delete the funding source. This would be discussed at the June 24 Council meeting. With Bildsoe, Murdock, and Willis voting yes, and Hewitt, Stein, Black, and Slavik no, the motion failed.

Motion was made by Councilmember Black, and seconded by Councilmember Willis, to amend the main motion to approve temporary overlays for Balsam Lane/Forestview Lane/48th Avenue and 18th Avenue, with funding sources to be identified for the June 24 meeting. 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 Stein, and seconded by Councilmember Black, to direct staff to review if 8th Avenue and Trenton Lane/Revere Lane/43rd Avenue could be considered for the CIP. With all members voting in favor, the motion carried.

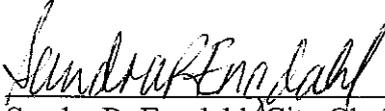
Reports and Staff Recommendations

(9.1) Evaluation Criteria Rankings for Recycling Proposals

Transit and Solid Waste Manager Hellekson discussed with the Council the criteria evaluation rankings for recycling proposals. Several Councilmembers suggested that half of the weight of each proposal be directly related to the cost. The question was raised if the Council is required to accept the lowest proposal, and City Attorney Knutson replied no. Consideration of these proposals would be on the June 24 Council agenda.

Adjournment

Mayor Slavik adjourned the meeting at approximately 8:38 p.m. to a closed meeting with the Police Chief for a security debriefing.



Sandra R. Engdahl City Clerk