

Adopted Minutes Regular City Council Meeting March 8, 2016

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 8, 2016.

COUNCIL PRESENT: Mayor Slavik, Councilmembers Johnson, Beard, Carroll, Wosje, and Prom.

ABSENT: Councilmember Willis.

STAFF PRESENT: City Manager Callister, Administrative Services Director Fischer, Community Development Director Juetten, Public Works Director Cote, Park and Recreation Director Evans, Public Safety Director Goldstein, Fire Chief Coppa, Recreation Supervisor Koch, Senior Planner Drill, City Attorney Knutson, and City Clerk Engdahl.

Plymouth Forum

No one was present to address the Council.

Presentations and Public Information Announcements

(4.01) Healthy Living Fair Announcement

Recreation Supervisor Koch announced the Healthy Living Fair on March 13th at Plymouth Creek Center.

Approval of Agenda

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

Consent Agenda

Councilmember Wosje briefly highlighted item No. 6.03.

Item No. 6.13 was removed from the Consent Agenda and became item No. 8.001 under General Business. In addition, item No's. 6.05, 6.11, and 6.14 were removed and placed under General Business as item No's. 8.03, 8.04, and 8.05 respectively.

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

- (6.01) Special and Regular Meeting Minutes of February 23, 2016.
- (6.02) Resolution Approving Disbursements ending February 27, 2016 (Res2016-060).
- (6.03) Resolution Consenting to the Support of a Job Creation Fund Application in Connection with Wagner Spray Tech Corporation/Wagner Holdings, Inc. (Res2016-061).
- (6.04) Resolution Approving the Application and Allocation of Fiscal Year 2016 Community Development Block Grant Funds (Res2016-062), and Resolution Reallocating Unspent CDBG Funds from Prior Year Grants (Res2016-063).
- (6.05) (This item was removed from the Consent Agenda and placed under General Business as item No. 8.03).
- (6.06) Ordinance Amending Section 310 of the Plymouth City Code Concerning Public Safety Department (Ord2016-06) and Resolution Approving Summary Publication of Ordinance No. 2016-06 (Res2016-064).
- (6.07) Resolution Approving Exception from Section 2005.13 of the City Code allowing Liquor Sales and Consumption at the Hilde Performance Center on June 9 and July 30, 2016 (Res2016-065).
- (6.08) Ordinance Amending Chapter 12 and Section 1010 of the City Code concerning Liquor Classifications, Regulations, and Fees (Ord2016-07) and Resolution Approving Summary Publication of Ordinance No. 2016-07 (Res2016-066).
- (6.09) Resolution Accepting Streets for Continual Maintenance for O'Donnell Woods Addition (2012099 - Res2016-067) and Resolution Accepting Utilities for Continual Maintenance for Trillium Woods Addition (2008085 – Res2016-068).
- (6.10) Resolution Approving Preliminary Plat and Final Plat for “Pietig Berkshire Estates” for Property Located at 315-317 Berkshire Lane Plan (2016002 – Res2016-069).
- (6.11) (This item was removed from the Consent Agenda and placed under General Business as item No. 8.04).
- (6.12) Resolution Approving a Final Plat and Development Contract for “Maple Creek Meadows 2nd Addition” for property located south of County Road 47 and West of Peony/Lawndale Lane (2016007 – Res2016-070) and Resolution Adopting Assessments for Trunk Sanitary Sewer and Water Main for Maple Creek 2nd Addition (2016007 – Res2016-071).

(6.13) (This item was removed from the Consent Agenda and placed under General Business as item No. 8.001).

(6.14) (This item was removed from the Consent Agenda and placed under General Business as item No. 8.05).

(6.15) Ordinance Amending Chapter 21 (Zoning Ordinance) of the City Code to Classify Certain Land located at 18035 County Road 47 (2015113 – Ord2016-08), Resolution Approving Findings of Fact for the Rezoning of Land located at 18035 County Road 47 (2015113 – Res2016-072), Resolution Approving a Preliminary Plat for “The Preserve at Meadow Ridge” for Property Located at 18035 County Road 47 (2015113 – Res2016-073), and Resolution Approving Summary Publication of Ordinance No. 2016-08 (Res2016-074).

With all members voting in favor, the motion carried.

Public Hearings

(7.01) Public Hearing on Application Supervalu, Inc. for Off-Sale 3.2 Malt Liquor License at Rainbow Foods, 16705 County Road 24

City Clerk Engdahl reported on the application.

Mayor Slavik opened the public hearing.

Mayor Slavik closed the public hearing.

Motion was made by Councilmember Wosje, and seconded by Councilmember Carroll, to adopt a Resolution Approving the Off-Sale 3.2 Malt Liquor License for Supervalu, Inc., d/b/a Rainbow Foods, 16705 County Road 24 (Res2016-075). With all members voting in favor, the motion carried.

General Business

(8.001) Order and Accept Preliminary Engineering Report, Order and Accept Plans and Specifications, Call for Public Hearing, Order Advertisement Bids, Declare Costs to be Assessed, and Set Assessment Hearing for Ponderosa Reconstruction Project (16008) (Previously item No. 6.13)

Charles Mann, 2835 Garland Lane, representing Ponderosa Ponds Homeowners Association, presented a petition concerning special consideration for the utility work. He stated they were assessed in 1994 and are being assessed again for a project due to a water main issue.

Mayor Slavik stated part of the action this evening is scheduling the public hearing, and comments would be welcome at the hearing.

Motion was made by Councilmember Johnson, and seconded by Councilmember Carroll, to adopt a Resolution Ordering Preliminary Engineering Report for the Ponderosa Street Reconstruction Project (16008 - Res2016-076), Resolution Receiving Preliminary Engineering Report, Ordering Preparation of Plans and Specifications, and Calling for a Public Hearing for the Ponderosa Street Reconstruction Project (16008 – Res2016-077), Resolution Approving Plans and Specifications, and Ordering Advertisement for Bids for the Ponderosa Street Reconstruction Project (16008 – Res2016-078), Resolution Declaring Cost to be Assessed, and Ordering Preparation of the Proposed Assessment for the Ponderosa Street Reconstruction Project (16008 – Res2016-079), and Resolution Calling for Hearing on Proposed Assessment for the Ponderosa Street Reconstruction Project (16008 – Res2016-080). With all members voting in favor, the motion carried.

(8.01) Rezoning and Preliminary Plat for “Dunkirk Gateway” for Property located in the Southwest Quadrant of County Road 47 and Dunkirk Lane (Estate Development Corporation – 2015114)

Senior Planner Drill reported the applicant is requesting rezoning of the site from FRD to RSF-3 and preliminary plat for 31 single family lots. He stated approximately 75 percent of the root structures of the off-site trees could be preserved.

The following requirements were suggested in the preliminary plat resolution:

- A minimum four-foot safety fence in height be installed at the top of the roughly 650-foot long retaining wall in the west portion of the site.
- Construction traffic should use County Road 47, Dunkirk Lane lying north of 59th Avenue, and 59th Avenue west of Dunkirk Lane to access the site.

Motion was made by Councilmember Johnson, and seconded by Councilmember Wosje, to adopt an Ordinance Amending Chapter 21 (Zoning Ordinance) of the City Code to Classify Certain Lane located at 5915 Dunkirk Lane, and 16815, 16845, and 16935 County Road 47 (2015114 – Ord2016-09), Resolution Approving Findings of Fact for the Rezoning of Land located at 5915 Dunkirk Lane, and 16815, 16845, and 16935, County Road 47 (2015114 – Res2016-081), Resolution Approving Summary Publication of Ordinance No. 2016-09 (Res2016-082), and Resolution Approving a Preliminary Plat for Estate Development Corporation for “Dunkirk Getaway” for Properties Located at 5915 Dunkirk Lane and 16815, 16845, and 16935 County Road 47 (2015114 – Res2016-083), with additional requirements: 1) a minimum four-foot safety fence in height be installed at the top of the roughly 650-foot long retaining in the west portion of the site, and 2) construction traffic should use County Road 47, Dunkirk Lane lying north of 59th Avenue, and 59th Avenue west of Dunkirk Lane to access the site. With all members voting in favor, the motion carried.

(8.02) Council Goals and Legislative Priorities for 2016

Motion was made by Councilmember Johnson, and seconded by Councilmember Prom, to adopt a Resolution Adopting 2016 City Council Goals and Legislative Priorities (Res2016-084). With all the members voting in favor, the motion carried.

(8.03) Ordinance Amending Section 1015.3 of the City Code concerning Water, Sanitary Sewer, Water Resources, and Solid Waste Fees (Previously item No. 6.05)

The Council requested staff convey to the public that with the new water meters being more accurate, there will be automatic increases there, and then there will be additional rate increase on top of that. These rates are set so that all the work that needs to be done over the next five years will allow the reserve funds to stay at their target levels and this rate change is only approved for 2016. It was also suggested to include an explanation on the utility bills regarding the water conservation rate.

The Council acknowledged correspondence received from Councilmember Willis concerning the irrigation rates for commercial properties be equal to the irrigation rates for residential properties. The majority of the Council suggested waiting a year before making any changes to the irrigation rates and receiving feedback from the community.

Motion was made by Councilmember Wosje, and seconded by Councilmember Prom, to adopt an Ordinance Amending Chapter 10 of the Plymouth City Code concerning Utility Fees (Ord2016-10) and Resolution Approving Summary Publication of Ordinance No. 2016-10 (Res2016-085). With all the members voting in favor, the motion carried.

(8.04) Final Plat and Development Contract for “Aspen Hollow 2nd Addition” (Pulte Group - 2016003) (Previously item No. 6.11)

The question was raised if property owners of this development will be notified of the close proximity of the Gun Club. Community Development Director Juetten replied yes, it is a condition of approval.

Motion was made by Councilmember Prom, and seconded by Councilmember Johnson, to adopt a Resolution Approving Final Plat for “Aspen Hollow 2nd Addition” for Property located from 5495 to 5535 Dunkirk Lane (2016003 – Res2016-086), and Resolution Adopting Assessments for Trunk Sanitary Sewer and Water Main Aspen Hollow 2nd (2016033 – Res2016-087). With all the members voting in favor, the motion carried.

(8.05) Plans and Specifications and Order Advertisement for Bids for the Phase 2 Flashing Yellow Arrow Signal Project (15008) (Previously item No. 6.14)

Councilmembers thanked staff and the County for their work on this project.

Motion was made by Councilmember Wosje, and seconded by Councilmember Johnson, to adopt a Resolution to Approve Plans and Specification Ordering Advertisement for Bids for the Phase 2 Flashing Yellow Arrow Signal Project (15008 – Res2016-088). With all the members voting in favor, the motion carried.

Reports and Staff Recommendations

Mayor Slavik reminded everyone of the State of the City at Trillium Woods at 7:30 a.m. on March 9th.

Adjournment

Mayor Slavik adjourned the regular meeting at 7:51 p.m.



Sandra R. Engdahl, City Clerk