

Adopted Minutes Regular City Council Meeting January 13, 2015

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 January 13, 2015.

Oaths of Office

City Clerk Engdahl administered oaths of office to Kelli Slavik (Mayor), Jeffrey Wosje (Councilmember Ward 2), Marge Beard (Councilmember Ward 3), Jim Prom (Councilmember Ward 4) and Ned Carroll (Councilmember at Large).

Council Present: Mayor Slavik, Councilmembers Willis, Carroll, Johnson, Wosje, Beard and Prom.

Council Absent: None.

Staff Present: Administrative Services Director Fischer, Community Development Director Juetten, Public Works Director Cote, Park and Recreation Director Evans, Fire Chief Kline, Police Chief Goldstein, City Attorney Knutson, and City Clerk Engdahl.

Plymouth Forum

No one was present to address the Council.

Presentations and Public Information Announcements

(4.01) Contribution from Wayzata Youth Hockey Association for the Plymouth Ice Center Training Center (Greg Gibson, President of WYHA)

Greg Gibson, President of Wayzata Youth Hockey Association, presented a contribution in the amount of \$88,000 for the new training center at the Plymouth Ice Center. Mayor Slavik thanked the Wayzata Youth Hockey Association for their contribution.

Approval of Agenda

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

Consent Agenda

By request of Councilmember Willis, item No. 6.09 was removed from the Consent Agenda and be placed under General Business as item No. 8.03.

Motion was made by Councilmember Willis, and seconded by Councilmember Prom, to approve the Consent Agenda that include the following items:

(6.01) Special Council Meeting minutes of December 9, 2014 and January 6, 2015, and Regular Council Meeting minutes of December 9, 2014.

(6.02) Resolution Approving Disbursements ending January 3, 2015 (Res2015-001).

(6.03) Ordinance Amending Section 1015 and 1016 of the City Code regarding Special Event Permits and Park Facility Fees (Ord2015-01).

(6.04) Resolution Approving Refuse Hauler License for Curbside Waste (2015-002).

(6.05) Appoint 2015 Health Officer.

(6.06) Appoint 2015 Council Secretary.

(6.07) Resolution Appointing Official Depositories for City Funds for 2015 (Res2015-003).

(6.08) Resolution Designating the *Plymouth Sun Sailor* as the City of Plymouth's Official Newspaper for 2015 (Res2015-004).

(6.09) (This item was removed from the Consent Agenda and placed under General Business as item No. 8.03).

(6.10) Resolution Approving Purchase of Portable Radios for the Police Department (Res2015-005).

(6.11) Resolution Approving the 2015-2016 Tree Removal, Trimming and Hauling Contract (Res2015-006).

(6.12) Resolution Approving application of the West Medicine Lake Community Club for a Temporary Liquor License for an event on January 30, 2015 (Res2015-007).

(6.13) Ordinance Amending Chapter 21 of the City Code to Classify Certain Land located at 617, 618, and 725 Cottonwood Lane and the Tax-Forfeited Parcel located between 617 and 725 Cottonwood Lane (2014036-F – Ord2015-02), Resolution Approving Findings of Fact for the Rezoning of Land located at 617, 618 and 725 Cottonwood Lane and the Tax-Forfeited Parcel located between 617 and 725 Cottonwood Lane (2014036-F – Res2015-008), and a Resolution Approving Phase I Final Platting for Lakewest Development Company, LLC for "Fretham 24th Addition" for Property located at 725 Cottonwood Lane (2014036-F – Res2015-009).

(6.14) Resolution Approving Request for Payment No. 3 and Final for the Kingsview Heights Edge Mill and Overlay Project (12002 – Res2015-010).

(6.15) Resolution Authorizing “No Parking” on the West Side of Olive lane from 51st Avenue to the Cul-de-Sac South (Res2015-011).

(6.16) Resolution Accepting Streets for Continual Maintenance for Park Nicollet Plymouth Addition (2013028 – Res2015-012), Resolution Accepting Streets for Continual Maintenance for Taylor Creek 3rd Addition (2012042 – Res2015-013), Resolution Accepting Streets for Continual Maintenance for Taylor Creek 4th Addition (2012043 – Res2015-014), Resolution Accepting Streets for Continual Maintenance for Hampton Hills 4th Addition (2012005 – Res2015-015).

(6.17) Resolution Amending Responsible Bidder Evaluation Policy (Res2015-016).

(6.18) Resolution Authorizing Payment for Purchases that may exceed \$100,000 (Res2015-017).

(6.19) Resolution Approving the Purchase of a Replacement Single Axle Truck with a Mounted Oil Distributor (Res2015-018).

(6.20) Ordinance Amending the Plymouth City Charter Concerning Campaign Contributions and Candidates for Office (Ord2015-03).

(6.21) Ordinance Amending the Plymouth City Charter Concerning Board of Equalization (Ord2015-04) and Resolution Approving Ordinance Amending Section 7.04 of the City Charter Concerning Board of Equalization and Authorize Hennepin County to serve as Board of Equalization Commencing in 2016 and Future Years (Res2015-019).

(6.22) Resolution Approving a Conditional Use Permit to allow a Sports and Fitness Club in the I-2 Zoning District for Property located at 181 Cheshire Lane North (2014116 – Res2015-020).

(6.23) Resolution Approving Amendments to the Final Plat and Development Contract for “Fretham 23rd Addition” (2014035F – Res2015-021).

With all members voting in favor, the motion carried.

Public Hearings

(7.01) On-Sale Liquor and Sunday Liquor License Applications from Flippin Dough LLC, d/b/a Broadway Pizza Plymouth, 13705 27th Avenue North

City Clerk Engdahl reported on the applications for on-sale liquor and a Sunday liquor licenses for Broadway Pizza Plymouth, 13705 27th Avenue North.

Mayor Slavik opened the public hearing.

Mayor Slavik closed the public hearing.

The applicant, Jim Kruizenga, introduced himself to the Council.

Motion was made by Councilmember Wosje, and seconded by Councilmember Willis, to adopt a Resolution Approving On-Sale Liquor and Sunday Liquor Licenses for Flippin Dough, LLC, d/b/a Broadway Pizza Plymouth, 13705 27th Avenue North (Res2015-022). With all members voting in favor, the motion carried.

General Business

(8.01) Solicitation of Bids for the Sale of \$3,295,000 General Obligation Open Space Bonds, Series 2015A

Mark Ruff with Ehlers and Associates explained the process and bonds and answered the Council's questions.

Motion was made by Councilmember Willis, and seconded by Councilmember Prom, to adopt a Resolution Providing for the Sale of \$3,295,000 General Obligation Open Space Bonds, Series 2015A (Res2015-023). With all members voting in favor, the motion carried.

(8.02) Authorizing Plans and Specifications for the Renovation of the Plymouth Ice Center/Life Time Fitness Parking Lot (40044)

Park and Recreation Director Evans presented the renovation options for the Plymouth Ice Center and Life Time Fitness parking lot. Option 1 would provide a parking lot expansion (additional 101 stalls), mill and overlay of the parking lot and repair of the concrete and pavers as needed. The estimated cost would be \$900,000. Option 2 would be a mill and overlay of the parking lot and repair the concrete and pavers as needed with an estimated cost of \$450,000. Staff supports Option 1. The mill and overlay project has been in the capital improvement plan since 2012. The overall project cost would be a split with Life Time Fitness.

City Consultant, Kristina Elfering of Elfering and Associates, gave a presentation on the expansion options. She advised there are four main variances that would be required including parking in front of the building, exterior lighting, off street parking with landscaping medians and off street parking setbacks.

Mayor Slavik indicated with the removal of the trees, she had previously requested there be some type of landscaping incorporated into the City Center. Ms. Elfering advised they would make it aesthetically pleasing, but there could be some issues with salt damage to the plantings from the winter.

Councilmember Willis voiced his concern that it will look like a parking lot with less green space. Ms. Elfering advised there would be plantings between the sidewalk and the parking lot to soften the look.

Councilmember Johnson stated that if they need to grant these variances, it might give pause that parking might be tight for other businesses in the area and maybe the standards should be changed. She supports the additional parking, but this would be the fourth addition to the parking area. She is nervous about seeing the soft edges of the trees being removed and the park-like edge on Plymouth Boulevard being lost.

Mayor Slavik inquired why the pavers and mulch would be removed from the entrance of Life Time Fitness. Ms. Elfering replied there are a lot of pavers that are heaving and they make for unsafe walking conditions. They would be removing as many as possible to incorporate more landscaping.

Mayor Slavik stated there is already a pinch point with the existing parking and the visibility is poor. Adding additional parking might make things worse. Ms. Elfering stated they would be redoing the entrance on the north side to try and line up the driveway with the businesses to the north so there are not competing turning movements.

Councilmember Willis commented that the reason for the additional parking is triggered by the success of Life Time. The City doesn't need it except occasionally.

Councilmember Johnson noted that previously there were discussions of a parking deck, and the cost per space at that time was \$10,000. Life Time has been a great partner and she appreciates the partnership, but instead of taking away the green space, they may need to start looking into decking. Ms. Elfering advised the cost is just under \$9,000 per stall for this option and the cost of a parking ramp similar to the St. Louis Park Life Time facility was \$7 million.

Aaron Kohler, Representative of Life Time Fitness, stated the parking issues occur during the peak times of Life Time and activities at the ice center overlap. There are major parking issues when there are hockey tournaments. If it was just Life Time there, they would have more than enough parking. They are in complete agreement about the project that they want it to look great. When they have looked into deck options before they prices have been \$15,000 to \$17,000 per stall. He does not feel a deck is financially viable at this time.

Councilmember Wosje indicated that part of the issue is the success of the Plymouth Ice Center. The City has the landscaping and lighting requirements in the standards and now we are looking for exceptions to the rule. Maybe they should be looking at changing the standards. Ms. Elfering stated they are already not meeting the requirements. The lot was built and approved just before the standards came into place. He understands they want to make it as cost effective as possible for taxpayers, but they will have a hard time not granting variances to other businesses that might ask for the same considerations.

Councilmember Prom inquired about runoff of the parking lot. Public Works Director Cote replied that there will be water quality requirements imposed and pervious pavement is an option.

Councilmember Prom inquired if there was any room around the back of the building to expand the parking spaces. Parks and Recreation Director Evans replied that the back option could be looked at in the future, but there are no entrances to Life Time Fitness in the back. Ms. Elfering added approximately 40 parking stalls could be constructed in the back.

Councilmember Prom stated people could walk through the ice center to get to Life Time if they parked in the back. Park and Recreation Director Evans cautioned if there is a hockey tournament, there would be a gate fee so that poses a problem.

Mayor Slavik indicated that previously they asked Life Time to install an entrance in the rear and they said it wasn't feasible because of security issues and the main desk being in front. Mr. Kohler stated that for the security and safety of everyone, they need people to enter in the front at the card swipe desk.

Councilmember Johnson inquired if there is a way to direct the ice center people to park in the back. Parks and Recreation Director Evans replied that if parking was added in the back, it would be set back a good distance from where people enter the ice center.

Councilmember Beard stated she has a hard time with this expenditure as there are many must do projects like the cooling system change out that should be completed first.

Councilmember Willis suggested the funding for a parking expansion should come from the park dedication funds and the repairs from the park replacement funds as that is not a new expenditure.

Councilmember Johnson feels that this expansion is still just inching away at what is really needed. Parks and Recreation Director Evans advised the parking is probably never going to be enough because it is not close enough to a door. There will still be complaints about parking during busy events.

Councilmember Johnson inquired how often they receive complaints on parking. The Manager of Life Time Fitness, Ashley, stated it is a daily problem. She receives about 10 to 20 complaints daily and it's not just during the big events. Saturday mornings are the worse because of hockey tournaments. Mr. Kohler added they could calculate what they think they need for parking and a reasonable long term estimate.

Councilmember Johnson stated that she supports more parking in the back versus removing green space on Plymouth Boulevard. She inquired if there would be an opportunity to share the parking across the street as the City owns that building.

Greg Gibson, from the Wayzata Youth Hockey Association, stated previously there was only a parking problem with specific high school hockey games or when there were hockey

tournaments, but that is no longer the case. He doesn't think the project is just the convenience of where to park, but even finding a place to park. Even with the evening activities they are running into parking issues. Therefore, he feels the issue is being underestimated. He realizes that the trees are an issue, but not all of them are in pristine condition. Life Time is a popular place year round. It is not just five or six events a year or that you can't park close enough to the front door. The issue is finding parking at all.

Councilmember Prom supports additional parking, but adding stalls in the back. He doesn't support the granting of variances for the City when it wouldn't be possible for the average business owner.

Mayor Slavik stated she feels the Council would grant a variance to a business that was not able to operate their business without adequate parking. She feels adding spaces to the back would just produce more complaints. She would like to see more landscaping included with the line of the trees to soften the area. She hasn't received parking complaints in a long time and supports Option 1.

Councilmember Willis feels they need to project what the ultimate demand will be at this site (physical ground space demands). He would like to see Life Time and City staff determine what the ultimate demands would be.

Mayor Slavik stated the point she was trying to make earlier is that the Life Time members themselves will adjust their workout schedules to go to the gym at a time when the club is not as busy. However, she realizes not everyone can adjust their schedules.

Councilmember Carroll agrees with the comments given by Councilmember Willis.

Councilmember Johnson feels they are still going to have the parking problems even after additional parking is added. They do grant variances to businesses when a business needs it to operate. There was a time where it was desired to have this area be the urban core and be walkable. Lifetime didn't fit that mold. If the Council desires to make some changes, the City Center area needs to be looked at. She thanked Life Time Fitness for being the first public/private partnership. She would like to hit the benchmarks, but not sure the parking will be enough.

Mayor Slavik inquired about the timeline. Parks and Recreation Director Evans replied staff is seeking direction this evening as the next step is the Planning Commission. If they wait too long, they may have to delay the project for the year.

Motion was made by Councilmember Johnson, and seconded by Mayor Slavik, to adopt a Resolution Authorizing Plans and Specifications for Renovation of the Plymouth Ice Center/Life Time Fitness Parking Lot (40044 – Res2015-024).

Councilmember Wosje made a friendly amendment to the motion, which was accepted, to add the specification of park dedication funds and park replacement funds and an ultimate demand

report that was requested by Councilmember Willis. He does not like losing the landscaping, but the business need for parking is great. Therefore, he supports the motion.

Mr. Kohler stated they will take the Council comments this evening and refine the design. They can also present parking predictions for the future.

Councilmember Willis stated he is concerned that the Planning Commission will feel the Council supports the variance. He feels they should wait to get the information from Life Time and staff so they can move ahead with better knowledge. He is not committed to the idea that a variance is warranted. He inquired how long it will take to get information back to the Council and be placed on a Planning Commission agenda. Community Development Director Juetten replied if the project started now, the application would be presented to the Planning Commission in a couple months. Parks and Recreation Director Evans added staff will need one to two months for bidding once it is approved by the Planning Commission and Council. They wanted to begin construction in June and be completed in September and if it's delayed, it will run into the busy season for the ice center and Life Time.

Councilmember Willis inquired why they would approve something that is only conceptual tonight. They will look at the concerns, but it doesn't sound like they will be looking to make changes. He does not feel the time crunch is as severe as the report indicates.

Councilmember Wosje also feels it is prudent to make long range plans, but regardless of what the plan is for the next 10-20 years, they need this parking.

An amendment to the motion was made by Councilmember Johnson, and seconded by Councilmember Carroll, to include as part of the process that Life Time and City staff present the long range parking needs for the next 15 years, the need for the analytics around the pinch points, and also making sure as part of the planning process that there are alternatives for more intensive landscaping. These reports would come to the Council prior to going to the Planning Commission. With all members voting in the favor of the amendment, the motion carried.

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

Park and Recreation Director Evans assured the Council this item will go the Council before it's presented to the Planning Commission.

(8.03) Ordinances Amending Sections 615 and 1135 of the City Code Concerning Massage Therapy (removed from consent agenda)

Councilmember Willis stated he has concerns on who would hear appeals on revocations from alleged violators. The staff has recommended that be the final voice is the City Manager versus Council which he doesn't support. He thinks this is one of the duties of the City Council since the City Council issues the licenses. He's not embarrassed if there is some disclosure of sensitive information that comes before the Council.

Motion was made by Councilmember Willis, seconded by Councilmember Carroll to take no action on the Ordinances Amending Section 615 and 1135 of the City Code concerning massage therapy. With all members voting in favor, the motion carried.

Reports and Staff Recommendations

There were no reports or staff recommendations.

Adjournment

Mayor Slavik adjourned the meeting at 9:07 p.m.



Sandra R. Engdahl, City Clerk