

Adopted Minutes Regular City Council Meeting July 12, 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 July 12, 2016.

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

ABSENT: Councilmembers Wosje and 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, Planning Manager Thomson, Water Resources Engineer Asche, Recreation Manager Pearson City Attorney Knutson, and City Clerk Engdahl.

Plymouth Forum

Diane Rosenwald, 4255 Cottonwood Lane North, commented on a 2003 study that showed racial bias from law enforcement agencies in stopping motorists. Public Safety Director Goldstein stated he is aware of the study and he was disappointed in the findings that were found to be flawed. He noted the City has a policy that doesn't allow for racial bias and the Police Department doesn't monitor race for traffic stops.

Presentations and Public Information Announcements

(4.01) Center Point Energy Community Partnership Grant

Steve Marsh from Center Point Energy presented a donation in the amount of \$2,135 to the City that will be used to purchase MSA Altair Gas Monitors for the Fire Department.

(4.02) Kids Fest on July 28

Recreation Manager Pearson announced Kids Fest will take place on July 28th at the Hilde Performance Center.

(4.03) "Night to Unite" on August 2

Mayor Slavik announced the activities on August 2 for "Night to Unite."

Approval of Agenda

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

Consent Agenda

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

- (6.01) Special Meeting Minutes and Regular Meeting Minutes of June 14, 2016 and Joint Council/EDA Meeting Minutes of June 21, 2016.
- (6.02) Resolution Approving Disbursements ending July 2, 2016 (Res2016-206).
- (6.03) Resolution Appointing Election Judges for the 2016 Primary and General Elections (Res2016-207).
- (6.04) Resolution Approving Change Order No. 1 and Payment No. 2 and Final for the Kingswood Farm Lift Station Rehabilitation (14009 – Res2016-208).
- (6.05) Resolution Accepting Donations and Sponsorships for the City of Plymouth Special Events, Programs and Park Projects (Res2016-209).
- (6.06) Resolution Approving Temporary Liquor License Application of the Hopkins Area Jaycees for Event at the Hilde Performance Center (Res2016-210).
- (6.07) Resolution Approving Temporary Liquor License Application of Mount Olivet Lutheran Church (Res2016-211).
- (6.08) Resolution Accepting Utilities for Continual Maintenance for Serenity on Plymouth Creek (2014050 – Res2016-212) and a Resolution Accepting Streets for Continual Maintenance for Wood Crest Hills Addition (2013017 - Res2016-213).
- (6.09) Resolution Approving the 2017-2020 Assessment Services Agreement with Hennepin County (Res2016-214).
- (6.10) Resolution Approving Purchase of Brine Making Machine for the Maintenance Facility Expansion Project (15020 – Res2016-215).
- (6.11) Ordinance Amending Chapter 21 (Zoning Ordinance) of the City Code to Amend the Tri-State Drilling PUD for Property located at 16940 State Highway 55 (2016027 – Ord2016-19), Resolution Approving Findings of Face for amending the Zoning Ordinance Text related to Tri-State Drilling, 16940 Highway 55 (2016027 - Res2016-216), Resolution Approving PUD

Amendment for Tri-State Drilling Located at 16940 Highway 55 (2016027 – Res2016217), and a Resolution Approving Summary Publication of Ordinance No. 2016-19 (Res2016-218).

(6.12) Resolution Approving Interim Use Permit to Allow a Ballfield Reconstruction Project at Armstrong High School Located at 10635 36th Avenue North (2016042 – Res2016-219).

(6.13) Resolution Approving Request for Payment No. 2 and Final for Vicksburg Lane South Mill and Overlay Project (15006 - Res2016-220).

(6.14) Resolution Approving a Conditional Use Permit for Imagination Play Park for Indoor Commercial Recreation at 9850 51st Avenue (2016046 - Res2016-221).

(6.15) Resolution Approving a Conditional Use Permit for NorthWest Rhythmic, LLC, for a Sports and Fitness Club at 151 Cheshire Lane North (2016054 - Res2016-222).

(6.16) Resolution Approving a Conditional Use Permit to allow Construction of a New Home for Property located at 2860 Evergreen Lane (2016032 - Res2016-223).

(6.17) Resolution Awarding the Plymouth Metrolink Transit Services Contract to First Transit (Res2016-224).

(6.18) Accept Goals and Policies for 2040 Comprehensive Plan (2016038).

(6.19) Resolution Approving Lawful Gambling Application of the Plymouth Lions Club for Green Mill Restaurant, 2705 Annapolis Lane (Res2016-225).

(6.20) Resolution Approving Traffic Control Signal Agreement No. 1002129 at TH 55 and CSAH 9 (Res2016-226).

(6.21) Resolution Approving Final Payment for Plymouth Creek Center Parking Lot Mill and Repave Project (40068 - Res2016-227).

With all members voting in favor, the motion carried.

Public Hearings

There were no public hearings.

General Business

(8.01) Objection to the 2017 Membership Assessment of Bassett Creek Watershed Management Commission

Water Resource Manager Asche reported on this item. The proposed 7% membership assessment increase is approximately \$19,000. Staff is recommending the watershed district implement new financial procedures, including receiving bids for proposals for some services.

Water Resource Manager Asche provided the following comments in response to questions raised by the Council:

- At this point of the budgeting process for the City, this amount is included in the proposed water resources budget.
- The watershed district doesn't currently receive bids for services. If they begin this practice, they could see significant savings on services. This request will be communicated to the watershed district.
- This assessment is for administrative fees and doesn't affect the watershed district's actual projects. The capital program fee would be assessed based on what they desire to levy for projects in a budget year, and they try to keep that amount the same.
- This objection doesn't guarantee the budget will be adjusted or the assessment will be reduced. If no changes are made, the City is bound to this amount.

Ginny Black, 11410 49th Place North, who serves as one of the City's representatives on the watershed district, stated she will relay the Council's comments back to the commission.

Motion by Councilmember Prom, and seconded by Councilmember Johnson, to adopt a Resolution Approving Objection to the 2017 Membership Assessment of the Bassett Creek Watershed Management Organization (Res2016-228). With all members voting in favor, the motion carried.

(8.02) Final Plat, Development Contract, and Assessments for "Camelot Nine at Begin" (Pulte Homes of Minnesota – 2016009F)

Community Development Director Juetten reported on this development. The first phase will consist of 53 single-family lots and 24 townhome lots. At Cheshire Lane and 56th Avenue, there will be a southbound left turn into the development, a northbound right turn into the development, a speed monitoring sign with a speed limit sign on the south side of the intersection, an acceleration lane going north on Cheshire Lane, and a warning signal.

Motion was made by Councilmember Johnson, and seconded by Councilmember Beard, to adopt a Resolution Approving Final Plat and Development Contract for "Camelot Nine at Begin" for Property located at 5635 Yucca Lane (2016009F – Res2016-229) and a Resolution Adopting Assessments for Trunk Sanitary Sewer and Water Main for Camelot Nine at Begin (2016009F – Res2016-230).

Motion was made by Councilmember Johnson, and seconded by Councilmember Prom, to amend the main motion to include condition No. 15 to the Resolution approving the final plat to state:

15. The Developer shall address the following improvements relating to the Cheshire Parkway/56th Avenue intersection, as approved by the City:
- a. Install an acceleration lane on Cheshire Parkway for the left turning movement from eastbound 56th Avenue to northbound Cheshire Parkway.
 - b. Provide to the City an active traffic detection sign that if deemed necessary by the City Council can be installed by the City to provide early warning of northbound traffic on Cheshire Parkway coming from the south, for drivers turning left from eastbound 56th Avenue to northbound Cheshire Parkway.
 - c. Install an electronic sign in the area south of 56th Avenue that provides both the posted speed limit and actual speed of vehicles heading northbound on Cheshire Parkway.

The Council voted on the amendment. With all members voting in favor but Prom, the motion carried.

The Council voted on the amended main motion. With all members voting in favor but Prom, the motion carried.

(8.03) Zoning Ordinance Text Amendments related to Medical Cannabis (City of Plymouth – 2015080)

Planning Manager Thomson reported on this item. There are two sites on the east side of Medicine Lake that meet zoning guidelines to sell medical cannabis.

Motion was made by Councilmember Prom, and seconded by Councilmember Johnson, to adopt an Ordinance Amending Chapter 21 of the City Code, entitled The Plymouth Zoning Ordinance (2015080 – Ord2016-20) with the term “FDA approved,” Resolution Approving Findings of Fact for Zoning Ordinance Text Amendments to Support Text related to Medical Cannabis (2015080 – Res2016-231), and a Resolution Approving Summary Publication of Ordinance No. 2016-20 (Res2016-232).

It was noted that there aren't any proposed facilities locating in Plymouth. The question was raised if State law has specific guidelines regarding disposal of cannabis remnants or by-products. City Attorney Knutson replied it's the State's responsibility to address these issues.

Motion was made by Councilmember Beard, and seconded by Councilmember Carroll, to amend the main motion to exclude Subsection 1 (performance standards), delete letter J, and on Subsection 2, delete letter I. With Johnson, Prom, Slavik voting no, and Beard and Carroll yes, the motion failed.

The Council voted on the main motion. With Johnson, Prom, and Slavik voting yes, and Beard and Carroll voting no, the motion carried.

Motion was made by Councilmember Johnson, and seconded by Councilmember Carroll, to reconsider the amended main motion. With all members voting in favor but Prom, the motion carried.

The Council voted on the main motion. With Johnson, Beard, and Carroll voting no, and Prom and Slavik voting yes, the motion failed.

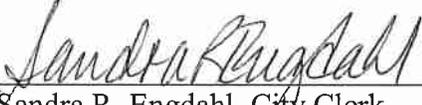
Motion was made by Councilmember Carroll, and seconded by Councilmember Johnson to adopt the original ordinance provided in the packet materials. With Johnson, Carroll, and Slavik voting yes, and Beard and Prom voting no, the motion carried.

Reports and Staff Recommendations

Mayor Slavik advised the July 26th Council meeting has been cancelled and the next regular Council meeting will be held on August 9th.

Adjournment

Mayor Slavik adjourned the regular meeting at 8:25 p.m.



Sandra R. Engdahl, City Clerk