

**CITY OF PLYMOUTH
AGENDA
Regular Environmental Quality Committee
Council Chambers
3400 Plymouth Boulevard, Plymouth, MN
February 12, 2025, 7:00 PM**

1. CALL TO ORDER

- 2. PUBLIC FORUM** — *Individuals may address the Committee about any item not contained on the regular agenda. A maximum of 15 minutes is allotted for the Forum. If the full 15 minutes are not needed for the Forum, the Committee will continue with the agenda. The Committee will take no official action on items discussed at the Forum, with the exception of referral to staff for future report.*

3. PRESENTATIONS AND PUBLIC INFORMATION ANNOUNCEMENTS

- 4. APPROVE AGENDA** — *Environmental Quality Committee members may add items to the agenda for discussion purposes or staff direction only. The Committee will not normally take official action on items added to the agenda.*

- 5. CONSENT AGENDA** — *These items are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Committee member or citizen so requests, in which event the item will be removed from the Consent Agenda and placed elsewhere on the agenda.*

- 5.1** [Adopt proposed Environmental Quality Committee minutes
January 8 Regular](#)

6. GENERAL BUSINESS

- 6.1** [Environmental Quality Committee \(EQC\) Refresher and Orientation
EQC Mission Statement
Training Materials](#)

- 6.2** [Election of Environmental Quality Committee Chairperson and Vice
Chairperson for 2025.](#)

- 6.3** [Plymouth Environmental Academy](#)

7. REPORTS AND STAFF RECOMMENDATIONS

- 8. FUTURE MEETINGS** — February 25, 2025 - Boards and Commissions Recognition Event - 5:30pm - Plymouth City Hall
February 25, 2025 - Environmental Quality Committee Meeting Plan - 7:00pm - Plymouth City Hall
March 12, 2025 - Environmental Quality Committee Regular Meeting - 7:00pm - Plymouth City Hall
March 22, 2025 - Discover Plymouth - 9:00am - Plymouth Community Center

9. ADJOURNMENT

To: Environmental Quality Committee

Prepared by: Ben Scharenbroich, Water Resources Supervisor

Reviewed by: Michael Thompson, Public Works Director

Item: **Adopt proposed Environmental Quality Committee minutes**

1. Action Requested:

Adopt attached minutes from regular meeting held on January 8, 2025.

2. Background:

N/A

3. Budget Impact:

N/A

4. Attachments:

[January 8 Regular](#)

Proposed Minutes Environmental Quality Committee Meeting January 8, 2025

Chair Matthiesen called a Regular Meeting of the Plymouth Environmental Quality Committee to order at 7:00 p.m. in the Council Chambers of City Hall, 3400 Plymouth Boulevard, on January 8, 2025.

COMMITTEE MEMBERS PRESENT: Chair Matthiesen, Committee members Babcock, Blakely, Niedermaier, Polzin, Tinjum, and Vadali.

COMMITTEE MEMBERS ABSENT: None.

STAFF PRESENT: Water Resources Supervisor Scharenbroich.

OTHERS PRESENT: Councilmember Gregor.

Public Forum

No one appeared to address the committee.

Presentations and Public Information Announcements - None

Approval of Agenda

Motion was made by Committee member Polzin and seconded by Committee member Babcock to approve the agenda as presented. With all members voting in favor, the motion carried.

Consent Agenda

(5.1) Adopt Proposed Environmental Quality Committee Minutes – January 8, 2025.

Motion was made by Committee member Polzin and seconded by Committee member Niedermaier to approve the consent agenda. With all members voting in favor, the motion carried.

General Business

(6.1) Plymouth Environmental Academy

Water Resources Supervisor Scharenbroich reviewed the Plymouth Environmental Academy (PEA) set to begin in August. Staff recommends continuing the academy, with topics that are similar to those in 2024. Staff also recommends including a project such as the 2024 rain garden planting. Suggestions for topics in 2025 could include:

- Tour of water quality projects
- Tree Care, Emerald Ash Borer, Smart Tree Inventory
- Tree Planting Event, Sugar Shack at Schmidt Woods Park
- Tour of a Community Garden

- Alumni Event – former attendees share what they learned as an education experience for others
- Tour Environmentally Friendly Landscaping Practices:
 - o Clean Up Planting
 - o Trash Study Explanation
 - o Growing food
 - o Plants and Water Quality
 - o Emerald Ash Borer and Smart Tree Inventory

After discussion, the final topics for the 2025 PEA were decided to be:

- Tree Care
 - o Emerald Ash Borer and Smart Tree Inventory
- Tour of the Community Garden or Schmidt Woods Park
- Environmental Practices Overview
- Tour of Environmental Practices

Dates of the PEA sessions in 2025 are:

August 21 – 7:00 p.m.

September 11 – Tours – 6:00 p.m.

September 25 – Tours – 6:00 p.m.

October 9 – 7:00 p.m.

Reports and Staff Recommendations.

Water Resources Supervisor Scharenbroich recognized Committee members Danielle Niedermaier and Monika Vadali for their work on the committee and presented them with certificates.

Future Meetings.

February 12, 2025 – 7:00 p.m.

Adjournment

Chair Matthiesen adjourned the meeting at 7:50 p.m.

To: Environmental Quality Committee

Prepared by: Amy Gottschalk, Office Support Lead/Deputy City Clerk

Reviewed by: Michael Payne, Deputy Public Works Director/City Engineer

Item: **Environmental Quality Committee (EQC) Refresher and Orientation**

1. Action Requested:

Receive orientation information on EQC procedures and organization.

2. Background:

The EQC is responsible for review, consideration, initiation, and recommendation to the City Council on policies, plans, or projects which will enhance and preserve the natural environment of the city. Committee members shall be respectful of other's opinions, maintain compliance with open meeting law requirements, and follow established procedures for meetings including parliamentary procedure. Orientation for new members and a refresher for current members serves to reaffirm committee procedures, purposes, and goals.

3. Budget Impact:

N/A

4. Attachments:

[EQC Mission Statement](#)
[Training Materials](#)

**POLICY ESTABLISHING
PLYMOUTH ENVIRONMENTAL QUALITY COMMITTEE
MISSION/ORGANIZATION STATEMENT**

Resolution 2007-028
January 9, 2007

(Supersedes Resolution 2003-317, July 22, 2003; Resolution 2003-260, May 27, 2003; Resolution 2002-216, January 8, 2002; Resolution 94-4, January 24, 1994; Resolution 95-140, February 21, 1995)

Objective

The Plymouth Environmental Quality Committee shall review, consider, initiate and recommend to the City Council such policies, plans or projects which will enhance and preserve the natural environment of the City. The Committee's scope shall include, but not necessarily be limited to matters of water quality, wetland preservation, ground water protection, solid waste collection and disposal, recycling and reuse programs, ecological preservation, control of soil erosion and air, noise and light pollution. The Committee shall also review upon request environmental assessment worksheets and environmental impact statements referred to from time by the Planning Commission or City Council.

Composition

The Committee shall consist of seven members, with one member from each of the city's four wards, and three members at-large. Members shall serve three-year terms, commencing on February 1, subject to a six-year maximum as set forth in Council policy. The Chair shall be selected by the membership. The City Engineer or designee shall provide staff assistance to the Committee.

Areas of Concentration:

To accomplish their objective, the Committee will:

1. Become familiar with state statutes, federal regulations, agency rules, and city ordinances on the subject of issues. Receive information regarding role of Watershed Management Organizations, municipalities, Department of Natural Resources, and Army Corps of Engineers and other regulatory agencies on environmental issues. Review related data.
2. Review environmentally related city policies and ordinances and recommend appropriate revisions to the City Council.
3. Recommend actions to the Council for consideration in the city budget to preserve and enhance environmental quality throughout Plymouth.



CAMPBELL KNUTSON
PROFESSIONAL ♦ ASSOCIATION

TRAINING MATERIALS

for

Open Meeting Law

Data Practices

Conflicts of Interest

Gift Law

Rules of Order

for

City of Plymouth

Staff & Environmental Quality

Committee

February 2023

I. OPEN MEETING LAW

- A. OPEN MEETINGS.** Pursuant to Minnesota Statutes § 13D.01 - .07, almost all meetings of the City Council must be open to the public. A meeting exists when a quorum of the city council is together and:

1. Make a decision concerning city business; or
2. Discuss city business; or
3. Obtain information on city business.

Be wary of serial communications: do not use the “reply all” function in emails. If a discussion occurs on social media, then that discussion must be open for participation by the public.

- B. OTHER ELECTRONIC COMMUNICATION.** Serial communication occurs when one councilmember consults another, who consults another, and so forth. This is not permitted under the Open Meeting Law. One of the main goals of the Open Meeting Law is to ensure that deliberations take place in a public setting.

1. It is not advisable to substantively discuss City matters via text message even with one other councilmember. Text messaging and/or other electronic communication to other councilmembers during a meeting about City matters is also not permitted. Be careful about engaging in discussions on your personal devices. Discussions about city matters are generally public data, subject to mandatory retention periods and accessible to the public upon request. Deliberations and discussions must occur in a public forum.
2. Similarly, a quorum of members having a discussion about public business on social media, such as in the comment section of a private Facebook page, could constitute a meeting in violation of the Open Meeting Law. Minn. Stat. §13D.065.

- C. NOTICE REQUIREMENTS.** The City Council must give the following notices:

1. A schedule of the regular meetings shall be kept on file at the Council’s primary offices. Regularly scheduled meetings on your adopted meeting schedule require no additional notice.
2. Special meetings require mailed & posted or published notice at least three days before the day of the meeting.
3. Emergency meetings - as soon as reasonably practicable.

- D. CLOSED MEETINGS.** Notice of the meeting is required stating why the meeting will be closed and the subject of the meeting. The meeting is still recorded. Closed meetings are allowed in limited circumstances:

1. Labor negotiations.
2. Pending litigation.
3. Preliminary consideration of charges against an employee.

4. Evaluation of a person subject to its authority.
5. To determine the asking price of property being sold.
6. To review confidential appraisal data.
7. To develop counteroffers for the purchase or sale of property.
8. To discuss active investigative data.
9. If it would identify victims or reporters of criminal sexual conduct, domestic abuse, or maltreatment of minors.

E. PENALTIES. If a court finds that an individual intentionally violated this open meeting law, penalties include:

1. Individual fine of \$300.00 per occurrence for an intentional violation, which may not be paid by the City.
2. Three intentional violations in three separate actions can result in removal from office.
3. Additional costs and attorney's fees may be imposed up to \$13,000.00. The City may pay this amount.

II. DATA PRACTICES

A. DATA. The Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all government data are public. The Data Practices Act obligates all levels of state and local government besides the legislature and the courts to preserve created data and respond to data requests.

1. “Government data” means all data collected, created, received, maintained or disseminated by state or local government, regardless of its physical form, storage media, or conditions of use. Data includes: paper documents, emails, CDs, videotapes, and computer files.

B. CLASSIFICATION. To balance the need for transparency with the need to protect individual rights, state and federal law provide for classifications to limit access for private or confidential data.

1. Requests for data can come from the subject of the data (such as an employee) or a member of the public. Responses to data requests depend on how the data is classified.

C. THE LIFE CYCLE OF A REQUEST.

1. A person submits a data request to the Responsible Authority in the City. If the request is for private information, the City may ask for proof of identity. It is impermissible to request for a member of the public’s identity when fulfilling a request for public data.
2. If the request is from the member of the public, the City must respond within a “reasonable amount of time.”
3. If the request is from the data subject, meaning the data is about the requesting individual, then the City is required to respond within ten business days.
4. The City staff then retrieves the data responsive to the request, if there is any.
5. Then the City review the data and determines if there is a justification to deny access to some or all of the data. If responsive data is withheld the City must inform the requestor and cite to the specific law that allows the redaction.
6. The City provides access to the data and collects copy costs, if requested.

III. CONFLICTS OF INTEREST

- A. CONTRACTS.** Under Minn. Stat. §471.87, with limited exceptions, a council member may not have a personal financial interest in a sale, lease, or contract with the City. This law applies to all public officers who are "authorized to take part in any manner in making any sale, lease, or contract in official capacity." Exceptions and special approval procedure may be available in a given fact situation. Simply abstaining from voting is not enough. Violation of this prohibition is a crime.
- B. NON-CONTRACTS.** The general rule is that any official who has a personal financial interest in a non-contract action is disqualified from participating in the action. Courts evaluate certain factors to determine when a conflict requires disqualification. These include:
- the nature of the decision being made
 - the nature of the financial interest
 - the number of interested officials
 - the need, if any, for the interested official to make the decision
 - other means available, if any, such as an opportunity for review of the decision, that serves to insure that the officials will not act arbitrarily to further their selfish interests.
- C. BEST PRACTICE.** If you have an actual or potential financial interest in a decision to be made, disclose the conflict, abstain from voting, and do not participate in the discussion. If you have any concerns, discuss them with the city attorney. Avoid even the appearance of a conflict.
- D. ABSTAINING.** Abstaining means to refrain from a vote. In this case, a member of a body would be present at the meeting but would not partake in discussion or voting of the issue before the body.

IV. GIFT LAWS.

A. Pursuant to Minn. Stat. § 471.895, “An interested person may not give a gift or request another to give a gift to a local official. A local official may not accept a gift from an interested person.”

- “Local Official” means an elected or appointed official of a city.
- “Interested Person” means a person who has a direct financial interest in a decision that a local official is authorized to make.
- “Gift” means money, real or personal property, a service or loan, forgiving a debt or a promise of future employment without the giver being paid equal value.

Exceptions include:

- campaign contributions
- plaques or mementos recognizing service
- trinket or memento of insignificant value
- food if you appear to make a speech
- gifts given because of your membership in a group, a majority of whose members are not local officials
- gifts by a member of your family

When the City receives a gift/donation, it must be accepted by a two-thirds vote of the City Council. Minn. Stat. § 465.03.

V. RULES OF ORDER & MEETING PROCEDURES

A. Robert's Rules. Except where other procedures are specified in statute or ordinance, the City Council does business using Robert's Rules of Order. City Code § 200.17

B. Motions. All formal council actions must be by motion.

1. The language to make a motion must be similar to, "I move to _____."
2. Motions must be seconded, and the council may consider only one motion at a time.
3. Once a motion is duly made and seconded, the Mayor shall state the question before the council and open the matter for debate.
 - a. The maker of the motion shall be permitted to speak first.
 - b. Everyone who wishes to speak on the motion must be allowed to do so before any member may speak a second time.

C. Secondary Motions. While the council considers a motion, members may make secondary motions. Secondary motions do not require a second.

1. Motion to amend the original motion. A motion may be amended only twice before it must be withdrawn and resubmitted,
2. Motion to take a brief recess of no more than 20 minutes,
3. Motion to withdraw the motion by the motion's maker,
4. Motion to divide a complex question,
5. Motion to defer consideration to a later date,
6. Motion to refer an issue to committee,
7. Motion to limit debate,
8. Motion for an immediate vote on the issue, or
9. Motion for a call to order.

Secondary motions do not require a second, and must be resolved before returning to the original motion. Motions for an immediate vote and motions for a call to order are the only motions that may be made interrupting the current speaker. A motion for an immediate vote may only be made after 20 minutes of debate or after every member has been permitted to speak at least once.

D. Other Motions. Other specific motions include:

1. Motion to adjourn. Motions to adjourn are made by the Mayor or presiding member, are not subject to debate, and do not require a second or a vote.
2. Motion to go into closed session. Must be made pursuant to the Minnesota Open Meeting Law, using language similar to, “I move to close the meeting in order to consider _____ pursuant to _____ of the Minnesota Open Meeting Law.”
3. Motion to leave a closed session. “I move to open the meeting.”
4. Motion to revive an issue. Made to request consideration of an issue tabled, deferred, or referred to committee at a *prior* meeting.
5. Motion to reconsider. Made to request reconsideration of an issue voted upon previously at the *same* meeting. May only be made by a member on the prevailing side of the prior vote.
6. Motion to rescind or repeal. Made to repeal an action taken at a prior meeting.

A simple majority vote of the EQC is required for approval (4 out of 7 members)

ENVIRONMENTAL QUALITY COMMITTEE MEETING PROCEDURES

Agenda

The Water Resources Supervisor prepares the agenda for each EQC meeting. The agenda is generally closed to the addition of new material the Wednesday prior to an EQC meeting. Members should advise Water Resources Supervisor of items they wish to have added to the agenda.

Once the agenda has been sent to the EQC members along with the accompanying packet material, no item is added or deleted prior to the EQC meeting. A majority of the EQC members may amend the agenda by adding, deleting, or changing items during “Approve Agenda” at the beginning of the EQC meeting.

The order of business on the EQC meeting agenda is as follows:

- Call to Order
- Public Forum
- Approve Agenda
- Consent Agenda
- Public Hearing
- General Business
- Reports and Staff Recommendations
- Future Meetings
- Adjourn

Regular Meetings

Regular meetings of the EQC are currently held on the second Wednesday of each month at 7:00 PM (unless otherwise noted) in the Medicine Lake Room on the upper level of City Hall.



Attendance

Committee members are expected to attend 100% of all regular meetings with an 80% minimum unless previously arranged with staff and/or the chair. Attendance at outside events is strongly encouraged but not required.

A member is considered present if attending the meeting in person. If a member is unable to attend due to a COVID-19 quarantine, the following will apply:

- If committee member is attending via phone, they will be:
 - Marked as absent
 - Minutes will reflect the person is attending remotely but is a non-voting member for that meeting.
 - Committee member cannot participate in committee discussions.

Record of the Meetings – Minutes

Minutes of each EQC meeting are kept by the EQC recording secretary and approved at a future EQC meeting. The minutes are considered the official record of the EQC meeting.

To: Environmental Quality Committee

Prepared by: Ben Scharenbroich, Water Resources Supervisor

Reviewed by: Michael Thompson, Public Works Director

Item: **Election of Environmental Quality Committee Chairperson and Vice Chairperson for 2025.**

1. Action Requested:

Elect a Chairperson and Vice Chairperson of the EQC for 2025.

2. Background:

Each year the EQC shall elect a Chairperson and Vice Chairperson. It is the responsibility of the Chairperson to conduct EQC meetings in accordance with Roberts Rules of Order. Should the Chairperson be unable to attend an EQC meeting, the responsibility for conducting the meeting shall be the responsibility of the Vice Chairperson. It is common for the various Plymouth committees to rotate their leadership on an annual basis. The Chairperson shall act as a point of contact between the EQC and city staff.

3. Budget Impact:

N/A

4. Attachments:

To: Environmental Quality Committee

Prepared by: Ben Scharenbroich, Water Resources Supervisor

Reviewed by: Michael Thompson, Public Works Director

Item: **Plymouth Environmental Academy**

1. Action Requested:

Receive updates from Environmental Quality Committee members on the 2025 Plymouth Environmental Academy.

2. Background:

The Environmental Quality Committee (EQC) 2025 Work Plan includes a continuation of the Plymouth Environmental Academy (PEA), which will begin in August. At the February 12 regular meeting, the committee will discuss and assign members to each proposed topic, as listed below: 1. Tree Care & Food Production (August 21, 2025 - 7 p.m.) 2. Tour of Community Garden or Schmidt Woods (September 11, 2025 - 6 p.m.) 3. Tour of Environmental Practices (September 25, 2025 - 6 p.m.) 4. Environmental Practices Overview (October 9, 2025 - 7 p.m.) The EQC will provide updates of the Plymouth Environmental Academy on the following meeting dates: March 12, April 9, May 14, June 11, August 13, September 10, and October 8.

3. Budget Impact:

N/A

4. Attachments: