

**CITY OF PLYMOUTH
AGENDA
Regular City Council
Council Chambers
3400 Plymouth Boulevard, Plymouth, MN
September 9, 2025, 7:00 PM**

- 1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. PLYMOUTH FORUM** - Individuals may address the council about any item not contained on the regular agenda. A maximum of three minutes is allotted per individual with a total of 15 minutes for the forum. If the full 15 minutes are not needed for the forum, the City Council will continue with the agenda. The City Council will take no official action on items discussed at the forum, with the exception of referral to staff or commission or committee for future report.
- 4. PRESENTATIONS AND PUBLIC INFORMATION ANNOUNCEMENTS**
 - 4.1** Proclaim Hispanic Heritage Month
 1. Proclamation
- 5. APPROVE AGENDA** - Council members may add items to the agenda including items contained in the Council Information Memorandum for discussion purposes or staff direction only. The council will not normally take official action on items added to the agenda.
- 6. 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 council member or individual so requests, in which event the item will be removed from the consent agenda and placed elsewhere on the agenda.
 - 6.1** Adopt proposed minutes
 1. August 26 Special
 2. August 26 Regular
 - 6.2** Approve disbursements
 1. Invoice Expense Distribution
 2. City Council Resolution 2025-227
 - 6.3** Accept streets for continual maintenance in Creekside Woods (2017033) and Hollydale (2021047)
 1. Location Map - Hollydale
 2. Location Map - Creekside Woods
 3. City Council Resolution 2025-228
 4. City Council Resolution 2025-229

- 6.4** Approve tobacco license application of ABS Associates LLC d/b/a Vicksburg Liquor, 1115 Vicksburg Lane North #5
 - 1. City Council Resolution 2025-230
- 6.5** Approve lawful gambling premises permit application of District #284 Youth Hockey Association Wayzata at Lago Tacos, 3500 Vicksburg Lane #500
 - 1. City Council Resolution 2025-231
- 6.6** Approve variances for Rob Lundquist to allow an existing accessory building to remain in place, for property located at 4870 Zachary Lane (Rob Lundquist -- 2025-044)
 - 1. City Council Resolution 2025-232
- 6.7** Adopt Ordinance amending various sections of the City Code concerning the Deputy City Manager and Chief Financial Officer
 - 1. City Council Ordinance 2025-09
 - 2. City Council Resolution 2025-233
- 6.8** Approve temporary liquor license application of St. Barnabas Lutheran Church at their campus located at 15600 Old Rockford Road on January 3, 2026
 - 1. City Council Resolution 2025-234

7. PUBLIC HEARINGS

- 7.1** Public hearing on off-sale intoxicating liquor license application of ABS Associates LLC d/b/a Vicksburg Liquor, 1115 Vicksburg Lane North #5
 - 1. Buffer and Distance Map
 - 2. Property Owners within 500'
 - 3. City Council Resolution 2025-235

8. GENERAL BUSINESS

- 8.1** Approve Change Order No.1 for the Plymouth Boulevard Landscaping Project (ST240003)
 - 1. Presentation
 - 2. Change Order No. 1
 - 3. City Council Resolution 2025-236

9. REPORTS AND STAFF RECOMMENDATIONS

10. ADJOURNMENT

To: Dave Callister, City Manager

Prepared by: Jodi Gallup, City Clerk

Reviewed by: Maria Solano, Deputy City Manager

Item: **Proclaim Hispanic Heritage Month**

1. Action Requested:

Proclaim Hispanic Heritage Month.

2. Background:

The Plymouth City Council may issue proclamations at city council meetings to highlight major local, national or international events that are culturally or historically significant.

3. Budget Impact:

Not applicable.

4. Attachments:

1. Proclamation



PROCLAMATION

WHEREAS, Hispanic Heritage Month is observed nationally from September 15 through October 15, recognizing the histories, cultures and contributions of residents whose ancestors are of Hispanic and Latino descent; and

WHEREAS, the Plymouth City Council may issue proclamations at city council meetings to highlight major local, national or international events that are culturally or historically significant; and

WHEREAS, Hispanic and Latino residents of Plymouth enrich our community through their leadership, creativity, entrepreneurship and volunteer service, while sharing traditions in music, art, cuisine and culture; and

WHEREAS, local Hispanic and Latino-owned businesses contribute to the economic vitality of Plymouth by offering unique products, services and dining experiences that reflect rich cultural traditions and strengthen the city's diverse business community; and

WHEREAS, Plymouth community members of Hispanic and Latino heritage actively engage in civic life, support our schools and participate in organizations that promote cultural understanding and unity; and

WHEREAS, Hispanic and Latino residents of Plymouth are a vital part of the city's past, present and future, helping shape a welcoming and inclusive community for all.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Plymouth City Council proclaims September 15 through October 15, 2025 as

Hispanic Heritage Month

in the City of Plymouth and encourage all residents to recognize, celebrate and honor the history, culture and contributions of Hispanic and Latino communities in Plymouth.



To: Dave Callister, City Manager

Prepared by: Jodi Gallup, City Clerk

Reviewed by:

Item: Adopt proposed minutes

1. Action Requested:

Adopt proposed minutes.

2. Background:

Not applicable.

3. Budget Impact:

Not applicable.

4. Attachments:

1. August 26 Special
2. August 26 Regular

Proposed Minutes Special Council Meeting August 26, 2025

Mayor Wosje called a Special Meeting of the Plymouth City Council to order at 5:00 p.m. at Plymouth City Hall, 3400 Plymouth Boulevard, on August 26, 2025.

COUNCIL PRESENT: Mayor Wosje, Councilmembers Gregor, Pointner, Peterson, Aldrich, Nelson, and Spoonheim. Councilmembers Spoonheim and Pointner participated via interactive technology due to being unable to attend in-person pursuant to State Statute 13D.02.

COUNCIL ABSENT: None.

STAFF PRESENT: Deputy City Manager Solano, Public Safety Director Fadden, Fire Chief Coppa, Public Works Director Thompson, Community and Economic Development Director Fernelius, Parks and Recreation Director Tomlinson, Human Resources Director Timpone, Finance Director Rich, Assistant Finance Director Vadnais, Assistant Public Works Director/City Engineer Payne, Recreation Manager Hemp, and City Clerk/Administrative Coordinator Gallup.

2026/2027 Budget Discussion

Finance Director Rich introduced the 2026/2027 biennial budget goals, planning process, and preliminary tax levies. Department Directors provided a high level summary of each department's proposed budget, FTE requests, goals and objectives.

Council members asked questions and provided feedback for the next budget meeting.

Set Future Study Sessions

The following study sessions were scheduled:

- Receive update on Energy Action Plan during the September 9 study session
- Discuss operational models for sales tax projects during the October 14 study session
- Discussed subcommittee for interviews for the PRAC student member

Council also requested a report on cyber security and to add a review of the Request for Proposal policy at a future study session.

Adjournment

Mayor Wosje adjourned the meeting at 6:56 p.m.

Jodi M. Gallup, City Clerk/Administrative Coordinator

Proposed Minutes Regular City Council Meeting August 26, 2025

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 August 26, 2025.

COUNCIL PRESENT: Mayor Wosje, Councilmembers Gregor, Pointner, Peterson, Aldrich, Nelson, and Spoonheim. Councilmember Spoonheim participated via interactive technology due to being unable to attend in-person pursuant to State Statute 13D.02.

COUNCIL ABSENT: None.

STAFF PRESENT: Deputy City Manager Solano, Public Safety Director Fadden, Fire Chief Coppa, Public Works Director Thompson, Community and Economic Development Director Fernelius, Parks and Recreation Director Tomlinson, Human Resources Director Timpone, Finance Director Rich, Senior Planner Drill, Deputy Public Works Director/City Engineer Payne, City Attorney Brooksbank, and City Clerk/Administrative Coordinator Gallup.

Plymouth Forum

Scott Johnson expressed his concern regarding the increase in parking availability and traffic for the new apartment building on County Road 6 and Highway 101.

Presentations and Public Information Announcements

Mayor Wosje and council members recognized Deputy City Manager Maria Solano and thanked her for her service to the city.

Approval of Agenda

Motion was made by Councilmember Nelson, and seconded by Councilmember Peterson, to approve the agenda. With all members voting in favor by roll call vote, the motion carried.

Consent Agenda

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

(6.1) Council minutes from special meeting of August 11 and special and regular meeting of August 12, 2025.

(6.2) Resolution approving disbursements ending August 15, 2025 (Res2025-221).

(6.3) Resolution awarding contract for Plymouth Boulevard Landscaping Project (ST240003) (Res2025-222).

(6.4) Resolution authorizing contract with Robbinsdale Independent School District #281 for school resource officer services (Res2025-223).

(6.5) Resolution awarding contract for the 2025-2026 Miscellaneous Concrete Work Project (ST259007) (Res2025-224).

(6.6) Resolution approving council policy amendments (Res2025-225).

(6.7) Resolution approving temporary liquor license application of St. Paul Fire Foundation (Res2025-226).

With all members voting in favor by roll call vote, the motion carried

Public Hearings

There were no public hearings.

General Business

(8.1) Deny variances for Rob Lundquist to allow a recently-constructed accessory building that does not comply with city code regulations to remain in place, for property located at 4870 Zachary Lane (Rob Lundquist -- 2025-044)

Senior Planner Drill presented this item and stated that the variance request is from a resident regarding a recently built shed on his property. The applicant is asking for variances to allow a second accessory building over 200 square feet and a setback of 2.8 feet from his lot line. The zoning code states that any building over 200 square feet requires a building permit, and the minimum setback for a building of that size is 6 feet from any lot line.

Senior Planner Drill provided background information, including dates, communications, failed inspections, violation notices, continued work without a permit, and the submission of an incomplete application. He also outlined the required findings for variance approval, stating that all six of them must be met to approve the variance.

Senior Planner Drill summarized the findings for denial and noted that the Planning Commission recommended denial based on the language in the zoning code.

In response to questions from the City Council, Senior Planner Drill provided the following information:

- Measurement of any structure's square footage includes the outside walls and any roof overhang

- Potential language change to clarify the zoning code
- Structures of 200 feet or less are not required to have a permit, but are required to follow the setback guidelines
- Location of the structure was based on the drain location on the property

Senior Planner Drill noted that the two variances were requested in one application but could be separated for approval or denial.

Rob Lundquist, applicant, expressed that the structure was intended to increase the value of his property. He noted the small front porch on the front of the structure was added for aesthetic reasons.

Per request of the City Council, Mr. Lundquist explained that the structure is not on a cement pad, but still would be very difficult to move, and the contractor did not provide any square footage or setback requirements when it was built.

Ryan Montgomery, neighbor, expressed his support for the variance and noted that the removal of the shed would be difficult.

Craig Lysne, neighbor, expressed his support for the variance and noted the aesthetically pleasing look of Mr. Lundquist's property.

Kimberly Bown, neighbor, expressed her support for the variance and noted the positive impact it has on the neighborhood.

In response to further questions from the City Council, Senior Planner Drill and City Attorney Brooksbank provided the following information:

- History of the 200 square feet maximum allotted without a permit and the 6 feet setback from the edge of the property
- All six of the criteria must be met to the satisfaction of the council to grant a variance
- Decision would have to be made on or before 60 days, or could be extended another 60 days with consent from the applicant if needed

City Council discussed a previous variance precedent, other potential locations for the structure, and possible ordinance language changes.

City Attorney Brooksbank stated there could be another meeting before the 60-day deadline to allow staff to bring back findings of fact for a future meeting.

Motion was made by Councilmember Spoonheim, and seconded by Councilmember Peterson, to direct staff to prepare a resolution with findings of fact approving the variances. With all members voting in favor by roll call vote, the motion carried.

Reports and Staff Recommendations

There were no staff reports.

Adjournment

Mayor Wosje adjourned the meeting at 8:29 p.m.

Jodi Gallup, City Clerk/Administrative Coordinator

To: Dave Callister, City Manager

Prepared by: Tammy Geurkink, Accounting Specialist

Reviewed by: Andrea Rich, Finance Director

Item: **Approve disbursements**

1. Action Requested:

Adopt resolution approving disbursements.

2. Background:

Attached are lists of city fund disbursements for the period ending 8/29/2025.

3. Budget Impact:

Not applicable.

4. Attachments:

1. Invoice Expense Distribution
2. City Council Resolution 2025-227

Invoice Expense Distribution for Period Ended 8/29/25 Council Meeting 9/9/25

FUND	100	General Fund	394,498.95
	200	Recreation Fund	107,795.82
	210	Parker's Lake Cemetery Maint	0.00
	215	Destination Marketing Org Fund	4,669.30
	220	Transit System Fund	542,189.11
	234	Economic Development Fund	0.00
	240	Lawful Gambling	0.00
	250	Comm Dev Block Grant Fund	9,819.05
	254	HRA Section 8 Fund	0.00
	254	HAP Check Summary	352,271.03
	258	HRA General Fund	909.00
	280	Opioid Settlement Fund	0.00
	308	2005A TIF #1-1	0.00
	310	2009A TIF #7-5A Refund 1998A	0.00
	312	2010A GO Open Space	0.00
	314	2012A GO Refunding 2004A	0.00
	315	2015A GO Open Space	0.00
	316	Plymouth Creek Center Bonds	0.00
	400	General Capital Projects Fund	98,468.04
	401	Minnesota State Aid Fund	0.00
	404	Community Improvement	0.00
	405	Park Replacement Fund	200.99
	406	Street Reconstruction Fund	0.00
	407	Project Administration Fund	0.00
	408	Park Construction	0.00
	409	Capital Improvement Fund	0.00
	412	Water Sewer Replace	0.00
	413	Improvement Project Construction	539,900.75
	417	Project Warranty Repairs	0.00
	418	Utility Trunk System Expansion	0.00
	420	Water Sewer Construction	0.00
	421	ENT-Water Resources Constrctn	0.00
	422	TIF 7-4 PTP Construction	727.16
	423	TIF 7-5 Rottlund (Const)	727.16
	424	TIF 7-6 Berkshire	727.16
	425	TIF Housing Assistance Program	0.00
	426	TIF 7-7 Stonecreek	727.16
	427	TIF 1-1 Shops at Plymth Crk	727.16
	428	TIF 1-2 Vicksburg Commons	1,577.16
	429	TIF HRA 1-3 Crossroads Station	727.16
	432	TIF 7-8 Quest	727.16
	433	TIF 7-9 Four Seasons	0.00
	434	TIF 7-10 Sands	727.16
	435	Plymouth Creek Center Expansion	0.00
	436	Doran Bassett Creek	727.16
	437	CON - Fire Stations	0.00
	438	TIF 7-12-Prudential/Blvd	727.15
	500	Water Fund	651,434.17
	510	Water Resources Fund	53,254.87
	520	Sewer Fund	1,224,817.79
	530	Solid Waste Management Fund	230,100.36
	540	Ice Center Fund	79,647.08
	550	Field House Fund	310.15
	600	Central Equipment Fund	239,313.05
	610	Public Facilities Fund	87,847.89
	620	Information Technology Fund	7,597.18
	630	Risk Management Fund	145.49
	640	Employee Benefits Fund	65,985.58
	660	Resource Planning	13,692.00
	700	Parkers's Lake Cemetery	0.00
	800	Investment Trust Fund	0.00
	850	Plymouth Town Square	4,544.10
	851	Vicksburg Crossing	0.00

Total Invoice Expense Distribution:

4,718,260.50

CITY OF PLYMOUTH

RESOLUTION No. 2025-227

RESOLUTION APPROVING DISBURSEMENTS ENDING AUGUST 29, 2025

WHEREAS, a list of disbursements for the period ending August 29, 2025 was presented to the City Council for approval.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA that the payment of the list of disbursements of the following funds is approved.

US Bank – Check Register

General & Special Revenue	\$ 1,058,972.23
Construction & Debt Service	\$ 647,418.53
Enterprise & Internal Service	\$ 2,658,689.71
Housing Redevelopment	<u>\$ 909.00</u>
Check Register Total	\$ 4,365,989.47

US Bank – Housing Assistance Payments

Housing & Redevelopment Authority	<u>\$ 352,271.03</u>
	\$ 352,271.03
GRAND TOTAL FOR ALL FUNDS	\$ 4,718,260.50

Additionally, the US Bank Check Register amounts split by type of payment follow:

EFT	588,657.62
Check (#177654-178023)	3,777,331.85
Total	\$ 4,365,989.47

APPROVED by the City Council on this 9th day of September, 2025.

To: Dave Callister, City Manager

Prepared by: Chris McKenzie, Engineering Services Manager

Reviewed by: Michael Thompson, Public Works Director

Item: **Accept streets for continual maintenance in Creekside Woods (2017033) and Hollydale (2021047)**

1. Action Requested:

Adopt resolution accepting streets in Creekside Woods (2017033) and Hollydale (2021047).

2. Background:

Staff received a request to accept streets in Creekside Woods and Hollydale (first addition) which reflects completed work in the developments. Staff inspected the completed work and determined that it is acceptable. The funds the city will retain are for the required one-year warranty period for the streets.

3. Budget Impact:

N/A

4. Attachments:

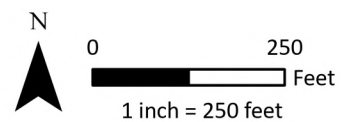
1. Location Map - Hollydale
2. Location Map - Creekside Woods
3. City Council Resolution 2025-228
4. City Council Resolution 2025-229





Creekside Woods Development

Location Map



CITY OF PLYMOUTH

RESOLUTION No. 2025-228

RESOLUTION ACCEPTING STREETS FOR CONTINUAL MAINTENANCE FOR HOLLYDALE (2021047)

WHEREAS, in accordance with the development contract dated September 2, 2021, Hollydale GC Development, Inc, developer of Hollydale (2021047), has agreed to install certain improvements for said development; and

WHEREAS, the developer has completed a portion of the street, utility and site grading as noted below; and

WHEREAS, the developer has requested a reduction of the required financial guarantee to reflect the completed work.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA that the financial guarantee requirements are reduced and released as follows below and that the required guarantee and Letter of Credit No. 1341 for the items be reduced from \$1,785,240 to \$525,960:

Item	Original Amount	Current Amount	New Amount	% of Original Amount
Street Construction	\$1,245,000	\$747,000	311,250	25%
Sanitary Sewer System	\$1,315,000	\$328,750	0	0%
Watermain System	\$542,000	\$135,500	0	0%
Storm Sewer System	\$680,000	\$170,000	0	0%
Boulevard and Drainage Swale Sod	\$27,000	\$27,000	27,000	100%
Pond Construction	\$100,000	\$50,000	50,000	50%
Retaining Walls	\$125,000	\$0	0	0%
Street and Traffic Control Signs	\$2,500	\$0	0	0%
Buffer/Park Posts & Signs (\$100 per post)	\$3,500	\$0	0	0%
Sidewalk Improvements	\$180,000	\$108,000	45,000	25%
Trail Improvements	\$20,000	\$12,000	5,000	25%
Landscaping	\$30,000	\$7,500	7,500	25%
Street Lighting	\$5,000	\$0	0	0%
Erosion control	\$55,000	\$41,250	41,250	75%
Setting Iron Monuments (\$100 per iron)	\$43,200	\$0	0	0%
Subtotal	\$4,373,200	\$1,627,000	\$487,000	11%
Design, Admin, Insp, As-Builts (8%)	\$349,856	\$130,160	\$38,960	
Total	\$4,723,056	\$1,757,160	\$525,960	11%

BE IT FURTHER RESOLVED that the streets are accepted for continuous maintenance as of September 9, 2025, subject to the one-year guarantee by the Developer per Letter of Credit No. 1341

APPROVED by the City Council on this 9th day of September, 2025.

CITY OF PLYMOUTH

RESOLUTION No. 2025-229

RESOLUTION ACCEPTING STREETS FOR CONTINUAL MAINTENANCE FOR CREEKSIDE WOODS (2017033)

WHEREAS, in accordance with the development contract dated September 12, 2017, Creekside Plymouth, LLC, developer of Creekside Woods (2017033), and the re-assignment of the development contract to Creekside Woods of Plymouth, LLC approved on October 9, 2018, developers of Creekside Woods (2017033), has agreed to install certain improvements for said development; and

WHEREAS, the developer has completed a portion of the street, utility and site grading as noted below; and

WHEREAS, the developer has requested a reduction of the required financial guarantee to reflect the completed work.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA that the financial guarantee requirements are reduced as follows below and that the required guarantee and Letter of Credit No. 1081 for the items be reduced from \$160,299 to \$47,995:

Item	Original Amount	Current Amount	New Amount	% of Original Amount
Street Construction	80,000	48,000	20,000	25%
Sanitary Sewer System	101,000	25,250	0	0%
Watermain System	62,000	15,500	0	0%
Storm Sewer System	40,000	10,000	0	0%
Pond Sand Filter	20,000	5,000	5,000	25%
Boulevard and Drainage Swale Sod/Seed	1,500	1,500	750	50%
Retaining Walls	5,000	0	0	0%
Pond Construction	28,000	14,000	14,000	50%
Street & Traffic Control Signs	600	0	0	0%
Sidewalk Improvements	9,500	5,700	2,375	25%
Landscaping & Reforestation	23,500	23,500	4,700	20%
Street Lighting	8,000	0	0	0%
Erosion Control	5,900	4,425	2,065	35%
Site Grading & Drainage Improvements	41,000	12,300	12,300	30%
Setting Iron Monuments	2,000	2,000	2,000	100%
Tree Preservation	16,220	0	0	0%
Subtotal	\$444,220	\$167,175	\$63,190	14%
Design, Admin, Insp, As-Builts (8%)	\$35,538	\$13,374	\$5,055	8%
Withdraws	\$0	\$20,250	\$20,250	
Total	\$479,758	\$160,299	\$47,995	10%

BE IT FURTHER RESOLVED that the streets are accepted for continuous maintenance as of September 9, 2025, subject to the one-year guarantee by the Developer per Letter of Credit No. 1081

APPROVED by the City Council on this 9th day of September, 2025.

To: Dave Callister, City Manager

Prepared by: Natalie Dorcy, Office Support Specialist

Reviewed by: Jodi Gallup, City Clerk

Item: **Approve tobacco license application of ABS Associates LLC d/b/a Vicksburg Liquor, 1115 Vicksburg Lane North #5**

1. Action Requested:

Adopt attached resolution approving tobacco license application of ABS Associates LLC d/b/a Vicksburg Liquor, 1115 Vicksburg Lane North #5.

2. Background:

ABS Associates LLC d/b/a Vicksburg Liquor has submitted an application for a tobacco license located at 1115 Vicksburg Lane North #5. This is an existing establishment that has a current off-sale liquor license and tobacco license held by Wood & Associates Inc. d/b/a Vicksburg Liquor and is changing ownership to ABS Associates LLC. The current site meets the zoning criteria and the new applicant meets the licensing requirements per City Code 1150.

ABS Associates LLC has also submitted an application for an off-sale liquor license which will be considered for approval under Public Hearing agenda item 7.1. The tradename of the establishment will remain the same under the new ownership.

3. Budget Impact:

License fee has been received.

4. Attachments:

1. City Council Resolution 2025-230

CITY OF PLYMOUTH

RESOLUTION No. 2025-230

RESOLUTION APPROVING TOBACCO LICENSE APPLICATION OF ABS ASSOCIATES LLC D/B/A VICKSBURG LIQUOR, 1115 VICKSBURG LANE NORTH #5

WHEREAS, ABS Associates LLC d/b/a Vicksburg Liquor, has submitted a tobacco license application for Vicksburg Liquor located at 1115 Vicksburg Lane North #5; and

WHEREAS, the applicant meets the licensing requirements per City Code 1150; and

WHEREAS, the license fee has been received.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA that the tobacco license application submitted by ABS Associates LLC for Vicksburg Liquor at 1115 Vicksburg Lane North #5 is approved for a license period to expire December 31, 2025.

APPROVED by the City Council on this 9th day of September, 2025.

To: Dave Callister, City Manager

Prepared by: Natalie Dorcy, Office Support Specialist

Reviewed by: Jodi Gallup, City Clerk

Item: **Approve lawful gambling premises permit application of District #284 Youth Hockey Association Wayzata at Lago Tacos, 3500 Vicksburg Lane #500**

1. Action Requested:

Adopt attached resolution approving lawful gambling application of District #284 Youth Hockey Association Wayzata at Lago Tacos, 3500 Vicksburg Lane #500.

2. Background:

District #284 Youth Hockey Association Wayzata have submitted a lawful gambling application to conduct pull-tabs with dispensing device, bar bingo, electronic pull-tabs and electronic linked bingo at Lago Tacos, 3500 Vicksburg Lane #500. This organization and location meet the requirements of Section 1105 of the city code to hold a lawful gambling premises permit.

Additionally, charitable organizations that conduct lawful gambling within the city must:

- Contribute 10% of the organization's net profits derived from lawful gambling to a fund administered and regulated by the city, for distribution by the city for purposes authorized under State Statute 349.12, Subd. 25.
- Expend 75% of its lawful purpose expenditures within the local trade area (corporate limits of the city or any municipality contiguous to the city).

3. Budget Impact:

District #284 Youth Hockey Association Wayzata has paid the \$250 investigation fee required for the new premises permit application.

4. Attachments:

1. City Council Resolution 2025-231

CITY OF PLYMOUTH

RESOLUTION No. 2025-231

RESOLUTION APPROVING LAWFUL GAMBLING APPLICATION OF DISTRICT #284 YOUTH HOCKEY ASSOCIATION WAYZATA AT LAGO TACOS AT 3500 VICKSBURG LANE NORTH #500

WHEREAS, District #284 Youth Hockey Association Wayzata has submitted a premise permit application to conduct lawful gambling at Lago Tacos at 3500 Vicksburg Lane North #500; and

WHEREAS, this organization and the location meet the requirements of Section 1105 of the Plymouth City Code.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA that the lawful gambling application of District #284 Youth Hockey Association Wayzata at Lago Tacos at 3500 Vicksburg Lane North #500 is approved.

APPROVED by the City Council on this 9th day of September, 2025.

To: Dave Callister, City Manager

Prepared by: Shawn Drill, Senior Planner

Reviewed by: Grant Fernelius, CED Director

Item: **Approve variances for Rob Lundquist to allow an existing accessory building to remain in place, for property located at 4870 Zachary Lane (Rob Lundquist -- 2025-044)**

1. Action Requested:

Adopt attached resolution approving variances for an existing accessory building to allow: 1) a second accessory building of over 200 square feet on the lot; and 2) a side yard setback as close as 2.8 feet where 6 feet is specified, for property located at 4870 Zachary Lane.

Approval of the resolution requires a 4/7 vote of the City Council.

2. Background:

On August 26, the City Council made findings in support of the subject variances, and subsequently directed staff to incorporate the findings into a resolution of approval for consideration at their September 9 meeting.

3. Budget Impact:

N/A

4. Attachments:

1. City Council Resolution 2025-232

CITY OF PLYMOUTH

RESOLUTION No. 2025-232

RESOLUTION APPROVING VARIANCES FOR A DETACHED ACCESSORY BUILDING THAT WOULD EXCEED THE SIZE REGULATION AND ENCROACH INTO THE MINIMUM SETBACK SPECIFIED FOR PROPERTY LOCATED AT 4870 ZACHARY LANE (2025044)

WHEREAS, Rob Lundquist has requested approval of variances, as follows: 1) to allow a second accessory building containing over 200 square feet in area on the lot; and 2) to allow said accessory building to be set back as close as 2.8 feet (ranges from 2.8 feet to 4.7 feet) from the south side property line, where a minimum of 6 feet is specified; and

WHEREAS, the property is legally described as Lot 1, Block 1, Sky Line Hills Unit No. 1, Hennepin County, Minnesota; and

WHEREAS, the Planning Commission has reviewed said request at a duly called public meeting.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA, that it should and hereby does approve the request by Rob Lundquist for variances at 4870 Zachary Lane to allow a second accessory building containing over 200 square feet on the lot, and to allow said accessory building to be set back as close as 2.8 feet from the south side property line where 6 feet is specified, in accordance with the following findings:

1. The variances and accessory building would be in harmony with the general purposes and intent of the zoning ordinance, and would be consistent with the comprehensive plan.
2. The applicant has satisfactorily established that there are practical difficulties in complying with the city code, as follows:
 - a. The applicant proposes to use the property in a reasonable manner not otherwise allowed by the city code.
 - b. The plight of the landowner is due to circumstances unique to the property that were not created by the landowner. The location of the drain tile for the home sump pumps limits options for egress of stormwater that must be accommodated near the front of the accessory building, therefore, requiring the accessory building to be located closer to the lot line than the standard setback.
 - c. The variances and accessory building would not alter the essential character of the locality.
3. The variance requests are not based exclusively upon economic considerations, but rather, the variances would allow an accessory building to accommodate storage of lawn maintenance equipment, patio furniture, and similar items.

4. The variances and accessory building would not be detrimental to the public welfare, nor would they be injurious to other land or improvements in the neighborhood. The design, materials, and proposed color for the accessory building are consistent with and complementary to the home, in accordance with the city code.
5. The variances and accessory building would not impair an adequate supply of light and air to adjacent properties, nor would they increase traffic congestion, increase the danger of fire, endanger the public safety, or substantially diminish property values in the neighborhood.

ADOPTED by the City Council on this 9th day of September, 2025.

STATE OF MINNESOTA)

COUNTY OF HENNEPIN) SS

The undersigned, being the duly qualified and appointed City Clerk of the City of Plymouth, Minnesota, certifies that I compared the foregoing resolution adopted at a meeting of the Plymouth City Council on September 9, 2025, with the original thereof on file in my office, and the same is a correct transcription thereof.

WITNESS my hand officially as such City Clerk and the Corporate seal of the city this _____ day of _____, _____.

City Clerk

To: Dave Callister, City Manager

Prepared by: Jodi Gallup, City Clerk

Reviewed by:

Item: **Adopt Ordinance amending various sections of the City Code concerning the Deputy City Manager and Chief Financial Officer**

1. Action Requested:

Adopt Ordinance amending various sections of the City Code concerning the Deputy City Manager and Chief Financial Officer and resolution approving summary publication of said ordinance.

The ordinance requires a 4/7 vote, and the resolution for summary publication of the ordinance requires a 6/7 vote for approval.

2. Background:

The City Code currently defines the Deputy City Manager as the Chief Financial Officer, because the city previously had a Finance Manager who reported directly to the Deputy City Manager. The city's current organizational structure has a Finance Director who acts as the Chief Financial Officer. This code amendment adds a definition for the Chief Financial Officer and updates all finance related references of the Deputy City Manager to the Chief Financial Officer.

3. Budget Impact:

Not applicable.

4. Attachments:

1. City Council Ordinance 2025-09
2. City Council Resolution 2025-233

CITY OF PLYMOUTH

ORDINANCE NO. 2025-09

ORDINANCE AMENDING VARIOUS SECTIONS OF THE CITY CODE CONCERNING THE DEPUTY CITY MANAGER AND CHIEF FINANCIAL OFFICER

THE CITY OF PLYMOUTH, MINNESOTA ORDAINS:

SECTION 1. Section 105.01, of the City Code is amended, with existing text, ~~deleted text~~, and new text as follows:

105.01. – Definitions of Commonly Used Terms.

Subd. 1. Unless the language or context clearly indicates that a different meaning is intended, the following words, terms and phrases (which shall be capitalized in the Code text), for the purpose of the provisions of this Code, shall have the following meanings:

Subd. 2. *Alarm System* means an assembly of equipment and devices (or a single device such as a solid state unit) arranged to signal the presence of a hazard. For the purposes of this ordinance, the alarm, when triggered, must be directly connected to a central monitoring agency which then notifies the Police and/or Fire Departments of an emergency to which public safety personnel must respond, or may emit an audible signal which will require urgent attention and to which public safety personnel are expected to respond.

Subd. 3. *Alarm User* means the person, firm, partnership, association, corporation, company or organization of any kind on whose premises an alarm system is maintained. "Alarm User" includes persons occupying dwelling units for residential purposes.

Subd. 4. *All-Terrain Vehicle* means a motorized flotation-tired vehicle of not less than three low-pressure tires, but not more than six tires, that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 600 pounds.

Subd. 5. *Animal* shall mean all living creatures, not human, endowed with sensation and power of voluntary movement, and includes mammals, birds, amphibians and reptiles.

Subd. 6. *At Large* means an animal off the property of its owner and not under restraint of the owner or a member of the owner's immediate family.

Subd. 7. *Building* means any structure subject to the provisions of Section 400 of this Code. The term also includes farm buildings and dwellings.

Subd. 8. *Building Drain* and *Building Sewer* have the meanings given them by the State Building Code.

Subd. 9. *Building Official* means the Plymouth Building Official or his/her designee.

Subd. 10. *Burner* means a firebox, barrel or similar container used for an outdoor fire, but not including grills or barbecues used principally for the cooking of food.

Subd. 11. *Burning Permit* means a permit issued by an Open Burning Inspector authorizing fires exempted from the general provisions hereof, and setting conditions therefore.

Subd. 12. *Calendar Year* means the period from January 1 through December 31 of each year.

Subd. 13. *Camp Fire* means a fire set for cooking, warming, or ceremonial purposes.

Subd. 14. *Charter* means the Charter for the City of Plymouth, Minnesota effective January 1, 1993, as set forth in Appendix VI.

Subd. 15. *Chief Financial Officer* means Plymouth Chief Financial Officer.

Subd. 16. *City* means the City of Plymouth, Minnesota and all the territory lying within its boundaries over which it has jurisdiction.

Subd. ~~17~~6. *City Attorney* means the Plymouth City Attorney.

Subd. ~~187~~. *City Clerk* means the Plymouth City Clerk or an employee of the City appointed as Deputy Clerk.

Subd. ~~198~~. *City Engineer* means the Plymouth City Engineer or his/her designee.

Subd. ~~2019~~. *City Manager* means the Plymouth City Manager or his/her designee.

Subd. ~~210~~. *Code, this Code, or Code of Ordinances* means the Plymouth City Code adopted by ordinance in 1969 as recodified in 1979 and 1993, as organized, compiled and codified herein.

Subd. ~~221~~. *Community and Economic Development Director* means the Plymouth Community and Economic Development Director or his/her designee.

Subd. ~~232~~. *Community Service Officer* means an employee of the City, designated by the City Manager and assigned to the Police Department, exercising limited law enforcement, code enforcement and related duties under the supervision of the Police Chief.

Subd. ~~243~~. *Comprehensive Plan* means the series of maps, reports, Statement of Goals, Objectives and Criteria; and documents prepared by the Planning Commission and adopted by the Council to designate long-range orderly growth and development of the community; including, but not limited to: a Land Use Guide Plan, a Thoroughfare Guide Plan, Community Facilities Plan and policies for Plan execution.

Subd. ~~254~~. *Council* means the Plymouth City Council.

Subd. ~~265~~. *County* means Hennepin County, Minnesota.

Subd. ~~276~~. *Current Service* means one or more of the following: snow, ice, or rubbish removal from sidewalks; weed elimination from street grass plots adjacent to sidewalks or from private property; elimination of sight obstructions within rights-of-way; removal or elimination of public health or safety hazards from private property, excluding any hazardous building included in the Plymouth City Code, Minnesota Statutes, Sections 463.15 to 463.26, as amended; installation or repair of water service lines; street sprinkling, street flushing, light street oiling, or other dust treatment of streets; repair of sidewalks and alleys; the operation of a street lighting system; and unpaid alarm system permit fees required under Section 1155 of this Code.

Subd. ~~287~~. *Dangerous Animal* means any animal which has attacked, molested, bitten, confined or assaulted a person or domestic animal, or which otherwise has demonstrated that it poses a significant risk of causing harm or injury to persons or domestic animals.

Subd. ~~298~~. *Deputy City Manager* means the Plymouth Deputy City Manager ~~chief financial officer of the City.~~

Subd. ~~3029~~. *Director of Public Safety* means the Plymouth Director of Public Safety or his/her designee.

Subd. ~~310~~. *Disease Control Area* means the entire area within City limits, except those areas annually designated by the Forester as "no control zones" pursuant to State Statute.

Subd. ~~321~~. *Distinguished or Characterized by an Emphasis Upon* means the dominant or principal theme of the object referenced. For instance, when the phrase refers to films "which are distinguished or characterized by an emphasis upon the exhibition or display of specified anatomical areas," or "specified sexual activities."

Subd. ~~332~~. *DNR* means the Minnesota Department of Natural Resources.

Subd. ~~343~~. *Emergency Ordinance* is an ordinance necessary for the immediate preservation of the public peace, health, morals, safety or welfare in which the emergency is defined and declared in the preamble to the ordinance.

Subd. ~~354~~. *Employee, Employ, and Employment* describe and pertain to any person who performs any service on the premises of a sexually oriented business on a full-time, part-time or contract basis, regardless of whether the person is denominated as an employee, independent contractor, agent, or by another status. Employee does not include a person exclusively on the premises for repair or maintenance of the premises, or for the delivery of goods to the premises.

Subd. ~~365~~. *Escort* means a person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

Subd. 376. *Escort Agency* means a person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes, for a fee, tip, or other consideration.

Subd. 387. *Establish* or *Establishment* means and includes any of the following: A. The opening or commencement of any sexually oriented business as a new business; B. The conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business; C. The addition of any sexually oriented business to any other existing sexually oriented business; or D. The relocation of any sexually oriented business.

Subd. 398. *False Alarm* means any activation of an alarm system that result in a response by the Police or Fire Department where an emergency situation does not exist. "False Alarm" includes, but is not limited to, activation of an alarm system through mechanical failure, malfunction, improper installation, or the negligent use or maintenance of the alarm system by its owner or lessee or by the owner's or lessee's employees or agents. "False Alarm" does not include activation of the alarm by utility company power outages or by climatic conditions such as tornadoes, lightning, earthquakes, other violent conditions of nature, or any other conditions which are clearly beyond the control of the alarm manufacturer, installer and owner. "False Alarm" does not include activation of an alarm system as the result of an effort or order to upgrade, install, test, or maintain the system, if the Police/Fire Dispatcher and, where applicable, central monitoring agency for the alarm system are each notified in advance of said upgrade, installation, test or maintenance.

Subd. 4039. *Fire Alarm System* means an alarm system designed, installed, or operated to prompt a response by the Fire Department.

Subd. 410. *Fire Chief* means the Plymouth Fire Chief or his/her designee.

Subd. 421. *Fire Inspector* means an employee of the City assigned to the Fire Department, and whose duties involve the enforcement of the Fire Code.

Subd. 432. *Forester, Tree Inspector* or *Inspector* means a person who is so certified for tree inspection by the Minnesota Department of Agriculture.

Subd. 443. *Garbage* means solid waste from residential, commercial, industrial, and community activities that the generator of the waste aggregates for collection. And further including but not limited to animal, vegetable wastes, grease, wrappings, shells, grounds, bones, entrails, and similar materials resulting from the handling, preparation, cooking, service and consumption of food, and other animal wastes. Garbage does not include auto hulks, street sweepings, ash, construction debris, mining waste, sludges, tree and agricultural wastes, tires, lead acid batteries, motor and vehicle fluids and filters, and other materials collected, processed, and disposed of as separate waste streams.

Subd. 454. *Gasoline Service Station* means any premises whereon the owner or occupant conducts the business of furnishing and selling gasoline and lubricating oils or accessories for motor vehicles.

Subd. 465. *Health Authority* means the Health Officer or the Public Health Sanitarian.

Subd. 476. *Hunting* shall mean pursuing, shooting, injuring, capturing or attempting to pursue, shoot, injure or capture any animal.

Subd. 487. *Individual Sewage Treatment System* or *Systems* means a sewage treatment system or part thereof, serving a dwelling, other establishment, or group thereof, that uses subsurface soil treatment and disposal.

Subd. 498. *Industrial Wastes* means the liquid wastes from industrial processes as distinct from sanitary sewage.

Subd. 5049. *Junk Vehicle* means any vehicle which is not in operable condition, or which is partially dismantled, or which is used for the sale of parts or as a source of repair or replacement parts for other vehicles, or which is kept for scrapping, dismantling or salvage of any kind, or which is not currently licensed for operation within the State of Minnesota or by the State of Minnesota.

Subd. 510. *Kennel* means premises where the business of selling, boarding, breeding, treating or grooming animals is conducted.

Subd. 521. *Licensee* means a person in whose name a license to operate a sexually oriented business has been issued, as well as the individual listed as an applicant on the application for a license.

Subd. 532. *Misdemeanor* means a penal offense or crime which the Council is empowered to make punishable with fine and/or imprisonment.

Subd. 543. *Motor Bicycle* and *Motor Bicycle Licenses* have the meanings given them by Minnesota Statutes, Section 168.831, as amended.

Subd. 554. *Motorcycle* means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and bicycles with motor attached, other than those vehicles defined as motorized bicycles in Subdivision 4(a), but excluding a tractor.

Subd. 565. *Motorized Bicycle* means a bicycle with fully operational pedals which may be propelled by human power or a motor, or by both, with a motor with a capacity of less than 50 cubic centimeters piston displacement, and a maximum of two brake horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged.

Subd. 576. *Noxious Weeds* means plants defined by the Minnesota Commissioner of Agriculture to be injurious to public health, public roads, crops, livestock and property.

Subd. 587. *Nude Model Studio* means any place where a person who appears in a state of nudity or displays "specified anatomical areas" is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration.

Subd. 598. *Nudity, Nude* or a *State of Nudity* means: A. The appearance of a human bare buttock, anus, male genitals, female genitals, or female breast; or B. A state of dress which fails to opaquely cover a human buttock, anus, male genitals, female genitals, or areola of the female breast.

Subd. 6059. *Open Burn, Open Burning* or *Open Fire* means a fire burning in matter, whether concentrated or dispersed, which is not contained within a fully enclosed fire box, structure or vehicle, and from which the products of combustion are emitted directly to the open atmosphere without passing through a stack, duct, or chimney.

Subd. 610. *Open Burning Inspector* means the City Forester or Fire Chief or their respective designees.

Subd. 621. *Operate* or *Cause to be Operated* means to cause to function or to put or keep in a state of doing business.

Subd. 632. *Operator* means any person on the premises of a sexually oriented business who is authorized to exercise operational control of the business, or who causes to function or who puts or keeps in operation, the business. A person may be found to be operating or causing to be operated a sexually oriented business regardless of whether that person is an owner, part owner, or licensee of the business.

Subd. 643. *Owner* means, in the case of personal property, a person, other than a lien holder, having the property in or title to personal property. In the case of real property, the term means the fee owner of land, or the beneficial owner of land whose interest is primarily one of possession and enjoyment in contemplation of ultimate ownership. The term includes, but is not limited to, vendees under a contract for deed and mortgagors.

Subd. 654. *Pawnbroker* means a person who loans money on deposit or pledge of personal property, or other valuable thing, or who deals in the purchasing of personal property or other valuable thing on condition of selling the same back again at a stipulated price, or who loans money secured by chattel mortgage on personal property, taking possession of the property or any part thereof so mortgaged.

Subd. 665. *Peddler* means a person who goes door-to-door to residences or offering for sale any goods, wares or merchandise, or services.

Subd. 676. *Person* means an individual, firm, partnership, association, cooperative, corporation or other entity; the term may extend and be applied to bodies corporate and politic, or to other unincorporated associations.

Subd. ~~687~~. *Petty Misdemeanor* means an offense, which does not constitute a crime, which the Council is empowered to make punishable with a fine.

Subd. ~~698~~. *Police Alarm System* means an alarm system designed, installed, or operated to prompt a response by the Police Department.

Subd. ~~7069~~. *Point of Collection* means curbside and alley locations where solid waste containers and garbage, rubbish, yard waste, source-separated organic material, and recyclable material shall be placed for collection by a licensed collector.

Subd. ~~710~~. *Public School* means any school building, school grounds, play area, parking lot or athletic field owned or leased by a public school district.

Subd. ~~721~~. *Public Sewer* means a sewer receiving both surface runoff and sewage.

Subd. ~~732~~. *Recreation Fire* has the same definition as a "Camp Fire."

Subd. ~~743~~. *Recreational Vehicle* means any Motorized Bicycle, All-Terrain Vehicle, Motorcycle, or other motorized vehicle designed or used for a recreational purpose. The term does not include snowmobiles as defined under the terms of Section 1325 of this Code.

Subd. ~~754~~. *Recyclable Materials* has the meaning given it in Minnesota Statutes, Section 115A.03 and includes paper, glass, plastics, metals, automobile oil, and batteries.

Subd. ~~765~~. *Regularly Features or Regularly Shown* means a consistent or substantial course of conduct, such that the films or performances exhibited constitute a substantial portion of the films or performances offered as part of the ongoing business of the sexually oriented business.

Subd. ~~776~~. *Removal Location* means a location in the City to which a building may properly be moved and on which such building may properly be located after such moving pursuant to Section 415.

Subd. ~~787~~. *Rough Fish* shall mean carp, buffalofish, sucker, redhorse, sheepshead, dogfish, burbot, cisco, gar, goldeye and bullhead.

Subd. ~~798~~. *Rubbish* means waste products which are composed wholly or partly of such materials as sweepings, swill, cleanings, trash, refuse, litter, industrial solid wastes or domestic solid wastes; organic wastes or residue of animals, fruit, or other vegetable or animal matter from kitchen, dining room, market, food establishment or any place dealing or handling meat, fowl, fruit, grain, or vegetables; offal, animal excrete, or the carcass of animals; tree or shrub trimmings (greater than ¼-inch in diameter), or grass clippings, brick, plaster, wood, metal, roofing materials, pipe or other waste matter resulting from the demolition, alteration or construction of buildings or structures; accumulated waste materials, cans, used containers, boxes and packing materials, ashes, tires, junk, Christmas trees, rocks, sod, dirt, glass, jars, bottles, auto parts, cement brick, leaves, burn barrels, household appliances, furniture, toys, floor coverings, fabric, drain oil, solvents and fluids, or other such substance which may become a nuisance.

Subd. ~~8079~~. *Sanitary Sewer* means a sewer which carries sewage and to which storm surface and ground waters are not intentionally admitted "Sanitary Sewage."

Subd. ~~810~~. *Sauna* means and includes a steam bath or heat or heat bathing room used for the purpose of bathing, relaxation or reducing, utilizing steam or hot air as a cleaning, relaxing or reducing agent, and the associated premises.

Subd. ~~821~~. *School Official* means the principal, assistant principal, or any school teacher of a Public School.

Subd. ~~832~~. *Secondhand Goods Dealer* means a person whose regular business includes selling or receiving tangible personal property (excluding motor vehicles) previously used, rented, owned or leased.

Subd. ~~843~~. *Self Service Merchandising* means open display of tobacco products where the public has access without the intervention of an employee.

Subd. ~~854~~. *Semi-Nude or In a Semi-Nude Condition* means a state of dress in which clothing covers no more than the genitals, pubic region, and areolae of the female breast, as well as portions of the body covered by supporting straps or devices.

Subd. ~~865~~. *Sewage Works* means all facilities for collecting, pumping, treating and disposing of sewage.

Subd. **876**. *Sewage* means a combination of the water carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

Subd. **887**. *Sewer* means a pipe or conduit for carrying sewage.

Subd. **898**. *Sexual Encounter Center* means a business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration: a place where two or more persons may congregate, associate, or consort for the purpose of "specified sexual activities." The definition of "sexual encounter center" or any "sexually oriented businesses" shall not include an establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the State engages in medically approved and recognized sexual therapy.

Subd. **9089**. *Sexually Oriented Arcade* means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas."

Subd. **910**. *Sexually Oriented Bookstore, Sexually Oriented Video Store, or Sexually Oriented Store* means a commercial establishment which as a principal business purpose offers for sale or rental for any form of consideration any one or more of the following: A. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, compact discs, computer software, digital recordings, slides, or other visual representations which depict or describe "specified sexual activities" or "specified anatomical areas;" or B. Instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities."

Subd. **921**. *Sexually Oriented Business* means a sexually oriented arcade; sexually oriented bookstore, video store or other sexually oriented store; sexually oriented cabaret; sexually oriented conversation/rap parlor; sexually oriented massage parlor; sexually oriented motel; sexually oriented motion picture theater; sexually oriented sauna; sexually oriented theater; escort agency; nude model studio; or sexual encounter center; and other premises, enterprises, establishments, businesses, or places open to some or all members of the public, at or in which there is an emphasis on the presentation, display, depiction, or description of "specified sexual activities" or "specified anatomical areas" which are capable of being seen by members of the public.

Subd. **932**. *Sexually Oriented Cabaret* means a nightclub, bar, restaurant, or similar commercial establishment which regularly features: A. Persons who appear in a state of semi-nude; or B. Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities;" or C. Films, motion pictures, video cassettes, slides, compact discs, computer software, digital recordings, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

Subd. **943**. *Sexually Oriented Conversation/Rap Parlor* means a conversation/rap parlor which excludes minors by reason of age, or which provides the service of engaging in or listening to conversation, talk, or discussion between an employee of the establishment and a customer, if such service is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."

Subd. **954**. *Sexually Oriented Massage Parlor* means a massage parlor which excludes minors by reason of age, or which provides for any form of consideration, the rubbing, stroking, kneading, tapping, or rolling of the body, if the service provided by the massage parlor is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."

Subd. **965**. *Sexually Oriented Motel* means a hotel, motel or similar commercial establishment which: A. Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical

areas"; and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions; or B. Offers a sleeping room for rent for a period of time that is less than ten hours; or C. Allows a tenant or occupant of a sleeping room to sub rent the room for a period of time that is less than ten hours.

Subd. 976. *Sexually Oriented Motion Picture Theater* means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

Subd. 987. *Sexually Oriented Sauna* means a sauna which excludes minors by reason of age, or which provides for any form of consideration, a steam bath or heat bathing room used for the purpose of bathing, relaxation, or reducing, utilizing steam or hot air as a cleaning, relaxing, or reducing agent, if the service provided by the sauna is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."

Subd. 998. *Sexually Oriented Theater* means a theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or semi-nude or live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities."

Subd. 10099. *Shade Trees* means any deciduous or coniferous tree situated in the City.

Subd. 1010. *Shade Tree Disease* means Dutch elm disease caused by *Ophiostoma nova-ulmi* and/or *Ceratocystis ulmi*, oak wilt, caused by *Ceratocystis fagacearum*, or any disorder affecting the growth and life of shade trees.

Subd. 1021. *Shade Tree Control Program* or *Program* means a program developed by the City to combat "shade tree disease" in accordance with rules promulgated by the Commissioner of Agriculture.

Subd. 1032. *Solicitor* means a person who goes door-to-door to residences soliciting, or taking or attempting to take orders for sale of goods, wares, merchandise, or personal property or services of any nature whatsoever for future delivery or future performance whether or not such individual has, carries or exposes for sale, a sample of the subject to such order or whether or not he is collecting advance payments for such orders. Any such activity shall be deemed soliciting if it has as its ultimate purpose the obtaining of orders of such nature, even though it may not purport, initially, to be an effort to obtain such an order.

Subd. 1043. *Solid Waste Container* means a container used in the storage and collection of garbage, rubbish, yard waste, source-separated organic material, and recyclable material collection. Each container shall be provided with a tight fitting cover and bail or handles and a tight fitting cover.

Subd. 1054. *Source-separated Organic Materials* has the meaning given it in Minnesota Statutes, Section 115A.03 Subd. 32a. for "source-separated compostable materials." Source-separated organic materials excludes yard waste regulated in Minnesota Statutes, Section 115A.931.

Subd. 1065. *Specified Anatomical Areas* means: A. Human male genitals in a discernibly turgid state, even if completely and opaquely covered; or B. Less than completely and opaquely covered human genitals, public region, buttocks, or a female breast below a point immediately above the top of the areola.

Subd. 1076. *Specified Sexual Activities* means and includes any of the following: A. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts; B. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; C. Masturbation, actual or simulated; or D. Excretory functions as part of or in connection with any of the activities set forth in subsections A—C above.

Subd. 1087. *Substantial Enlargement of a sexually oriented business* means the increase in floor area occupied by the business by more than 25 percent, as the floor area existed on the effective date of this Ordinance.

Subd. 1098. *Swimming Pool* means any structure, basin, chamber, or tank containing an artificial body of water for swimming, diving, relaxation or recreational bathing.

Subd. 1109. *Swimming Pool, Private Residential* means any permanent or portable structure such as a pool, hot tub, or spa located on private property under control of the homeowner, the use of which is limited to swimming or recreational bathing by the owner's family or invited guests, and having a depth of two feet or more at any point and (a) a surface area of 250 square feet or more, or (b) a volume of 3,250 gallons or more.

Subd. 1110. *Taxicab* means any motor vehicle engaged in the carrying of persons for hire, whether over a fixed route or not, and whether the same be operated from a street stand or subject to calls from a garage, or otherwise operated for hire except private auto deliveries as herein defined but the term shall not include vehicles subject to control and regulation by the Minnesota Public Utilities Commission or vehicles regularly used by undertakers in carrying on their business.

Subd. 1121. *Taxicab Driver* means any person who drives a Taxicab, either as the owner of the Taxicab or as an employee of a Taxicab operator.

Subd. 1132. *Taximeter* means any mechanical instrument or device by which the charge for hire of a Taxicab is mechanically calculated, whether by distance traveled or waiting time, or by both, and upon which charge shall be indicated by figures.

Subd. 1143. *Tobacco Product* means cigarettes, cigars, cheroots, stogies, perique, granulated, plug cut, crimp cut, ready rubbed and other smoking tobacco, snuff, snuff flower, cavendish, plug and twist tobacco, fine cut and other chewing tobaccos, shorts, refuse srips, clippings, cuttings and sweepings of tobacco prepared in such manner as to be suitable for chewing, sniffing or smoking in a pipe, rolling paper or other tobacco related devices.

Subd. 1154. *Transfer of Ownership or Control of a sexually oriented business* means and includes any of the following: A. The sale, lease, or sublease of the business; B. The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or C. The establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

Subd. 1165. *Transient Produce Merchant* means any person who engages in or transacts in any temporary and transient business within the City, selling the products of the farm or garden occupied and cultivated by that person; and, who for the purposes of carrying on such business, hires, leases, occupies, or uses, site, parking lot, vacant lot, motor vehicle, or trailer on a site other than the property on which the produce is grown and cultivated, in a zoning district where it is allowed by the Code and Zoning Ordinance.

Subd. 1176. *Under Restraint* means an animal controlled by a fence, leash or its owner's command within the confines of the owner's property or by a leash not exceeding six feet in length while outside of the owner's property and under the control and direction of the owner or a member of the immediate family, so as to be as effectively restrained, or within a vehicle that is enclosed sufficiently so as to prevent the animal from exiting the vehicle.

Subd. 1187. *Vehicle* means a machine propelled by power other than human power, designed to travel along the ground by use of wheels, treads, runners or slides, and transport persons or property or pull machinery, and shall include, without limitation, automobiles, trucks, trailers, motorcycles and tractors.

Subd. 1198. *Wild Animal* means any animal that is wild, ferocious, or vicious by nature, habit, disposition, or character. Animals in this category include, but are not limited to, any ape, (including chimpanzee, gibbon, gorilla, orangutan, or siamang), baboon, bear, bison, bobcat, cheetah, crocodile, coyote, deer, (including all members of the deer family such as antelope, elk, and moose), duck, elephant, ferret, fox, goose, hippopotamus, hyena, jaguar, leopard, lion, lynx, monkey, puma (also known as cougar, mountain lion, or panther), raptor, rhinoceros, any snake that is poisonous or any constrictor snake, snow leopard, tiger, wolf, or hybrid mix of any of the wild animals such as wolf/dog mixes.

Subd. 12019. *Wood* means dry, clean fuel only such as twigs, branches, limbs, charcoal, cordwood or untreated dimensional lumber. "Wood" does not include wood that is rotten, wet, oil soaked, or treated with paint, glue or preservatives. Clean pallets may be used for recreation fires when cut into three-foot lengths.

Subd. 12~~10~~. *Yard Waste* means materials such as leaves, weeds, tree or shrub trimmings (¼-inch in diameter or less) and other like-forms of organic material, but does not include garbage, rubbish, construction debris, soil, rock, aggregate, and similar materials.

Subd. 12~~21~~. *Zoning Ordinance* means The Plymouth Zoning Ordinance attached to the Code as Chapter XXI.

SECTION 2. Section 200.25, Subd. 3 of the City Code is amended, with existing text, ~~deleted text~~, and new text as follows:

Subd. 3. City Clerk; Procedure. The City Clerk, in the event of a forfeit as provided in Subdivision 2, shall certify the fact of such forfeit in writing, together with the applicable dates of absence of the Mayor or Council member, to the City Manager and ~~Deputy City Manager~~ Chief Financial Officer. The ~~Deputy City Manager~~ Chief Financial Officer shall, at the time of the issuance of salary checks to the Mayor and Council member, not issue a check payable to the absent Mayor or Council member in the amount of the monthly salary.

SECTION 3. Section 300.05 of the City Code is amended, with existing text, ~~deleted text~~, and new text as follows:

300.05. - Deputy City Manager.

The Deputy City Manager is appointed by the City Manager for an indefinite term, and shall perform those duties imposed by State law, this Code, Council Resolution and under the Charter. ~~The Deputy City Manager shall act as chief financial officer of the City and is responsible for the collection of City revenues, the accounting for City funds, supervising the purchase of supplies and materials, supervising the procedures relating to special assessments, and the preparation of audits at the direction of the City Manager, and The Deputy City Manager shall perform~~ such other duties as may be assigned by the City Manager.

SECTION 4. Section 300.06 of the City Code is added with new text as follows:

300.06. – Chief Financial Officer.

The Chief Financial Officer is appointed by the City Manager for an indefinite term, and shall perform those duties imposed by State law, this Code, Council Resolution and under the Charter. The Chief Financial Officer is responsible for the collection of City revenues, the accounting for City funds, supervising the purchase of supplies and materials, supervising the procedures relating to special assessments, and the preparation of audits at the direction of the City Manager, and such other duties as may be assigned by the City Manager.

SECTION 5. Section 600.25, Subd. 5 of the City Code is amended, with existing text, ~~deleted text~~, and new text as follows:

Subd. 5. Assessment of Unpaid Bills. The ~~Deputy City Manager~~ Chief Financial Officer must annually certify all delinquent accounts to the City Manager, who must prepare an assessment roll providing for assessment of the delinquent amounts against the respective properties served. The City Manager must deliver the assessment roll to the Council for adoption on or before October 31st of each year. Such action may be optional or subsequent to taking action to collect delinquent accounts.

SECTION 6. Section 715.05 of the City Code is amended, with existing text, ~~deleted-text~~, and new text as follows:

715.05. - Service Charge Imposed.

A charge is hereby imposed upon every establishment served by the sanitary sewer system of the City either directly or indirectly, for the use of the facilities of the sewer system and for connection therewith, which charge shall be as hereinafter provided in Subsection 715.07. All charges for use of the City's sewer system shall be due on the date specified by the Finance Division for the respective account and shall be delinquent thereafter. It shall be the duty of the Finance Division to endeavor to promptly collect delinquent accounts. For good cause shown, the ~~Deputy City Manager~~ Chief Financial Officer may, in appropriate circumstances, adjust the amount due on such accounts. Annually all delinquent accounts shall be certified to the City Manager who shall prepare an assessment roll providing for assessment of the delinquent amounts against the respective properties served, along with an administrative fee and interest. This assessment roll shall be delivered to the Council for adoption on or before October 31st of each year. Such action may be optional or subsequent to taking action to collect delinquent accounts. The related administrative fee rates are set forth in Chapter X.

SECTION 7. Section 720.05 of the City Code is amended, with existing text, ~~deleted-text~~, and new text as follows:

720.05. - Service Charge Imposed.

A charge is hereby imposed upon every establishment served by the water supply system either directly or indirectly, for the use of the facilities of the water system and for connection therewith, which charge shall be as hereinafter provided in subsection 720.17. All charges for use of the City's water supply system shall be due on the date specified by the Finance Division for the respective account and shall be delinquent thereafter. It shall be the duty of the Finance Division to endeavor to promptly collect delinquent accounts. For good cause shown, the ~~Deputy City Manager~~ Chief Financial Officer may, in appropriate circumstances, adjust the amount due on such accounts. Annually all delinquent accounts shall be certified to the City Manager who shall prepare an assessment roll providing for assessment of the delinquent amounts against the respective properties served, along with an administrative fee and interest. This assessment roll shall be delivered to the Council for adoption on or before October 31st of each year. Such action may be optional or subsequent to taking action to collect delinquent accounts. The related administrative fee rates are set forth in Chapter X.

SECTION 8. Section 900.17, Subd. 2 of the City Code is amended, with existing text, ~~deleted-text~~, and new text as follows:

Subd. 2. The ~~Deputy City Manager~~ Chief Financial Officer shall prepare necessary documentation for recovery of City expenses incurred in response to mutual aid to the extent possible pursuant to federal and state statutes and mutual aid agreements. The City will bill for services rendered for mutual aid when response time exceeds 12 hours.

SECTION 9. Section 1310.11, Subd. 5 of the City Code is amended, with existing text, ~~deleted-text~~, and new text as follows:

Subd. 5. Towing and Storage Charges. The towing and storage charge in connection with the impounding of any vehicle shall not exceed the amount agreed upon in any current contract between the City and a duly appointed towing contractor. A true and correct copy of said contract shall be on

file in the office of the Director of Public Safety and the City Clerk for public inspection and reference. The towing and storage charges shall include \$5.00 per vehicle for clerical and administrative expenses of the City. The City shall bill the towing contractor on the first of each month for such expenses. Sums due to the City for each vehicle shall be paid by the towing contractor to the ~~Deputy City Manager~~ Chief Financial Officer within ~~ten~~ 30 days following the date of such bill, together with detailed records regarding all such service requests.

SECTION 10. Section 1400.11 of the City Code is amended, with existing text, ~~deleted text~~, and new text as follows:

1400.11. - Handling of Funds.

All money received from the sale of lots and other services, shall be paid to the ~~Deputy City Manager~~ Chief Financial Officer. No deed to any cemetery lot shall be issued, nor shall any services be performed until a receipt showing payment to the ~~Deputy City Manager~~ Chief Financial Officer of the cost thereof shall be exhibited to the person whose duty it is to give the deed or perform the services. All money received from the sale of lots and for the performance of services shall be placed in the cemetery fund, which fund shall be used for the payment of the purchase price of grounds, or for maintenance and improvements, and for no other purpose. The ~~Deputy City Manager~~ Chief Financial Officer shall keep an account of all receipts and disbursements of money belonging to the cemetery fund.

SECTION 11. This amendment shall take effect immediately upon passage.

ADOPTED by the City Council this 9th day of September, 2025.

Jeffry Wosje, Mayor

ATTEST:

Jodi Gallup, City Clerk

CITY OF PLYMOUTH

RESOLUTION No. 2025-233

RESOLUTION APPROVING SUMMARY PUBLICATION OF ORDINANCE No. 2025-09

Ordinance No. 2025-09 amends various sections of the Plymouth City Code concerning the Deputy City Manager and Chief Financial Officer.

A printed copy of the entire ordinance is available for inspection at the City Clerk's Office during regular office hours.

APPROVED for summary publication by the City Council this 9th day of September, 2025.

To: Dave Callister, City Manager

Prepared by: Natalie Dorcy, Office Support Specialist

Reviewed by: Jodi Gallup, City Clerk

Item: **Approve temporary liquor license application of St. Barnabas Lutheran Church at their campus located at 15600 Old Rockford Road on January 3, 2026**

1. Action Requested:

Adopt attached resolution approving temporary liquor license application of St. Barnabas Lutheran Church at their church campus located at 15600 Old Rockford Road on January 3, 2026.

2. Background:

St. Barnabas Lutheran Church has submitted a temporary liquor license application and certificate of liquor liability coverage for a fund-raising event on January 3, 2026 at their church. The fundraiser is for Luther Park, a church camp in Danbury, Wisconsin. There will be live music, a silent auction, beer and wine for sale and possibly other fundraising activities. The event will run from 6:00 p.m. to about 10:00 p.m. Most of the attendees will be church members or supporters of Luther Park.

3. Budget Impact:

License fee of \$50 and liability insurance have been received.

4. Attachments:

1. City Council Resolution 2025-234

CITY OF PLYMOUTH

RESOLUTION No. 2025-234

RESOLUTION APPROVING TEMPORARY LIQUOR LICENSE APPLICATION OF ST. BARNABAS LUTHERAN CHURCH

WHEREAS, St. Barnabas Lutheran Church has submitted a temporary liquor license application for an event at their church campus located at 15600 Old Rockford Road on January 3, 2026; and

WHEREAS, the required fees and certificate of liquor liability insurance have been received.

NOW, THEREFORE BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA, that the temporary liquor license application for St. Barnabas Lutheran Church at 15600 Old Rockford Road on January 3, 2026 is approved.

APPROVED by the City Council on this 9th day of September, 2025.

To: Dave Callister, City Manager

Prepared by: Natalie Dorcy, Office Support Specialist

Reviewed by: Jodi Gallup, City Clerk

Item: **Public hearing on off-sale intoxicating liquor license application of ABS Associates LLC d/b/a Vicksburg Liquor, 1115 Vicksburg Lane North #5**

1. Action Requested:

Following public hearing, adopt attached resolution approving off-sale intoxicating liquor license application of ABS Associates LLC d/b/a Vicksburg Liquor, 1115 Vicksburg Lane North #5.

2. Background:

ABS Associates has submitted an application for an off-sale liquor license as the new owner of Vicksburg Liquor, located at 1115 Vicksburg Lane North #5. This is an existing establishment currently owned by Wood and Associates, Inc. The tradename of the establishment will remain the same under the new ownership. The Police Department has conducted the criminal background investigation and has found no reason to deny the license. The required notification was provided to property owners within 500 feet of the site per City Code 1201.25.

3. Budget Impact:

The city has received the required background investigation fee. The prorated license fee for the remainder of the license period will be paid prior to issuance of the license.

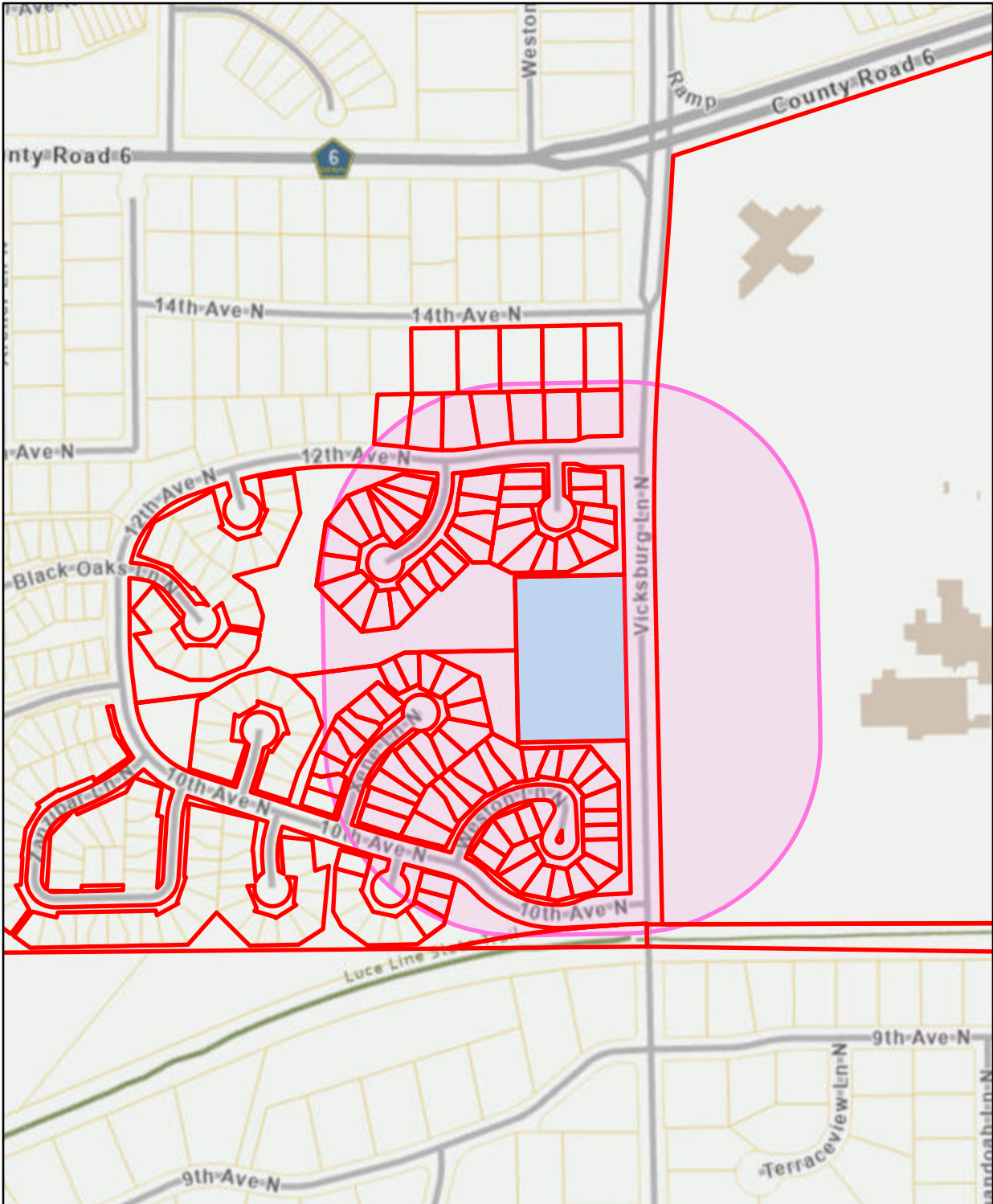
4. Attachments:

1. Buffer and Distance Map
2. Property Owners within 500'
3. City Council Resolution 2025-235



Hennepin County Locate & Notify Map

Date: 8/20/2025



Buffer Size: 500

Map Comments:

0 100 200 400 Feet
|-----|-----|-----|-----|

This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

For more information, contact Hennepin County GIS Office
300 6th Street South, Minneapolis, MN 55487 / gis.info@hennepin.us

40 29-118-22 44 0030
WILLIAM A SCHAETZEL
16005 14TH AVE N
PLYMOUTH MN 55447

40 29-118-22 44 0074
SHEILA H ROLF
15910 12TH AVE N
PLYMOUTH MN 55447

40 32-118-22 11 0011
KELLY HEMENWAY
1171 WESTON LA N
PLYMOUTH MN 55447

40 29-118-22 44 0031
KELBY CARLSON
15925 14TH AVE N
PLYMOUTH MN 55447

40 29-118-22 44 0075
WILLIAM & JEANNE DRAZKOWSKI
15900 12TH AVE N
PLYMOUTH MN 55447

40 32-118-22 11 0012
JENELL ANN O'BRIEN
DEAN FRIELER
1175 WESTON LA N
PLYMOUTH MN 55447

40 29-118-22 44 0032
JEAN M WELCH
15915 14TH AVE N
PLYMOUTH MN 55447

40 32-118-22 11 0001
VICKSBURG LTD PARTNERSHIP
C/O PARK AVENUE OF WAYZATA
15210 WAYZATA BLVD
WAYZATA MN 55391

40 32-118-22 11 0013
PAUL W CHAMBERLAIN
1907 E WAYZATA BLVD
STE 130
WAYZATA MN 55391

40 29-118-22 44 0033
CAROL A JORDAN
15905 14TH AVE N
PLYMOUTH MN 55447

40 32-118-22 11 0004
DNR REAL ESTATE MGMT
ATTN DEBBIE GURTIN
500 LAFAYETTE RD
ST PAUL MN 55155

40 32-118-22 11 0014
DONOVAN NOBLE & LAURA NOBLE
2537 CLUBHOUSE DR W
ROCKLIN CA 95765

40 29-118-22 44 0062
MATTHEW JAMES BOHLINGER
JESSICA MARGARET BOHLINGER
16015 14TH AVE N
PLYMOUTH MN 55447

40 32-118-22 11 0005
ELINOR ZIMMERMAN
1194 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0015
BRIDGET DALY
JEFFREY T KNICKERBOCKER
1191 WESTON LA N
PLYMOUTH MN 55447

40 29-118-22 44 0069
GIUSEPPE CAGGIANO
ANNA MARIE CAGGIANO
16100 12TH AVE N
PLYMOUTH MN 55447

40 32-118-22 11 0006
KELSEY E ECKERLINE
1190 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0016
MARK ECKERLINE
DEBORAH ECKERLINE
1195 WESTON LA N
PLYMOUTH MN 55447

40 29-118-22 44 0070
JOHN & ALISON C LACROIX
16020 12TH AVE N
PLYMOUTH MN 55447

40 32-118-22 11 0007
TERRI L GAINES
1184 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0017
BLAKE RABENS
1194 XENE LA N
PLYMOUTH MN 55447

40 29-118-22 44 0071
LORNA K NOREEN
16010 12TH AVE N
PLYMOUTH MN 55447

40 32-118-22 11 0008
LYNN M GUSTAFSON
1180 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0018
BETTY ANN MAYER
1190 XENE LA N
PLYMOUTH MN 55447

40 29-118-22 44 0072
GARY R BAGOT
16000 12TH AVE N
PLYMOUTH MN 55447

40 32-118-22 11 0009
JULIE SJEKLOCHA
1174 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0019
HERMAN CRAWFORD
MARILYN CRAWFORD
1184 XENE LA N
PLYMOUTH MN 55447

40 29-118-22 44 0073
CHRISTOPHER W MILLER
MELISSA MILLER
15920 12TH AVE N
PLYMOUTH MN 55447

40 32-118-22 11 0010
WESTON LANE LLC
1170 WESTON LN N
PLYMOUTH MN 55447

40 32-118-22 11 0020
JEANNINE LAQUA
1180 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0021
MARDELL T KLINGELHOETS
1174 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0031
MARY WERNER & THOMAS REEVES
1151 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0083
DELILA SCHAIBLE
1267 JETER COURT
THE VILLAGES FL 32162-3770

40 32-118-22 11 0022
NICK GHERARDI
1170 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0032
DENNIS P SEVERSON TRUSTEE
1155 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0084
DENNIS K KARIUS
JANET S KARIUS
1031 XENE LA N
MINNEAPOLIS MN 55447

40 32-118-22 11 0023
DEBORAH ANN O'CONNELL
1164 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0033
STEVE NOVAK & LYNN NOVAK
BRADLEY JOSEPH NOVAK
1161 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0085
JENNIFER BLACKLEY
1035 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0024
MICHAEL SANFORD HATCH ET AL
8676 176TH ST W
LAKEVILLE MN 55044

40 32-118-22 11 0034
LELAND GARY CORNELIUS
BARBARA JEAN CORNELIUS
1165 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0086
JOHN E OVERLAND
1041 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0025
REBECCA A ALLEN
1154 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0035
DIANN TILDEN
1191 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0087
PAMELA D LANE
1045 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0026
TESSA CECILIA BRIDAL
1150 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0036
JEANETTE S LARSON
1195 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0088
CYNTHIA REHKAMP
1051 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0027
MARK DANIEL LITECKY
ANITA KAY LITECKY
515 KOKESH FARM RD
ORONO MN 55359

40 32-118-22 11 0063
CIMARRON PONDS HOMEOWNERS
PO BOX 261
HOPKINS MN 55343

40 32-118-22 11 0089
RONALD J DUSA
932 1ST ST N #1002
JACKSONVILLE BEACH FL 32250

40 32-118-22 11 0028
MARY DOSHAN
110 CLAY CLIFFE DR
TONKA BAY MN 55331

40 32-118-22 11 0080
KEVIN VOELZ & REBECCA VOELZ
1011 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0090
CAROLYN E & DALE O CROSBY
1061 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0029
BRIAN T GUDDAL
1141 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0081
CATHERINE L RICH
1015 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0091
NANCY L MEYER
1065 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0030
JANE P FORD
1145 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0082
PETER K IVERSON
1021 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0092
SUSAN CAVARA
1054 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0093
ALICE K FLEISCHHACKER
1050 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0103
RONALD A OSWALD/V W OSWALD
ROXANNE S OSWALD
1015 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0113
JOSEPHINE F SANSONE
1065 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0094
CAROL J OLSON
1044 XENE LANE
PLYMOUTH MN 55447

40 32-118-22 11 0104
JANICE A HANNAMAN
1021 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0114
JUDITH A ULRICH
1071 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0095
DIANA K LUND
1040 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0105
MARTHA HOLTAN PERBIX
1025 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0115
PATRICIA ANN NORBY
1075 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0096
TIMOTHY E STORMOEN
RENEE M STORMOEN
1034 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0106
LIONEL GILBERT THATCHER
SYLVIA HASLER THATCHER
5417 BAHNSON AVE
SIOUX FALLS SD 57108

40 32-118-22 11 0116
JENNIFER A REECE
1081 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0097
WILLIAM J SCHMITT
JANE A SCHMITT
1030 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0107
JOAN M EVANS
15407 LINKSHORE DR
HOUSTON TX 77062

40 32-118-22 11 0117
STEPHEN P UPPMAN &
FAYE LUAN-YOUNG UPPMAN
1085 WESTON LA
PLYMOUTH MN 55447

40 32-118-22 11 0098
PAMELA P KEELER
1024 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0108
DEBRA JEANNE MARXEN
1041 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0118
ANITA L MILNES
1091 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0099
DAVID K MOHN & DIANNE L MOHN
1020 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0109
MARION R LUKAWSKI
1045 WESTON LANE
PLYMOUTH MN 55447

40 32-118-22 11 0119
NAOMI J SEEGER
1095 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0100
MARGARET E SCHLICHT
1014 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0110
THOMAS GALLAGHER
1051 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0120
ALLEN W MONTAGUE
1094 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0101
CLAUDE DAVIS
BARBARA DAVIS
1010 XENE LA N
PLYMOUTH MN 55447

40 32-118-22 11 0111
JOHN BARRETT
SUSAN BARRETT
1055 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0121
LAWRENCE H WAGNER
1090 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0102
LARRY M FOREMAN
MARTHA M FOREMAN
1011 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0112
ERIC C EASTMAN
BARBARA J EASTMAN
1061 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0122
STEVEN R & GAIL R WILCOX
2057 WINTERGREEN CT
GREEN BAY WI 54304

40 32-118-22 11 0123
KRISTIN PEARSON
BOAKE MUNSCH
855 FOREST ARMS LA
ORONO MN 55364

40 32-118-22 11 0169
CIMARRON PONDS HOMEOWNERS
PO BOX 261
HOPKINS MN 55343

40 32-118-22 11 0124
SHARON L STEFANOC
1034 WESTON LA N
PLYMOUTH MN 55447

40 33-118-22 22 0001
THREE RIVERS PARK DISTRICT
3000 XENIUM LA N
PLYMOUTH MN 55441

40 32-118-22 11 0125
MARGARET HAMMERSTAD
1030 WESTON LA N
PLYMOUTH MN 55447

40 33-118-22 22 0003
COUNTY OF HENNEPIN
300 S 6TH STREET MC228
MINNEAPOLIS MN 55487

40 32-118-22 11 0126
LESLIE J HONISCH
1014 WESTON LA N
PLYMOUTH MN 55447

40 32-118-22 11 0127
JANIE ANNE KOCH
2315 INDIAN RD W
MINNETONKA MN 55305

40 32-118-22 11 0128
CIMARRON PONDS HOMEOWNERS
840 LAKE ST E #200
WAYZATA MN 55391

40 32-118-22 11 0159
GLORIA J ULANSKI
55A KALIE ST
WAHIAWA HI 96786-2576

40 32-118-22 11 0166
LEONARD R JENSEN
13413 SUNSET TRAIL
PLYMOUTH MN 55441

40 32-118-22 11 0167
990 XENE LLC
ATTN: MARK ECKERLINE
1241 VAGABOND CT N
PLYMOUTH MN 55447

40 32-118-22 11 0168
DAVID M HONIGMAN
994 XENE LANE NORTH
PLYMOUTH MN 55447

CITY OF PLYMOUTH

RESOLUTION No. 2025-235

RESOLUTION APPROVING OFF-SALE INTOXICATING LIQUOR LICENSE APPLICATION OF ABS ASSOCIATES LLC D/B/A VICKSBURG LIQUOR, 1115 VICKSBURG LANE NORTH #5

WHEREAS, ABS Associates LLC d/b/a Vicksburg Liquor, 1115 Vicksburg Lane North #5, has submitted an application for Off-Sale Intoxicating Liquor at this address; and

WHEREAS, the Police Department has conducted a background investigation and has found no reason to deny the application.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA that the Off-Sale Intoxicating Liquor License application of ABS Associates LLC d/b/a Vicksburg Liquor, 1115 Vicksburg Lane North #5, is approved for a license period that will expire January 31, 2026.

BE IT FURTHER RESOLVED that approval is contingent upon the city receiving all documentation as required in the liquor license application.

APPROVED by the City Council on this 9th day of September, 2025.

To: Dave Callister, City Manager

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

Reviewed by: Michael Thompson, Public Works Director

Item: **Approve Change Order No.1 for the Plymouth Boulevard Landscaping Project (ST240003)**

1. Action Requested:

Adopt attached resolution approving Change Order No.1 for the Plymouth Boulevard Landscaping Project (ST240003).

2. Background:

The Plymouth Boulevard Landscaping project includes placemaking, landscaping, and streetscape improvements that follow the roadway and pedestrian improvements constructed in 2024. The significant investment is designed to promote the vision for City Center through implementation of elements that improve traffic flow (roundabouts), pedestrian mobility, lighting, landscaping and aesthetic/art components, and enhancements at the Hilde plaza entrance and major intersections. The Plymouth Boulevard enhancements continue thematic elements installed as part of the Vicksburg reconstruction in 2022 and 2023. The landscaping will improve the aesthetic appeal of the corridor with trees, shrubs, grasses, and perennials being planted in boulevards, medians, and the center of the roundabouts.

Council awarded the contract for the project to Hoffman & McNamara Co. at the August 26, 2025, Council meeting. The attached Change Order No.1 includes changes to the project, including removal of certain items (column lighting, concrete maintenance strips, and signage) and modification of other items that bring the project cost in alignment with funding outlined in the Capital Improvement Plan while still promoting the vision for City Center.

Construction is scheduled to start in early September and be substantially completed by the end of November.

3. Budget Impact:

The \$2,114,000 project cost previously approved by council included the construction contract in the amount of \$1,832,514.90. Change Order No.1 reduces the construction contract by \$489,853.70. The total estimated project cost, including Change Order No.1, is \$1,609,000 and includes the improvements in the amount of \$1,342,661.20, engineering and administration in the amount of \$199,309, and contingency in the amount of \$67,029.80. Funding for the project would be from the street reconstruction fund, which will have additional near-term funding through an interfund loan(s) and/or potential debt issuance to be repaid with anticipated future TIF revenues.

4. Attachments:

1. Presentation
2. Change Order No. 1
3. City Council Resolution 2025-236



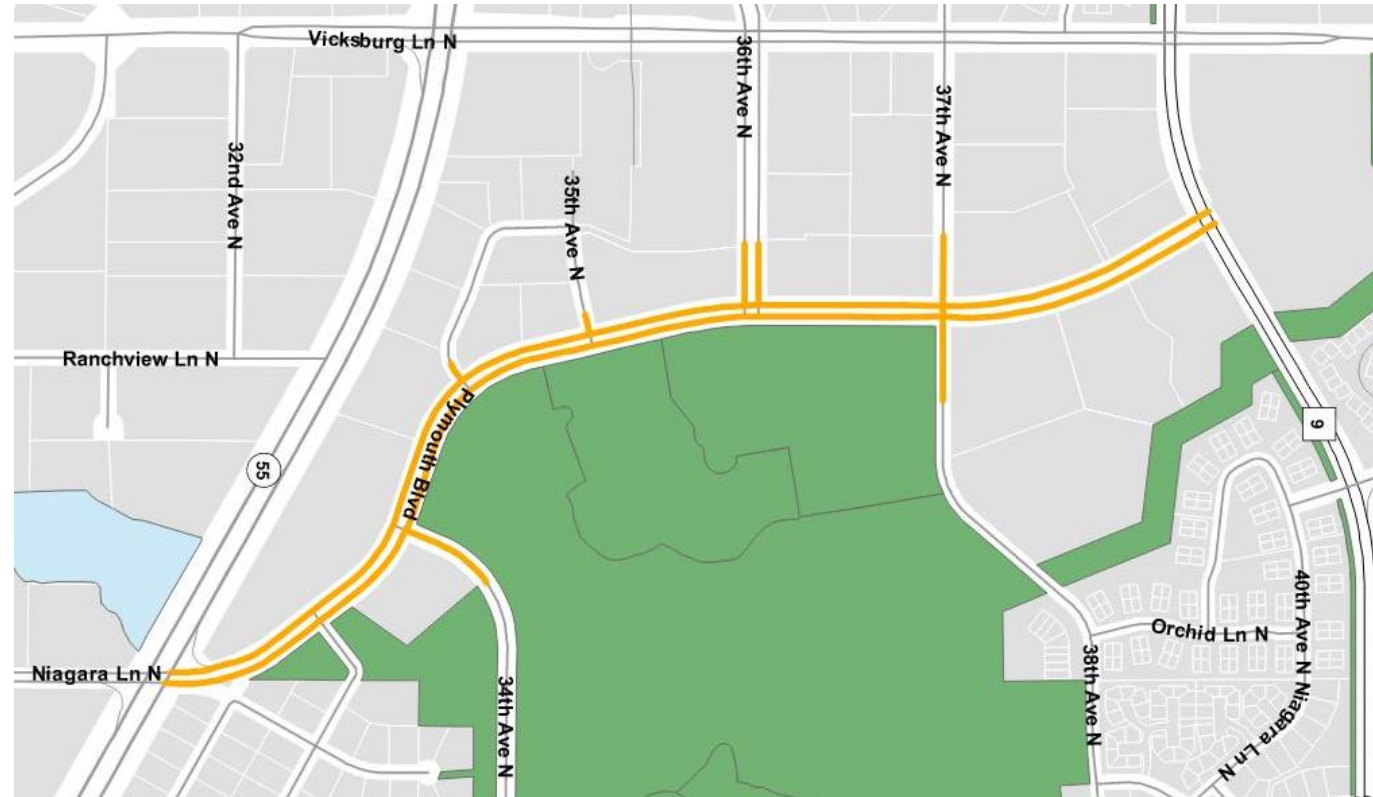
Plymouth Boulevard Landscaping Project

Approve Change Order – September 9, 2025



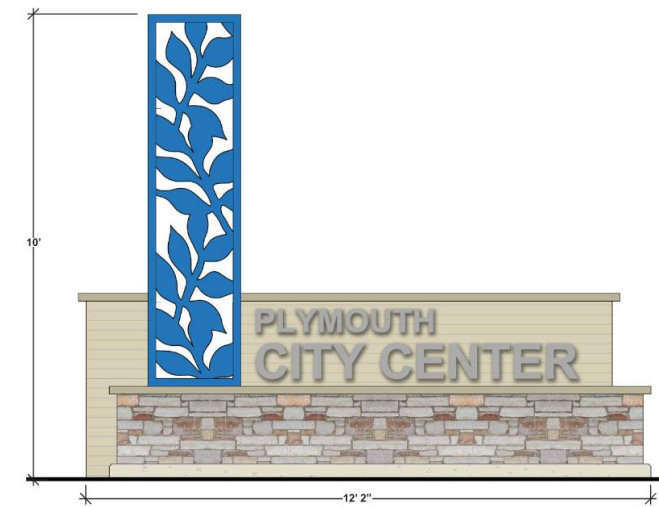
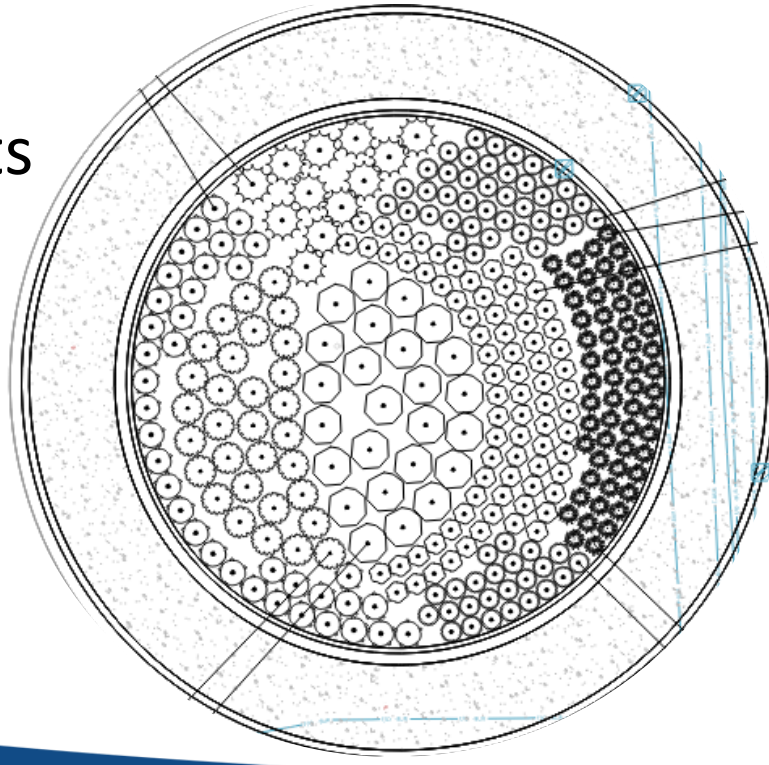
Project Area & Schedule

- Plymouth Boulevard
 - Hwy 55 to Rockford Road
- August 26, 2025
 - Construction contract awarded
- Fall 2025 - Construction
 - Substantial completion Nov. 30
 - Final completion May 2026



Improvements

- Landscaping
 - Boulevards, medians, roundabouts
 - Trees, shrubs, grasses, perennials
- Irrigation
- Monuments
 - Hilde
 - Entry



Project Costs (Original)

- Total Estimated Project Cost: \$ 2,114,000
- Project Breakdown:
 - Construction: \$ 1,832,514.90
 - Engineering & Administration: \$ 190,100.00
 - Contingencies: \$ 91,385.10
- Capital Improvement Plan: \$ 1,500,000

Project Costs (Change Order No. 1)

- Total Estimated Project Cost: \$ 1,609,000
- Change Order No. 1 **\$ 489,853.70**
 - Removal of column lighting, maintenance strip, signage
 - Modification of misc. items
- Project Breakdown:
 - Construction: \$ 1,342,661.20
 - Engineering & Administration: \$ 199,309.00
 - Contingencies: \$ 67,029.80

Recommendations

- Adopt resolution approving Change Order No. 1
- Questions or comments?

Change Order No. 1

Project	Plymouth Boulevard Landscape Project		
Owner	City of Plymouth	City Project No.	ST240003
Contractor	Hoffman & McNamara Co.	Engineer Project No.	027218-000

Issue:

The City desires to make changes to the work estimated quantities and the Engineer has determined the Contract needs to be revised in accordance with contract documents.

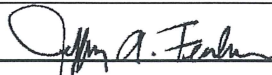
Resolution:

1. The Lighting System contract item will be revised to only include lighting of the monuments to be constructed. The DMX controller providing for color changing capabilities of the lighting will be removed. The work will be adjusted according to the revised plans and specifications and changes in quantities as shown in the estimate of cost.
2. Payment for this work will be at Negotiated Unit Prices as provided in the contract documents, as shown in the estimate of cost.
3. This document does not change Contract Time.

Estimate Of Cost: *(Include any increases or decreases in contract items, any negotiated or force account items.)*

Item No.	Description	Unit	Unit Price	+ or – Quantity	+ or – Amount \$
6	Aggregate Surfacing	SF	\$6.00	- 4,518	- \$27,108.00
10	Landscape Boulders	Each	\$456.00	- 12	- \$5,472.00
11	Concrete Maintenance Strip (4" Thick)	SF	\$17.50	- 10,115	- \$177,012.50
19	Wayfinding Signage	Each	\$5,897.00	- 6	- \$35,382.00
20	Wayfinding Signage Footings	Each	\$1,469.00	- 6	- \$8,814.00
22	Lighting System – Scope Reduction	LS	\$180,500.00	- 1	- \$180,050.00
22	Lighting System – DMX Controller Elimination	LS	\$41,700.00	- 1	- \$41,700.00
23	Traffic Control	LS	\$4,000.00	- 1	- \$4,000.00
28	Boulevard Topsoil Mix (4" Depth)	CY	\$75.00	- 100	- \$7,500.00
29	Mulch Material Type 6 (3" Depth)	CY	\$108.00	+ 86	\$9,288.00
30	Seeding – Type 1 Fine Fescue Turf Seed	Acre	\$10,086.00	- 1.2	- \$12,103.20
Net Change this Change Order					- \$489,853.70

Land. Arch. Approval:



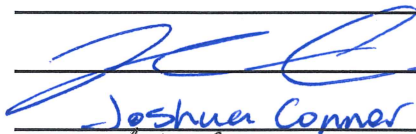
Date: August 15, 2025

Print Name:

Jeff Feulner

Title: Sr Professional Landscape Architect

Contractor Approval:



Date: 8/18/2025

Print Name:

Joshua Connor

Title: Sales + Marketing Leader

City Review:



Date: 08/28/2025

Print Name:

Mike Payne

Title: City Engineer/Deputy PW Director

City Approval:

Date:

Print Name:

Dave Callister

Title: City Manager

CITY OF PLYMOUTH

RESOLUTION No. 2025-236

RESOLUTION CHANGE ORDER No. 1 FOR THE PLYMOUTH BOULEVARD LANDSCAPING PROJECT (ST240003)

WHEREAS, the City of Plymouth as the owner, and Hoffman & McNamara, Co. as the contractor, have entered into an agreement for the Plymouth Boulevard Landscaping Project. Said agreement was approved by the City Council on August 26, 2025; and

WHEREAS, changes were made during construction that are not covered under the city's contract with Hoffman & McNamara, Co., and;

WHEREAS, Change Order No. 1 was incorporated into the project and included the removal and modification of contract items.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA that Change Order No. 1 which includes a reduction in the contract in the amount of \$489,853.70 is approved.

APPROVED by the City Council on this 9th day of September, 2025.