Adopted Minutes
Regular City Council Meeting
August 23, 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 August 23, 2016.

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

ABSENT: Council Member 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, Finance Manager Bursheim, Housing Manager Barnes, City Attorney Knutson, and City Clerk Engdahl.

Plymouth Forum

Diane Rosenwald, 4255 Cottonwood Lane, stated that she previously addressed the Council regarding traffic stops, specifically the number of African Americans pulled over and/or being arrested. She stated she researched the arrest histories and 29 percent of the arrests were non-white and only 15 percent of the population is non-white.

Mayor Slavik thanked Ms. Rosenwald for her comments. She commended the Police Department and stated police officers are very well trained. They treat everyone fairly and build relationships in the community. Councilmember Johnson added that Plymouth has a larger daytime population compared to the evening population because of the large number of workers in the City and major roadways that go through the City. She would be interested in learning more not only about what occurs in the boundaries of the City but beyond those boundaries because there are so many people coming and going through the community.

Presentations and Public Information Announcements

(4.01) Proclaim September 1st as "Rock Elm Tavern Day"

Mayor Slavik read a proclamation declaring September 1, 2015, as "Rock Elm Tavern Day." She congratulated owners Troy Reding and Brad Sorenson and their staff on a successful first year.

Troy Reding thanked the Council and community for their continued support.

(4.02) Present 2015 Comprehensive Annual Financial Report

Aaron Nielson, from Malloy, Montague, Karnowski, Radosevich & Co., PA presented the 2015 Comprehensive Annual Financial Report.

Mayor Slavik thanked staff and Mr. Nielson for the very thorough work.

(4.03) Present Certificate of Achievement for Financial Reporting for 2014

Administrative Services Director Fischer reported the City recently received the Certificate of Achievement for Financial Reporting for 2014.

Mayor Slavik congratulated and thanked staff for their work on this achievement.

Approval of Agenda

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

Consent Agenda

By the request of Councilmember Beard, item No's. 6.12 and No. 6.10 were removed from the Consent Agenda and placed under General Business as item No. 8.03 and No. 8.04 respectively.

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

(6.01) Council minutes from Regular Meeting of August 9, 2016 and Special Meeting of August 16, 2016.

(6.02) Resolution Approving Disbursements ending August 13, 2016 (Res2016-265).

(6.03) Resolution Terminating the Water Quality Pond Maintenance Agreement for Swan Lake South (92112 - Res2016-266).

(6.04) Resolution Approving Request for Payment No. 2 and Final 2016 Pedestrian Ramp and Concrete Replacement Project, Steeplechase Area (16004 - Res2016-267).

(6.05) Resolution Approving Renewed Lease Agreement with New Cingular Wireless PCS, LLC, for LaCompte Park at 10795 Old County Road 15 (Res2016-268).

(6.06) Resolution Approving Work Orders No. 1 through 6 for Vicksburg Lane Reconstruction and Expansion Project (16001 - Res2016-269).

(6.07) Resolution Approving Site Plan Amendment for Parkers Lake Baptist Church for Property located at 14720 County Road 6 (2016035 - Res2016-270).

(6.08) Ordinance Amending Chapter 21 of the City Code to Amend the Carlson Daycare PUD for Property located at 13905 County Road 6 (2016056 - Ord2016-24), Resolution Approving a PUD Amendment for Rylaur, LLC for Property located at 13905 County Road 6 (2016056 - Res2016-271), Resolution Approving Findings of Fact for Amending the Zoning Ordinance Text Related to Carlson Daycare PUD, 13905 County Road 6 (2016056 - Res2016-272), and Resolution Approving Summary Publication of Ordinance No. 2016-24 (Res2016-273).

(6.09) Resolution Approving Work Orders No. 22 through 25 for Peony Lane North of Schmidt Lake Road (10015 - Res2016-274).

(6.10) (This item was removed from the Consent Agenda and placed under General Business as item No. 8.04).

(6.11) Resolution Approving Variance for Boyer Building Corporation for Property located at 10524 South Shore Drive (2016061 - Res2016-275).

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

With all members voting in favor, the motion carried.

Public Hearings

There were no public hearings.

General Business

(8.01) 2016 Financial Overview

City Manager Callister presented the 2016 Financial Overview.

(8.02) Consider Disposition Process of 3035 Weston Lane

Housing Manager Barnes presented the staff report. He and City Attorney Knutson provided the following information in response to Councilmembers' questions:

- Sale of property would be publicized on the City's website. There are no notification requirements for the sale of this property other than those that the Council imposes on itself.
- Only one adjacent property owner to the south of this parcel. That individual was interested but willing to pay less than $10,000.

- Once a developer is interested in the parcel, they would following the normal planning process before the Planning Commission and Council.
- Housing and Redevelopment Authority (HRA) is not getting the first right of refusal to purchase this property which was the decision of the Council. The Council wanted to consider all options.

Motion was made by Councilmember Johnson to take no action and retain the property as City owned. This motion died for lack of second.

Motion was made by Councilmember Beard, and seconded by Councilmember Prom, to accept the process that the City will use to sell 3035 Weston Lane with the addition to notify property owners within 750 feet of the parcel prior to Step 2.

Motion was made by Councilmember Johnson, and seconded by Councilmember Carroll, to amend the main motion to give the first right of refusal to the HRA. If the HRA passes, it would go back to the development community.

The following comments were given by the Council on the proposed motions:

- With the HRA having the first right of refusal on this parcel, it could assist them in accomplishing their mission and affordable housing goals.
- Neighbors in the area should have an ability to provide input in the process.
- Price of the parcel should be at the same market rate to the HRA as it would be to a commercial developer.

Housing Manager Barnes stated that the HRA would need to look at a number of factors to determine the range of purchase price that would fit for an affordable housing project. He stated he's unsure if a proposed purchase price from the HRA would match the market rate. City Attorney Knutson added that going through the typical Multiple Listing Service (MLS) process would require staff to come back to the Council with any potential offer, which is why the RFP process was suggested.

The Council voted on the amendment and with Wosje, Johnson, and Slavik voting yes, and Beard, Prom and Carroll voting no, the motion failed.

Motion was made by Councilmember Johnson, and seconded by Councilmember Carroll, to table this item to September 13th when a full Council will be present. With all members voting in favor, the motion carried.

(8.03) Rezoning and Preliminary Plat for "Sands/Bartus" for Property located at 18100 and 183200 County Road 47 (Lakeview Development Company, LLC. – 2016058) ***(Previously item No 6.12)***

Community Development Director Juetten provided a brief overview of the property location and proposed rezoning and preliminary plat.

A concern was raised with the one proposed access for the development on County Road 47, with a point in the development that would dead-end into the "ghost" plat for the neighboring property. Community Development Director Juetten stated that the property owners to the west and east do not have a timeline for development but when one of those properties develop, there will be another access onto County Road 47. He noted that there may never be a connection to the neighboring property. Therefore, it could remain as a dead-end.

The majority of the Council supported requiring an emergency access until the neighboring property develops.

The Council asked if there are any improvements planned for County Road 47. Public Works Director Cote stated he's not aware of any improvement plans at this time.

Motion was made by Councilmember Prom, and seconded by Councilmember Johnson, to adopt an Ordinance Amending Chapter 21 of the City Code to Classify Certain Land located at 18100 and 18320 County Road 47 (2016058 - Ord2016-25), Resolution Approving Findings of Fact for the Rezoning of Land located at 18100 and 18320 County Road 47 (2016058 - Res2016-276), Resolution Approving a Preliminary Plat for "Sands/Bartus" for Property located at 18100 and 18320 County Road 47 (2016058 – Res2016-277) with the addition of item No's. 4f and 4j10 regarding temporary secondary access/easement connecting Road 5 to County Road 47, and a Resolution Approving Summary Publication of Ordinance No. 2016-25 (Res2016-278). With all members voting in favor, the motion carried.

(8.04) Zoning Ordinance Text Amendment related to Temporary Dwellings (City of Plymouth – 2016047 ***(Previously item No 6.10)***

Motion was made by Mayor Slavik, and seconded by Councilmember Prom, to adopt an Ordinance Amending Chapter 21 of the Plymouth City Code Concerning Minnesota Statutes, Section 462.3593 (Ord2016-26) and a Resolution Approving Summary Publication of Ordinance No. 2016-26 (Res2016-279). Adoption of the ordinance would allow the City to opt out of recent State law that allows temporary dwellings as transitional housing.

The following comments were expressed by the Council:

- See how this has worked in other communities as there have been no requests for this type of use.
- Could be difficult to enforce due to required medical documentation for the occupant(s).
- Difficult to manage expectations of neighborhoods.
- Could provide an alternative to care at a short-term facility. Some situations are temporary and perhaps the residential dwelling wouldn't need to be permanently modified.
- Emergency accessibility for the temporary dwellings.
- The size of the temporary dwellings can be larger than a recreational vehicle.

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

Reports and Staff Recommendations

There were no reports or staff recommendations.

Adjournment

Mayor Slavik adjourned the regular meeting at 8:52 p.m.

Sandra R. Engdahl, City Clerk