

Adopted Minutes

Regular City Council Meeting

July 28, 2020

Mayor Wosje 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 July 28, 2020.

COUNCIL PRESENT: Mayor Wosje, Councilmembers Willis, Carroll, McGregor, Roehl, Davis, and Prom. *(Councilmembers Willis and McGregor participated remotely per State Statute 13D.021).*

COUNCIL ABSENT: None.

STAFF PRESENT: City Manager Callister, Administrative Services Director Hokkanen, Community Development Director Juetten, Public Safety Director Goldstein, Economic Development Manager Parr, Recreation Manager Hemp, Deputy Police Chief Fadden, Fire Chief Coppa, Public Works Director Thompson, Finance Manager Bursheim, City Engineer LaBounty, Parks and Recreation Project Coordinator Rippe, Supervising Accountant McMackins, City Attorney Mattick, and City Clerk Engdahl.

Plymouth Forum

Daonna Depoister, candidate for State Representative District 45A, introduced herself.

Suzanne Varecka thanked the City, Councilmembers, law enforcement, and community for their flexibility and adaptivity for her small business.

Presentations and Public Information Announcements

(4.1) 2019 Comprehensive Annual Financial Report

Supervising Accountant McMackins summarized the Comprehensive Annual Financial Report process.

Aaron Nielson with Malloy, Montague, Karnowski, Radosevich & Co., PA presented the 2019 Annual Financial Report to the Council.

Motion was made by Councilmember Prom, and seconded by Councilmember Willis, to adopt a Resolution Approving the 2019 Annual Financial Report (Res2020-220). With all members voting in favor, the motion carried.

(4.2) Certificate of Achievement for Financial Reporting for 2018

Administrative Services Director Hokkanen presented the Certificate of Achievement for Financial Reporting for 2018.

Councilmember Davis encouraged residents to vote by absentee ballot through the mail for the upcoming elections.

Approval of Agenda

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

Consent Agenda

Item No's. 6.20 and 6.12 were removed from the Consent Agenda and placed under General Business as No's. 8.4 and 8.5 respectively.

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

- (6.1)** Council Meeting Minutes from Special Meetings of June 23, 2020 and July 14, 2020 and Regular Meeting of June 23, 2020.
- (6.2)** Resolution Approving Disbursements ending July 18, 2020 (Res2020-198).
- (6.3)** Resolution Approving Lease Renewal Agreement with T-Mobile Central LLC for Water Tower located at 4000 County Road 101 (Res2020-199).
- (6.4)** Resolution Accepting Donations and Sponsorships (Res2020-200).
- (6.5)** Resolution Approving an Encroachment Agreement for a Retaining Wall on Property located at 5405 Union Terrace Lane North (Res2020-201).
- (6.6)** Ordinance Amending Section 905 of the City Code concerning the Fire Prevention Code (Ord2020-10) and Resolution Approving Summary Publication of Ordinance (Res2020-202).
- (6.7)** Resolution Approving Variance for Christopher and Tracey Bringe for Property located at 14730 51st Avenue (2020044 - Res2020-203).
- (6.8)** Resolution Authorizing Contract with Wayzata Independent School District No. 284 for School Resource Officer Services (Res2020-204).
- (6.9)** Resolution Authorizing Amendment to Construction Administration Services Contract for the CSAH 9/I-494 Interchange Project (ST190003 - Res2020-205).
- (6.10)** Resolution Approving an Encroachment Agreement for Retaining Walls, Steps, and Patios on Property located at 11625 26th Avenue North (Res2020-206).
- (6.11)** Resolution Approving Change Order and Final Payment for City Hall Lower Level Remodel Project (FM-20-0006 - Res2020-207).

(6.12) (This item was removed from the Consent Agenda and placed under General Business as item No. 8.5).

(6.13) Resolution Authorizing Preliminary Design, Advertisement for Bids, and Approval of the Joint Powers Agreement Between the City of Plymouth and Wayzata Independent School District 284 for the Creekside Hills Trail Project (Res2020-209).

(6.14) Resolution Approving Transfer Between Funds (Res2020-210) and Resolution Adopting Amended 2019 Budget (Res2020-211).

(6.15) Resolution Approving to Designate Funding for Public Improvement Projects (Res2020-212).

(6.16) Resolution Approving Plans and Authorization for the Advertisement of Bids for the Integrated Audio-Visual Systems and Equipment for the City Council Chambers (AS-20-0001 - Res2020-213).

(6.17) Resolution Approving a Final Plat and Development Contract for "Greenway North 3rd Addition" (20200046 - Res2020-214) and Resolution Adopting Assessments for Water and Sanitary Sewer for Greenway North 3rd Addition (2020-046 - Res2020-215).

(6.18) Resolution Authorizing Contract with Microsoft for Office 365 (Res2020-216).

(6.19) Resolution Authorizing Contract with Cartegraph for Software and Services (Res2020-217).

(6.20) (This item was removed from the Consent Agenda and placed under General Business as item No. 8.4).

With all members voting in favor, the motion carried.

Public Hearings

There were no public hearings.

General Business

(8.1) Face Covering Regulations

Mayor Wosje opened the discussion and noted Councilmembers Willis and Davis had requested to speak regarding this item.

Councilmember Willis stated the governor's mandate for face coverings is wise for supporting public health and businesses and stressed the importance of wearing them.

Councilmember Davis suggested having a plan in place for Plymouth to move forward for a mask mandate should Governor Walz give up his executive order. Mayor Wosje stated if that occurs, this item would likely be back on the agenda.

The Council shared their comments regarding the Governor's order concerning face coverings.

Jamie Millard, resident of Ward 1, expressed support for the face covering mandate and requested the City consider an ordinance requiring face masks be worn at all outdoor events and activities sponsored or hosted by the City.

Leora Maccabee stated she supports the comments made by Ms. Millard.

City Attorney Mattick stated the City can be more restrictive for outdoor events such as Farmers Market, but to have any enforcement it would need to be an ordinance.

The Council discussed encouragement of mask wearing outdoors but not enforcement.

Recreation Manager Hemp reported that the Farmer's Market does have signage requesting patrons to wear masks, and last week, 94 percent of the shoppers were wearing them. She also noted the market has a personal shopper program for those wanting items but not comfortable shopping at the market.

(8.2) Purchase of former Hollydale Golf Course Property at 4710 Holly Lane

Mayor Wosje summarized the background of this proposed purchase and explained public comment for this item was held at the June 23 Council meeting.

Council thanked the public for their input regarding this item.

City Manager Callister provided information for public institutional guiding (PI).

In response to questions from the Council, City Manager Callister provided the following information:

- Further detail into how the comparison properties are zoned.
- The average value for the PI guided purchases multiplied by the number of buildable acres equating to an excess of \$25,000,000.
- Based upon the values of the other PI properties, the Hollydale property seems properly valued and negotiating a lower price would likely not be successful.
- The taxable value will be lower.

Per request of the Council, City Manager Callister detailed the cost of acquisition along with the estimated developmental cost of retaining the golf course operational as had been suggested previously by residents.

The Council shared their thoughts regarding the purchase of the property.

Per request of the Council, City Attorney Mattick clarified the caution of timing with the referendum and development application.

Community Development Director Juetten explained that portions of the application have been received but not the entirety of it.

The Council discussed placing this item as a referendum question on the November 3 General Election ballot and shared their thoughts regarding purchasing this property and maintaining it as a golf course.

City Attorney Mattick further explained the best way to approach this is to determine whether to purchase the property and put to public use and then deal with the zoning application separately. He also clarified that actions done while the application is pending could cause concern from a liability standpoint.

The Council discussed previous projects that went to referendums and how the capital improvement plan has helped Plymouth have the lowest per capita tax rates of any peer cities in Hennepin County. It was noted that the Hollydale property has never been in the capital improvement plan (CIP).

The Council suggested going to referendum only on the open space of the property.

Per request of the Council, City Manager Callister explained that the CIP is a plan and if a referendum to purchase something passed it would override the CIP.

Motion was made by Councilmember Davis, and seconded by Councilmember Willis, to go to a referendum on the following question, "Shall the City of Plymouth be authorized to issue and sell its general obligation bonds in a principal amount not to exceed \$30 million for the purpose of acquiring and improving approximately 159.52 acres of land formerly known as Hollydale Golf Course for public facilities, recreation and open space uses?"

The Council discussed the 'not to exceed' amount and alternative funding possibilities for improvements.

Per request of the Council, City Attorney Mattick explained bonding language in statute limits options to what the referendum states.

Council and staff discussed what amount to bond should that be the direction the Council chooses.

With Councilmembers McGregor, Roehl, Prom, Carroll, and Mayor Wosje voting no, and Councilmembers Davis and Willis voting yes, the motion failed.

Motion was made by Councilmember Prom, and seconded by Councilmember Davis, to go to a referendum on the following question, "Shall the City of Plymouth be authorized to issue and sell its general obligation bonds in a principal amount not to exceed \$40 million for the purpose of acquiring and improving approximately 159.5 acres of land formerly known as Hollydale Golf Course for an 18-hole golf course?" With all members voting no but Councilmember Roehl, the motion failed.

Motion was made by Councilmember Davis, and seconded by Councilmember McGregor, to direct staff to renegotiate with the developer to purchase the property. With Councilmembers Roehl, Prom, Willis, Carroll, and Mayor Wosje voting no, and Councilmembers McGregor and Davis voting yes, the motion failed.

(8.3) CARES Act Funding Spending Plan and Business Emergency Assistance Program

Administrative Services Director Hokkanen presented the CARES Act funding spending plan.

The Council inquired if the City would continue using the Zoom platform for Council meetings, and Administrative Services Director Hokkanen stated yes.

Economic Development Director Parr presented the Business Emergency Assistance Program.

In response to questions from the Council, she provided the following information:

- Further clarification as to business requirements of the program.
- How the maximum gross revenue limits were determined.
- How businesses would prove financial hardship due to COVID-19.
- The basis for setting the requirement for the business being a viable business for at least one year.
- The names of the businesses and their grant amount will be made public.
- Staff will look into whether this will be taxable income for the businesses and report back to the Council.
- The monies would come directly from the CARES Act funding.
- Staff is hoping to partner with Hennepin County as this will allow advertising and the opening of the loan program could be available as early as next week.
- Clarity as to what eligible expenses are.
- Further detail regarding non-compliance with expenses.

Motion was made by Councilmember Willis, and seconded by Councilmember McGregor, to adopt a Resolution Approving Small Business Emergency Assistance Program (Res2020-219).

Leora Maccabee, resident, thanked staff for their work with this program and expressed a few issues she sees with some of the requirements.

Per request of the Council, Economic Development Director Parr provided further information regarding Ms. Maccabee's comments and questions from the Council, including:

- Initial funding of \$1,000,000 for this program.
- Explanation for exclusion of non-profits for the program at this time.
- Reason for the exclusion for the small business loan program
- Promotion of the program.
- Timeframes for the application process and grant program.
- The advantage to not funding at \$2,000,000 right off the bat.

Councilmember Roehl recused himself from voting due to conflict of interest.

With all members voting in favor except Councilmember Prom who abstained and Councilmember Roehl who recused himself, the motion carried.

(8.4) Purchase Agreement for Land Acquisition at Highway 55/County Road 73 (previously item No. 6.20)

Public Works Director Thompson presented this item.

Council discussed the value in purchasing this property.

In response to questions from the Council, Public Works Director Thompson provided the following information:

- If purchased by the City, the property would initially sit vacant.
- The size of the parcel could allow for small commercial use.

Motion was made by Councilmember Davis, and seconded by Councilmember Prom, to adopt a Resolution Approving Purchase Agreement for Land Acquisition Located at Highway 55 and County Road 73 (Res2020-218). With all members voting in favor, the motion carried.

(8.5) Change Orders and Final Payment for the Northwest Greenway Trail Segment (previously item No. 6.12)

Recreation Manager Hemp explained the change orders and final payment.

Motion was made by Councilmember Willis, and seconded by Councilmember Davis, to adopt a Resolution Approving Change Orders and Final Payment for the Northwest Greenway Trail Segment Four (PR140005.181 - Res2020-208). With all members voting in favor, the motion carried.

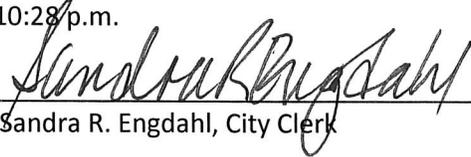
Reports and Staff Recommendations

(9.1) Annual Financial Overview

Motion was made by Councilmember Carroll, and seconded by Councilmember Prom, to table this item to August 18. With all members voting in favor, the motion carried.

Adjournment

Mayor Wosje adjourned the regular meeting at 10:28 p.m.



Sandra R. Engdahl, City Clerk