

**Maple Grove City Council meeting**

**meeting minutes**

**July 18, 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 July 18, 2022 at the Maple Grove Government Center/Public Safety Facility, Hennepin County, Minnesota. Members present were Acting Mayor Karen Jaeger, and Councilmembers Judy Hanson, Phil Leith, and Kristy Barnett. Absent was Mayor Mark Steffenson. Present also were Heidi Nelson, City Administrator; Joe Hogeboom, Community and Economic Development Director; Ken Ashfeld, Public Works Director/City Engineer; Mike Opatz, Transit Administrator; Amy Dietl, City Clerk, and Justin Templin, City Attorney.

Acting Mayor Jaeger called the meeting to order at 7:30 p.m. and led the city in the Pledge of Allegiance.

**Additions or deletions to the agenda**

Acting Mayor Jaeger 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**

None

**Item removed from the agenda**

5B. Oath of office for assistant city prosecutor

**Item removed from the consent agenda for discussion**

3S. Premises permit application for a pull tab, bingo, tipboards, and paddlewheel operation at Chanticlear Pizza - Resolution No. 22-124

3U. Resignations from Arbor Committee

**Consent items**

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

**MINUTES**

A. Work session meeting – June 20, 2022

Regular meeting – June 20, 2022

Special meeting – June 20, 2022

**HUMAN RESOURCES ITEMS**

B. Appointment of full-time community service officer

Motion to approve the appointment of Austin Surgenor to the position of full-time CSO in the Police Department at an annual salary of \$51,509.12 effective July 20, 2022 subject to a twelve-month probationary period. All required screenings and background checks have been successfully completed.

C. Appointment of part-time CED secretary

Motion to approve the appointment of Cindy Brown to the position of part-time CED secretary position in the Community and Economic Development Department at an annual salary of \$31,853.12 effective July 19, 2022 subject to a six-month probationary period. All required screenings and background checks have been successfully completed.

D. Appointment of part-time office assistant

Motion to approve the appointment of Marta Laine to the position of part-time prosecution office assistant in Prosecution Services at an annual salary of \$23,758.80 effective July 26, 2022 subject to a twelve-month probationary period. All required screenings and background checks have been successfully completed.

E. Recruitment approval for police officer

Motion to authorize staff to begin the recruitment process for the vacant police officer position in the Police Department due

to the resignation of Samuel Freng with an effective date of July 28, 2022.

F. Tuition reimbursement request - Captain Travis Pobuda

Captain Travis Pobuda has been accepted to Metropolitan State University, School of Law Enforcement and Criminal Justice pursuing a Bachelor's Degree in Law Enforcement. He started this program in January of 2022, and is expected to graduate in the spring of 2024. In accordance with the City of Maple Grove's Personnel Policy Article 32, Training and Development, upon director's recommendation and city administrator approval, employees wishing to pursue a degree program may request tuition reimbursement up to a maximum amount of \$1,200.00 per year and subsequent years for approved classes completed.

Captain Travis Pobuda accepted the position of police captain in February of 2021 with the condition to enroll in a Bachelor's Degree. Metropolitan State University is an accredited institution through the Higher Learning Commission (HLC) of the North Central Association of Colleges and Schools. To obtain his Bachelor's Degree in Law Enforcement, Captain Pobuda must have a total of 50 credits completed. Funds for tuition reimbursement are included in the annual budget.

**COMMUNITY & ECONOMIC DEVELOPMENT ITEMS**

G. Markets at Rush Creek outlot L PUD approval extension and Southwest Crossroads fourth addition final plat approval extension

Motion to extend the Markets at Rush Creek outlot L planned unit development, development stage plan, and Southwest Crossroads fourth addition final plat until July 5, 2023.

**ENGINEERING ITEMS**

H. 2023-2027 State of Minnesota Master Partnership Contract - Resolution No. 22-122

Motion to approve Resolution No. 22-122 renewing State of

Minnesota Master Partnership Contract for 2023-2027.

I. Evanswood Project No. 21-10 - Change Order No. 1

Motion to approve Change Order No. 1 to the Evanswood Project No. 2021-10 in the amount of \$316,994.00.

J. Forest Preservation buckthorn treatment proposal

Motion to accept the proposal for buckthorn treatment and other invasive vegetation in the Forest Preservation Area for the amount of \$36,805.81.

K. Fountains Area Improvements Project No. 16-02

Motion to approve Change Order No. 1 to the contract to Valley Paving, Inc. for the Fountains Area Improvements Project No. 2016-02 in the amount of \$25,993.60.

L. Hennepin County Agreement No. PW 48-34-01, Amendment No. 3 - Resolution No. 22-121

Motion to approve Resolution No. 22-121 approving Hennepin County agreement No. PW 48-34-01 Amendment No. 3.

M. Maple Grove Wellhead Protection Plan 2022 amendment - Resolution No. 22-120

Motion to adopt Resolution No. 22-120 establishing public hearing for August 15, 2022, pursuant to local review requirements of Wellhead Protection Rule 4720.5350, Subp. 4.

N. Northwood Church-Weston Commons Project No. 21-16 - Change Order No. 2

Motion to approve Change Order No. 2 to the Northwood Church/Weston Commons Project No. 2021-16 in the amount of \$51,715.00.

O. Summerwell Addition - partial release of development agreement, special assessment cancellation - Res. No. 22-123

Motion to approve the Partial Release of Development Agreement of the Summerwell Addition and to adopt Resolution No. 22-123 cancelling special assessment contingent upon recording of the Summerwell Addition plat and subject to final review by the City Attorney and Director of Public Works.

P. Sureties

Motion to approve the surety actions.

Q. Tricare 4th Addition, Project No. 21-11 - Change Order No. 2

Motion to approve Change Order No. 2 to the Tricare 4th Addition Project No. 2021-11 in the amount of 15,289.00.

**ADMINISTRATIVE ITEMS**

R. Addition of ALPR services to the agreement with Axon Enterprise Inc.

Motion to approve an addition to the service agreement between Axon Enterprises Inc. and the Maple Grove Police Department to add ALPR services and authorize the chief of police to execute the agreement.

S. Premises permit application for a pull tab, bingo, tipboards, and paddlewheel operation at Chanticlear Pizza - Resolution No. 22-124

This item was removed by Councilmember Leith for discussion.

T. Renewal of PSG federal lobbying services

Motion to approve PSG's contract for federal lobbying services for the balance of 2022 with a monthly retainer of \$2,500 to advocate for Congressionally Directed Spending and Community Project Funding programs for the TH610 Completion project.

U. Resignations from Arbor Committee

This item was removed by Councilmember Hanson for discussion.

V. Approve claims

Motion to approve claims totaling \$ 9,151,452.40.

**Motion by Councilmember Hanson, seconded by Councilmember Leith, to approve the consent items as amended, removing items 3S (Premises permit application for a pull tab, bingo, tipboards, and paddlewheel operation at Chanticlear Pizza - Resolution No. 22-124) and 3U (Resignations from Arbor Committee). Upon call of the motion by Acting Mayor Jaeger, there were four ayes and no nays. Motion carried.**

**Consideration of  
items pulled from  
the agenda**

The following items were pulled from the consent agenda.

Regarding Item 3S (Premises permit application for a pull tab, bingo, tipboards, and paddlewheel operation at Chanticlear Pizza - Resolution No. 22-124), Councilmember Leith discussed the proposed permit at Chanticlear Pizza and noted there was some inconsistent information within the paperwork. He explained he could not support this item without clarification. He asked what organization was making the request for a premises permit. He explained that neither of the organizations listed within the paperwork are licensed with the State of Minnesota. City Clerk Dietl explained the applicant submitted an LG214 Premises Permit Application and an LG215 Lease for Lawful Gambling Activity Application to the city. She understood that the organization was in the process of submitting an, LG200A Organization License Application as well as, an LG212 Gambling Manager Application to the state's Gambling Control Board. She indicated this organization has not conducted charitable gambling in the city previously but was making application to do so.

Councilmember Leith questioned if the City Council could approve a premises permit for an organization without a charitable gambling license. City Clerk Dietl stated the Council's purpose would be to acknowledge and approve the

premises permit, which would include an adopted resolution number. The applicant would then submit the paperwork to the State of Minnesota.

Councilmember Leith asked who was the applicant for this request. City Clerk Dietl explained the applicant was the Maple Grove Crimson Football Athletic Club.

Councilmember Leith expressed concern with the fact the Lions have been conducting charitable gambling at this location for years, but the applicant stated no one was conducting charitable gambling at this location. City Clerk Dietl reported this was the manner in which the application was turned into her. She noted the applicant was invited to attend this meeting, but was not in attendance.

Councilmember Leith discussed how the Lions hold their meetings in the community on a regular basis. He asked what proof the Maple Grove Crimson Football Athletic Club provided to show they were operating in the City of Maple Grove. City Clerk Dietl stated this information was provided verbally. She noted this organization has been in existence for at least one year.

Councilmember Leith explained he spoke with the Lions regarding this matter and asked if they had been notified of this request. He stated the Lions had not been notified or provided a notification of lease termination. He inquired if this application should move forward given the inconsistencies within the paperwork and the fact that the city was not aware of where they were holding their organizational meetings.

Councilmember Leith asked the city attorney if it would be better to table action on this item or vote against it. City Attorney Templin stated that while he could not advise the Council on how to vote, he could confirm that the Council could table action on this item given the inconsistencies in the paperwork and to allow additional time to provide the Council with the information they were seeking.

**Motion by Councilmember Leith, seconded by Councilmember Hanson, to table action on Resolution No. 22-124 approving a premises permit application for Maple Grove**

**Crimson Football Athletic Club to conduct a pull tab (paper and electronic), bingo, tipboards, and paddlewheel operation at Chanticlear Pizza, 16415 County Road 30, Maple Grove, MN 55311 to a date uncertain. Upon call of the motion by Acting Mayor Jaeger, there were four ayes and no nays. Motion carried.**

Regarding Item 3U (Resignations from Arbor Committee), Councilmember Hanson thanked Michael Aasen and Steven Courtney for their dedicated service to the Arbor Committee.

**Motion by Councilmember Hanson, seconded by Councilmember Barnett, to accept resignations from Michael Aasen and Steven Courtney from the Arbor Committee effective June 17, 2022. Upon call of the motion by Acting Mayor Jaeger, there were four ayes and no nays. Motion carried.**

### **Special business**

#### **Open forum**

Scott Kulberg, 6210 Comstock Lane, expressed concern to the Council regarding the new stormwater fee and run-off he is experiencing in the Elm Road area. He discussed the city's stormwater fee structure and commented on how stormwater impacts nature. He described how water runoff was flowing onto and damaging his property. He requested the Council address this concern and hold the developer accountable due to the manner in which stormwater runoff from an adjacent property was damaging his property.

Public Works Director/City Engineer Ashfeld discussed the city's process noting a claim could be sent to the League of Minnesota Cities for an appropriate investigation.

#### **Oath of office for assistant city prosecutor**

This item was removed from the agenda.

#### **2022 Community Survey results presentation**

Transit Administrator Opatz reviewed the results from the 2022 Community Survey with the Council. He noted this survey was conducted every five years and was completed with the assistance of the research firm, Polco.

Jade Arocha, Director of Survey Research for Polco,



commented further on the results of the Maple Grove Community Survey. She explained nearly 1,000 residents responded to the 2022 survey. The survey methods were discussed and it was noted surveys were sent out to residents in early April of this year. She reviewed the key findings from the survey in further detail with the Council and asked for comments or questions.

Councilmember Barnett stated 8 out of 10 respondents supported reinvestment in the Community Center, but noted the Community Center was on the low end of importance for residents in another question. Ms. Arocha discussed why these findings occurred with in the survey.

Councilmember Barnett asked if the answers provided online were similar to those who replied to the paper survey. Ms. Arocha commented on the results from the open participation form of the community survey. She explained 891 residents completed the open participation form of the survey. She reported open participation residents tend to be more engaged in the community and were very honest with their concerns regarding the city.

Councilmember Hanson stated the city was more inclined to receive emails from residents that were looking for assistance or addressing something the city was not doing well. She anticipated the opt in results showed this.

Acting Mayor Jaeger asked if there was one specific thing that the city should be working to improve. Ms. Arocha commented there were broad moderate declines in some city services and government performance, but noted a lot had happened in the community and the nation over the past five years. She stated it was very difficult to determine the causes in changes in ratings. She reiterated that the benchmark comparisons still show that Maple Grove was a very high performing city when compared to other communities.

Councilmember Hanson thanked Ms. Arocha for her presentation and for presenting the Council with all of the benchmark information as a point of comparison.

Councilmember Barnett requested the survey results be

further discussed by the Council and staff at a future worksession meeting. City Administrator Nelson stated this would be done noting staff would be further reviewing this data in the coming weeks.

Acting Mayor Jaeger thanked Transit Administrator Opatz and Ms. Arocha for all of their work on the 2022 Community Survey.

**Motion by Councilmember Leith, seconded by Councilmember Hanson, to accept the 2022 Community Survey Report as prepared by Polco. Upon call of the motion by Acting Mayor Jaeger, there were four 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 meet next on Monday, July 25 at 7:00 p.m. The group would be addressing a request from Pints & Paddle, the Rush Hollow development, along with a garage expansion variance.
- There would be a grand opening for Six For Good within the Shoppes at Arbor Lakes on Thursday, July 21 at 4:00 p.m.

**Engineering-public works items**

**Report on upcoming engineering items**

Director of Public Works/City Engineer Ashfeld updated the Council regarding the following:

- Work continues on the Main Street project and staff estimated the project was three-fourths of the way done.
- Work continues on the right-of-way for TH610 project.

**Administration  
items**

**Approval of  
Article 60**

**Remote  
Workplace Policy**

City Administrator Nelson requested the Council consider approving Article 60 which would be an addition to the personnel policy and would address the city's remote workplace policy. She reported at this year's strategic planning session, staff discussed remote work with the Council and direction from this session was to create a draft policy in order to assist with the city's recruitment and retention effort. She explained staff reviewed other cities' remote work policies and recommended adoption of Article 60.

Councilmember Barnett stated she had some concerns with allowing sworn officers working remotely and noted the mayor had these same concerns. She requested action on this item be tabled to the next Council meeting to allow the mayor to be present for this discussion.

Councilmember Leith asked if Plymouth of Eden Prairie had remote workplace policies. City Administrator Nelson stated Plymouth did not have a formal policy and whatever policy Eden Prairie had in place, staff would research and report back.

**Motion by Councilmember Barnett, seconded by Acting Mayor Jaeger, to table action on Article 60 – remote workplace policy to the August 1, 2022 Worksession meeting. Upon call of the motion by Acting Mayor Jaeger, there were four ayes and no nays. Motion carried.**

**Report on  
upcoming  
administration  
items**

City Administrator Nelson explained that the Council has her Monday report if there are any questions. She reported the Council would be holding a worksession meeting on August 1 to discuss the local option sales tax ballot question and a fence consortium joint powers agreement. In addition, it was noted the Council would be holding a budget worksession on August 15.

**Items added to  
the agenda**

Acting Mayor Jaeger encouraged residents to visit the farmers market each week.

Acting Mayor Jaeger thanked all of the residents who attended

Maple Grove Days and thanked all of the volunteers who made the event possible.

Acting Mayor Jaeger reported National Night Out would be held on Tuesday, August 2.

**Adjournment**

**Motion by Councilmember Hanson, seconded by Acting Mayor Jaeger, to adjourn to the regular City Council meeting on August 1, 2022 at 7:30 p.m. Upon call of the motion by Acting Mayor Jaeger, there were four ayes and no nays. Motion carried.**

The meeting was adjourned at 8:43 p.m. by Acting Mayor Jaeger.

Respectfully submitted,

Heidi Nelson  
City Administrator