

Adopted Minutes Special Council Meeting February 7, 2006

Mayor Johnson called a Special Meeting of the Plymouth City Council to order at 6:00 p.m. in the Medicine Lake Room of City Hall, 3400 Plymouth Boulevard, on February 7, 2006.

COUNCIL PRESENT: Mayor Johnson, Councilmembers Hewitt (arrived at 6:30 p.m.), Slavik, Stein, Willis, and Bildsoe.

ABSENT: Councilmember Black.

STAFF PRESENT: City Manager Ahrens, Community Development Director Hurlburt, Park and Recreation Director Blank, Public Works Director Cote, Planning Manager Senness, and City Clerk Paulson.

Hour Restrictions on Weekend Construction

Planning Manager Senness lead the Council in a discussion regarding the hourly restrictions for construction activities on weekends. Currently, according to Section 2025 of the City Code, “no person shall engage in or permit construction, maintenance and repair activities involving the use of any kind of electric, diesel or gas-powered motor vehicles or machines or other power equipment except between the hours of 7:00 a.m. and 10:00 p.m.” She noted that there are exemptions for snow removal, maintenance of golf courses, driving ranges, skating rinks and ski trail grooming on public property, golf carts on public or private courses, and excavation and grading (must comply with Section 21185 of the Zoning Ordinance).

She stated Section 21185 of the Zoning Ordinance addresses interim use permits for excavation and grading that is not part of a grading plan approved as part of a development plan. City grading operations are also not covered under this section. Section 21185, Subd. 2(b) states, “Unless expressly extended by the permit, the hours of operation shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday.”

She stated the City’s Engineering Guidelines restrict work on construction of sanitary sewer, storm sewer, water mains, trails and streets to 7:00 a.m. to dusk, Monday through Friday, and 8:00 a.m. to 6:00 p.m. Saturdays with no work allowed on Sundays. Holidays aren’t stipulated, but the Engineering Division has indicated that work does not occur on holidays.

She reported that staff reviewed what kinds of issues there are involving noise, and for the most part, the issues tend to be areas where noise isn’t currently happening, whether it’s driven by commercial development, such as the Lowe’s development, work on the City’s water treatment plants, etc. Regarding street reconstruction projects, generally residents don’t complain about the construction noise, as they are anxious for their streets to be completed. Staff reviewed noise restrictions with 12 other similar sized metro cities, and half of those cities have the same restrictions as Plymouth.

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Councilmember Bildsoe stated if the Council desires to make the hours more restrictive on the weekends, that it apply to everyone which would include homeowners, not just contractors. He noted that by making the hours too restrictive on the weekends for contractors, it could cost taxpayers more. He noted that there is a very limited construction season in Minnesota.

Community Development Director Hurlburt stated that if the weekend hour restrictions apply to everyone, homeowners and contractors, it's easier for the police to enforce.

Councilmember Slavik requested that the Council do something similar to Maple Grove's restrictions, and their hours on Saturdays and Sundays are 8:00 a.m. to 9:00 p.m.

Councilmember Willis questioned the necessity of restricting the weekend hours more when there is a very short construction season. He suggested that the City monitor the noise complaints this summer, and if it is a huge problem, then the Council review the restrictions. He stated further restrictions could create problems for the construction industry. He noted that they have certain times and schedules when materials have to be delivered.

Councilmember Bildsoe commented that during the past year, there have been a number of major projects in the community; therefore, he questioned if that is really what the problem is.

Councilmember Willis stated that a future issue that could be facing the City is when I-494 is reconstructed, as there would be noise associated with that project 24 hours a day. He stated those kinds of things would happen that are jurisdictional issues.

Councilmember Stein stated that he doesn't feel the noise requirements are an issue to discuss at this time, but he agrees with Councilmember Willis that staff could evaluate any complaints this summer.

Councilmember Slavik reiterated her suggestion to further restrict the hours on the weekends by a couple of hours, similar to Maple Grove's.

Motion was made by Councilmember Slavik, and seconded by Councilmember Hewitt, to direct staff to prepare amendments to the City Code, Zoning Ordinance, and Engineering Guidelines for a future Council Meeting that would restrict the hours of construction activities on Saturdays and Sundays and holidays to 8:00 a.m. to 9:00 p.m. With all members voting in favor but Willis, the motion carried.

Future Study Sessions

Motion was made by Councilmember Slavik, and seconded by Councilmember Bildsoe, to schedule the following Special Meetings:

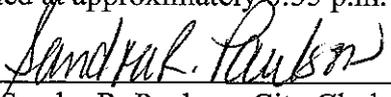
1. February 28, at 6:00 p.m. (discuss Best Practices Program).
2. March 14 at 5:30 p.m. (presentation and training on Emergency Management Plan).
3. April 18 at 6:00 p.m. (discuss police and fire staffing studies).

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4. May 9 at 5:30 p.m. (discuss compensation and benefit practices).

Adjournment

Mayor Johnson declared the meeting adjourned at approximately 6:55 p.m.



Sandra R. Paulson, City Clerk