

Maple Grove City Council

meeting minutes

January 3, 2022

Call to order

Pursuant to call and notice thereof, a regular meeting of the Maple Grove City Council was held at 7:30 p.m. on January 3, 2022 at the Maple Grove Government Center/Public Safety Facility, Hennepin County, Minnesota. Members present were Mayor Mark Steffenson and Councilmembers Judy Hanson, Karen Jaeger, Phil Leith, and Kristy Barnett. Absent was none. Present also were Heidi Nelson, City Administrator; Joe Hogeboom, Community and Economic Development Director; Ken Ashfeld, Public Works Director/City Engineer; and Justin Templin, City Attorney.

Mayor Steffenson called the meeting to order at 7:30 p.m.

Presentation of colors

Mayor Steffenson welcomed Maple Grove Boy Scout Troop #584 as they presented the colors and led the city in the Pledge of Allegiance.

Invocation

Ronur Murali Bhattar, Chief Priest representing the Hindu Temple, provided an opening message for the City Council. He commended the city on how they have managed the COVID-19 pandemic. He thanked city representatives for visiting the Temple during special events and prayed peace over the community.

Comments by the Mayor and City Council on the “State of the City”

Mayor Steffenson stated 2021 was both a challenging and exciting year at the same time. He explained he was proud of the fact the city came through 2021 strong and that many new developments were beginning in the community. He commented further on the developments that were occurring which included Upsher Smith and stated he was proud of the growth in Maple Grove. He stated the City Council has worked hard to keep taxes low during these difficult times. He was proud of the fact Maple Grove was one of the best places to live in the United States. He discussed how further expansion of the hospital would positively impact the community. He discussed the work that was needed on the Community Center in order to enhance this amenity for Maple Grove residents.

Councilmember Jaeger stated 2021 was a unique year. She indicated it was with her head bowed she reflected on what has been lost but noted she was also looking forward. She explained the city received additional funding which would allow for the completion of TH610. She thanked Mayor Steffenson for the hours he spent in Washington testifying and advocating for funding for this project. She noted 2021 brought more senior and affordable housing to Maple Grove. She discussed how the City Council had worked to keep spending down and taxes low for the residents of Maple Grove. She reported Maple Grove was a star city and she congratulated the city for winning first place during National Night Out. She thanked the police, fire, public works and park employees for all they do to keep this vibrant community a tremendous place to live, work and play. She thanked City Administrator Nelson and all of the directors for their efforts during the COVID-19 outbreak. She thanked all of the commission and board members for their service to the community. She wished everyone a prosperous and blessed year in 2022.

Councilmember Leith thanked staff for their timely and professional responses to the residents of Maple Grove in 2021. He noted the past year brought many challenges while dealing with COVID-19 and he appreciated how the city worked to offer its usual services while helping local businesses that were suffering. He stated it was nice to see Maple Grove Days, National Night Out, Concert on the Lawn and the Angel of Hope Service held in 2021. He commended Upsher Smith on their expansion in the community. He reported he attended the groundbreaking ceremony for the North Metro Range expansion. He stated in looking ahead to 2022 he was proud of the fact TH610 would be completed. He discussed the projects that would be constructed in the coming year. He thanked the residents of Maple Grove for making this community what it is. He thanked the Mayor and Council for all of their efforts and noted he looked forward to working with each of them in 2022.

Councilmember Hanson thanked the Mayor, her fellow Councilmembers and city staff for all of their leadership on behalf of the community over the past year. She stated even during COVID the city did a great job providing its services to the community. She explained she was proud of the fact the North Metro Regional Public Safety Training Facility would be expanding along with many businesses in the community. She

appreciated the fact that the city's website had been updated and made more user friendly. She discussed the long-time employee retirements that occurred in 2021. She discussed the plans that were being discussed to renovate the Community Center along with Main Street, which were both 25 years old. She noted there was new housing that was coming to the community, which included affordable housing units and senior housing units. She indicated there was a lot to look forward to in 2022.

Councilmember Barnett discussed how Maple Grove was full of neighbors with purpose. She thanked these neighbors, churches and organizations for stepping up and helping the community during the pandemic. She discussed the numerous ways people gathered and helped their community in 2021. She thanked the community for holding over 187 parties for National Night Out. She appreciated how Maple Grove was a community that helped others, in order to make everyone feel included. She stated she was very proud to call Maple Grove her home.

Additions or deletions to the agenda

Mayor Steffenson asked if there were any additions and/or deletions to the consent agenda to which Heidi Nelson stated the following:

Item amended to the agenda

None

Item amended to the consent agenda

3O. Establish storm water utility fund Resolution No. 22-004

Item added to the agenda

None

Item removed from the consent agenda for discussion

3T. Project No. 22-07 receiving feasibility report and ordering project Resolution No. 22-023

Consent items

The following consent items were presented for Council's approval:

MINUTES

A. Work session meeting – December 20, 2022

Regular meeting – December 20, 2022

HUMAN RESOURCES ITEMS

B. Recruitment approval for assistant building official

Motion to authorize staff to begin the recruitment process for the newly created assistant building official position in the Building Inspections Department.

C. Recruitment approval for executive assistant to the city administrator

Motion to authorize staff to begin the recruitment process for the executive assistant to the city administrator position in the Administration Department.

D. Recruitment approval for human resources technician

Motion to authorize staff to begin the recruitment process for the newly created human resources technician position in the Human Resources Department.

E. Recruitment approval for intermediate equipment operator and subsequent vacancy

Motion to authorize staff to begin the recruitment process for the vacant intermediate equipment operator and subsequent vacancy in the Public Works Department due to the passing of Andrew Sandahl on December 19, 2021.

F. Recruitment approval for light equipment operator

Motion to authorize staff to begin the recruitment process for the newly created light equipment operator position in the Public Works Department.

G. Recruitment approval for police officer

Motion to authorize staff to begin the recruitment process for the newly created police officer position in the Police Department.

COMMUNITY & ECONOMIC DEVELOPMENT ITEMS

H. Appointment to Arbor Committee

Motion to approve the appointment of Jake Wanek to the Arbor Committee for a term to expire December 31, 2024.

I. Crocus Grove Planned Unit Development concept stage plan, development stage plan, preliminary plat, rezoning and administrative lot division

Motion to table the application at the request of the applicant.

J. Designating 6200-7700 Lawndale Lane and 7700-9500 Dunkirk Lane as Maple Grove Parkway

Motion to adopt Ordinance No. 22-01 approving designating 6200 through 7700 Lawndale Lane and 7700 through 9500 Dunkirk Lane as Maple Grove Parkway.

Motion to adopt summary Ordinance No. 22-01 to reduce publication costs.

K. Evanswood Hill and Radintz administrative lot division

Motion to approve the requested administrative lot division of parcel PID No. 06-119-22-44- 0001.

L. Non-profit funding allocation for the Lion's Club

Motion to adopt Resolution No. 22-009 authorizing disbursement of \$60,000 of the city's charitable gambling funds to the Lion's Club for the purpose of reimbursement for losses associated with the 2021 Concert on the Lawn community festival.

M. Tricare Senior Housing Planned Unit Development concept stage plan amendment

Motion to adopt Resolution No. 22- 008 approving the Tricare Senior Housing PUD concept stage plan amendment.

ENGINEERING ITEMS

N. Edgewater on Cook Lake, Project No. 18-23 - re-advertisement for bids Resolution No. 22-005

Motion to adopt Resolution No. 22-005 authorizing re-advertisement for bids for Edgewater on Cook Lake Project No. 18-23 in 2022.

O. Establish storm water utility fund Resolution No. 22-004

Motion to approve Resolution No. 22-004 establishing a Storm Water Utility Fund.

P. Evanswood - establish project, order and receive feasibility report, establish public hearing Resolution No. 22-006

Motion to adopt Resolution No. 22-006 establishing Evanswood Project No. 21-10, receiving surety, ordering feasibility report, receiving feasibility report and establishing public hearing.

Q. Project No. 2021-02 - Final Acceptance

Motion to approve the final acceptance of Wintergreen, Woodland Ponds & Energy Hills Street Reconstruction, Project No. 2021-02 completed by GMH Asphalt Corporation subject to the warranty provisions of the contract and statutory law.

R. Project No. 22-05 receiving feasibility report and ordering project Resolution No. 22-021

Motion to adopt Resolution No. 22-021 receiving the feasibility report, ordering Project No. 22-05 Rosemary Woods Water Quality Pond Maintenance, receiving quotes and awarding contract.

S. Project No. 22-06 receiving feasibility report and ordering project Resolution No. 22-022

Motion to adopt Resolution No. 22-022 accepting the feasibility report, ordering Project No. 22-06 Deerfield Park Water Quality Pond Maintenance, receiving quotes, and awarding contract.

T. Project No. 22-07 receiving feasibility report and ordering project Resolution No. 22-023

This item was removed by Mayor Steffenson for discussion.

U. Sureties

Motion to approve the surety actions as identified within the staff report.

ADMINISTRATIVE ITEMS

V. Appointments to various organizations and positions

Motion to appoint representatives as shown below to the following organizations and positions:

1. **League of Minnesota Cities**
Delegate – Mayor Steffenson
Alternate – Heidi Nelson
2. **Northwest Suburbs Cable Communications Commission**
Representatives – Councilmember Phil Leith and Al Madsen
3. **Northwest Community Television Board of Directors**
Representatives – Councilmember Phil Leith and Al Madsen
4. **Maple Grove Tree Inspector**
Joe Bennett, Street Supervisor
5. **Maple Grove Weed Inspector**
Mayor Steffenson
6. **Maple Grove Assistant Weed Inspector**
Joe Bennett, Street Supervisor
7. **Suburban Transit Association**
Delegate – Mike Opatz
Alternate – Councilmember Kristy Barnett
8. **Elm Creek Watershed Management Commission**
Commissioner – Maple Grove Resident – Joe Trainor
Alternate – Dan Riggs Technical Advisor – Public

Works Director/City Engineer Ken Ashfeld and Water Resources Engineer Derek Asche

9. **Municipal Legislative Commission**

Delegate – Mayor Steffenson

Delegate – City Administrator Heidi Nelson

10. **Maple Grove Tourism**

Delegate – Economic Development Manager Brett Angell (interim pending regular board appointment)

Alternate – CED Director Joe Hogeboom (interim pending regular board appointment)

11. **West Mississippi and Shingle Creek Watershed Management Commission**

Commissioner – Councilmember Karen Jaeger

Alternate Commissioner – Terry Muller

Technical Advisor – Ken Ashfeld and Derek Asche

12. **Maple Grove Firefighters Relief Association**

Representatives – Mayor Steffenson and Finance Director Greg Sticha

13. **Policy Advisory Committee for Dayton River Crossing Study**

Representative – Councilmember Judy Hanson

14. **Bottineau Light Rail Transit Corridor Management Committee**

Representatives – Mayor Steffenson and Transit Administrator Mike Opatz

15. **Center for Innovation and the Arts (CITA)**

Representatives – Councilmember Kristy Barnett and Superintendent of Recreation Aimee Peterson

W. Appointment of city attorney and prosecuting attorney

Motion to appoint Mr. Justin Templin, of the firm Hoff Barry P.A. as city attorney effective January 1, 2022.

Motion to appoint Mr. Steven Tallen, of the firm Tallen and Baertschi, as city prosecuting attorney effective January 1, 2022. With prosecution services transitioning to in-house midyear in

2022, Tallen & Baertschi will remain prosecuting attorneys until at least May 31, 2022, with an extension of service available if needed.

X. City Council liaison appointments

Motion to appoint Councilmembers to the positions below:

1. Liaison to Planning Commission – Councilmember Jaeger
2. Liaison to Park Board – Councilmember Leith
3. Liaison to Lake Quality Commission – Councilmember Jaeger
4. Liaison to Arbor Committee – Councilmember Hanson
5. Liaison to Community Center Owners’ Team – Mayor Steffenson and Councilmember Leith

Y. Designating council secretary

Staff recommends:

1. Adoption of Resolution No. 22-010 designating Minute Maker Secretarial, Inc. as council secretary for 2022.
2. Approve addendum to Recording Secretary Service Agreement

Z. Official newspaper designation

Motion to designate the *Osseo-Maple Grove Press* as the official city newspaper for 2022.

AA. Reappointments to city boards and commissions

Motion to approve the following reappointments to city boards and commissions for members whose terms expired on December 31, 2021.

- **Arbor Committee:** Bob Henke, Cody Lensing, and Mary Parenteau
- **Lake Quality Commission (one vacancy):** Rebecca Fahrenbruch, Steven Lane (Cedar Island), and Sharon Martin Kotula (Edward)
- **Park Board:** Ken Helvey, Debra Syhre

- **Planning Commission:** Lorie Klein, and Craig Lamothe
- **Transit Commission:** Teri Anderson

BB. Findings of fact on Benihana National Corporation dba Benihana Resolution No. 22-011

Motion to adopt Resolution No. 22-011 making findings, conclusion, and decision imposing a civil penalty of \$2,000 and a two (2) day suspension on Benihana National Corporation dba Benihana, 11840 Fountains Way N, Maple Grove, Minnesota.

CC. Findings of fact on Rochoas LLC dba El Rodeo Mexican Restaurant Resolution No. 22-012

Motion to adopt Resolution No. 22-012 making findings, conclusion, and decision imposing a civil penalty of \$2,000 and a two (2) day suspension on Rochoas LLC dba El Rodeo Mexican Restaurant, 13572 80th Circle N, Maple Grove, Minnesota.

DD. Findings of fact on HINW LLC dba Holiday Inn Maple Grove Resolution No. 22-013

Motion to adopt Resolution No. 22-013 making findings, conclusion, and decision imposing a civil penalty of \$2,000 and a two (2) day suspension on HINW LLC dba Holiday Inn Maple Grove, 11801 Fountains Way N, Maple Grove, Minnesota.

EE. Findings of fact on Hy-Vee, Inc. dba Hy-Vee Market Grille Express Resolution No. 22-014

Motion to adopt Resolution No. 22-014 making findings, conclusion, and decision imposing a civil penalty of \$2,000 and a five (5) day suspension on Hy-Vee, Inc. dba Hy-Vee Market Grille Express, 18755 70th Way N, Maple Grove, Minnesota.

FF. Findings of fact on Lookout Supper Club Inc. dba Lookout Supper Club Resolution No. 22-015

Motion to adopt Resolution No. 22-015 making findings, conclusion, and decision imposing a civil penalty of \$2,000 and a two (2) day suspension on Lookout Supper Club Inc. dba Lookout Supper Club, 8672 Pineview Lane N, Maple Grove, Minnesota.

GG. Findings of fact on GMRI Inc. dba Olive Garden Resolution No. 22-016

Motion to adopt Resolution No. 22-016 making findings, conclusion, and decision imposing a civil penalty of \$2,000 and a five (5) day suspension on GMRI Inc. dba Olive Garden, 12520 Elm Creek Blvd N, Maple Grove, Minnesota.

HH. Findings of fact on OMNI Brewing Company LLC dba OMNI Brewing Company Resolution No. 22-017

Motion to adopt Resolution No. 22-017 making findings, conclusion, and decision imposing a civil penalty of \$2,000 and a two (2) day suspension on OMNI Brewing Company LLC dba OMNI Brewing Company, 9462 Deerwood Lane N, Maple Grove, Minnesota.

II. Findings of fact on P.F. Changs China Bistro Inc. dba P.F. Changs China Bistro Resolution No. 22-018

Motion to adopt Resolution No. 22-018 making findings, conclusion, and decision imposing a civil penalty of \$2,000 and a two (2) day suspension on P.F. Chang's China Bistro Inc. dba P.F. Chang's China Bistro, 12071 Elm Creek Blvd N, Maple Grove, Minnesota.

JJ. Findings of fact on Ortiz 5 LLC dba Riviera Maya Cantina and Restaurant Resolution No. 22-019

Motion to adopt Resolution No. 22-019 making findings, conclusion, and decision imposing a civil penalty of \$2,000 and a two (2) day suspension on Ortiz 5 LLC dba Riviera Maya Cantina and Restaurant, 7904 Main Street N, Maple Grove, Minnesota.

KK. Findings of fact on Rush Creek Golf Club LLC dba Rush Creek Golf Club Resolution No. 22-020

Motion to adopt Resolution No. 22-020 making findings, conclusion, and decision imposing a civil penalty of \$2,000 and a two (2) day suspension on Rush Creek Golf Club LLC dba Rush Creek Golf Club, 7801 Co Rd 101, Maple Grove, Minnesota.

LL. Authorizing solicitation and acceptance of donations for the Maple Grove Police Department crime prevention program

Motion to approve Resolution No. 22-001 authorizing solicitation and acceptance of donations for the Maple Grove Police Department crime prevention program.

MM. Authorizing solicitation and acceptance of donations for the Maple Grove Police Department DARE program

Motion to approve Resolution No. 22-002 authorizing solicitation and acceptance of donations for the Maple Grove Police Department D.A.R.E. (Drug Abuse Resistance Education) program.

NN. Authorizing solicitation and acceptance of donations for the Maple Grove Police Department K-9 program

Motion to approve Resolution No. 22-003 authorizing solicitation and acceptance of donations for the Maple Grove Police Department K-9 program.

OO. Designation of Electronic Transaction Policy

Motion to authorize the finance director and other finance staff to make electronic funds transfers as designated in the city's Electronic Transaction Policy in accordance with Minnesota Statute § 471.383.

PP. Approve designation of official depositories

Motion to authorize the finance director to designate depositories and make investments, as authorized by Minnesota Statute § 118A.01 to 118A.06. The following will be the designations of official depositories for city funds.

- Checking accounts for city, payroll, utility billing, credit cards, Woodland Mounds, Park Board, scattered site homes and Sunshine Fund – U.S. Bank
- Purchasing card – U.S. Bank
- Credit card processing – Chase Paymentech, Invoice Cloud (utility billing, building), Card Connect (park & rec)

- Investments – U.S. Bank, Wells Fargo, RBC Capital Markets, Nuveen Asset Management, Galliard Capital Management, and Pavilion Advisory Group

QQ. Approve request for proposal for Municipal Financial Advisory Services

Approve RFP for Municipal Financial Advisory Services.

RR. Consideration to not waive monetary limits on municipal tort liability coverage

Motion to not waive the monetary limits on municipal tort liability established by Minnesota Statutes § 466.04.

SS. Approve claims

Motion to approve claims totaling \$ 1,610,644.48.

Motion by Councilmember Leith, seconded by Councilmember Jaeger, to approve the consent items as amended, removing item 3T (Project No. 22-07 receiving feasibility report and ordering project Resolution No. 22-023). Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

**Consideration
of items pulled
from the
agenda**

The following items were pulled from the consent agenda.

Regarding Item 3T (Project No. 22-07 receiving feasibility report and ordering project Resolution No. 22-023), Mayor Steffenson requested further information from staff on this item. Public Works Director/City Engineer Ashfeld explained this project would approve work on the Woodland Ponds stormwater pond south of 89th Avenue and East of Forestview Lane. He noted this pond had been the topic of discussion during the recent street reconstruction project and associated public hearing. He reported this pond has been on the city's radar as needing some dredging. Staff recommended the Council receive the feasibility study and authorize a contract in the amount of \$92,221 to New Look Contracting.

Motion by Mayor Steffenson, seconded by Councilmember Hanson, to adopt Resolution No. 22-023 accepting the feasibility report, ordering Project No. 22-07 Woodland

Ponds Water Quality Pond Maintenance, receiving quotes, and awarding contract. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

**Special
business**

Open forum

Joy Schwarz, 8715 Forest View Lane N, commended the city for their efforts on the Forestview Lane. She discussed the ponding work that would be done and questioned who would be responsible for repairing the driveways and grass after many large trucks are brought into her neighborhood for the pond dredging. Public Works Director/City Engineer Ashfeld explained the bid proposal includes restoration work associated with the pond work. He noted only one area would be used for access across Forestview Lane.

Ms. Schwarz questioned if the contractor would be responsible for the replacement of trees or shrubs that are lost. Public Works Director/City Engineer Ashfeld reported restoration work was included in the contract.

Ms. Schwarz requested this information be forwarded to the Woodland Ponds Board from the city offices. Public Works Director/City Engineer Ashfeld reported staff would be completing this task later this week.

**2022
legislative
agenda and
authorization
to enter into
legislative
services
agreement for
the 2022
legislative
session**

City Administrator Nelson explained as we look ahead to the 2022 legislative session, staff has prepared a 2022 legislative agenda for the City Council's consideration. The priority continues to be financing options for an eventual expansion and renovation of the Maple Grove Community Center. Also included are supporting position statements for initiatives that are represented by member organizations for issues that have directly affected Maple Grove by either the presence or absence of legislation. Staff reviewed the list of priorities with the Council noting the list is intended to identify priority issues; thus it is not all inclusive of legislative issues that municipalities face. Staff recommends continuing with Lockridge Grindal Nauen P.L.L.P. for consulting services for monitoring, reporting, and lobbying related to state legislative and administrative matters, particularly those impacting Maple Grove. The cost for the agreement with Lockridge Grindal

Nauen is proposed to increase by \$4,000 to \$40,000 annually. This is the first proposed increase for this agreement since beginning our relationship with Lockridge in 2019.

Motion by Mayor Steffenson, seconded by Councilmember Barnett, to adopt the 2022 legislative agenda as presented. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Motion by Councilmember Jaeger, seconded by Councilmember Leith, to approve authorizing the mayor to execute a legislative services agreement in the amount of \$40,000 with Lockridge Grindal Nauen P.L.L.P. for 2022. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Community and economic development items

Report on upcoming community and economic development items

Community and Economic Development Director Hogeboom updated the Council regarding the following:

- The Planning Commission would be meeting on Monday, January 10 and would be reviewing a residential variance, and a PetSuites on Upland Lane.
- The Arbor Committee would be meeting on Thursday, January 13 at 7:00 p.m.
- The Cub Wine & Spirits would be holding a grand opening on Wednesday, February 9 at 4:30 p.m.

Engineering- public works items

Main Street Rehabilitation Project No. 19-10

Assistant City Engineer Hale requested the Council approve plans and specifications and authorize advertisement for bids for the Main Street Rehabilitation Project. He discussed the timeline for the project in detail with the Council and reported a representative from WSB was in attendance to review the plans.

**Approve plans
and authorize
ad for bids**

**Resolution No.
22-007**

Jeff Fullner, WSB & Associates, reviewed the final plans and described the improvements that would be completed within the Main Street project area with the Council. The planters, tree plantings and pedestrian improvements that would be completed were further discussed. It was noted a maple leaf would be stamped in the middle of the intersections. The site amenities were reviewed and it was noted the benches and street lighting would be reused.

Councilmember Jaeger asked if the maple leaves would be constructed out of pavers. Mr. Fullner explained the maple leaves would be constructed from a stamped bituminous pavement.

Councilmember Jaeger questioned how this pavement would stand up to salt and winter conditions. Assistant City Engineer Hale reported this material was chosen because the inlays would be flush with the pavement that would not create nooks and crannies for salt to sit in.

Councilmember Barnett questioned why the light peach color was selected for the pedestrian crossings. Mr. Fullner explained these were truncated domes that were required at pedestrian crossings per ADA. He noted these could be changed to yellow or a rust color. Assistant City Engineer Hale reported the truncated domes had to be a color that stood out from the sidewalk and roadway.

Motion by Councilmember Leith, seconded by Councilmember Hanson, to adopt Resolution No. 22-007 approving plans and specifications for Main Street Rehabilitation Project No. 19-10 and authorizing advertisement for bids. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

**Report on
upcoming
engineering
items**

Director of Public Works/City Engineer Ashfeld had no report for the City Council.

**Administration
items**

