

Maple Grove City Council meeting

meeting minutes

August 1, 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 August 1, 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, and Kristy Barnett. Absent was Councilmember Phil Leith. Present also were Heidi Nelson, City Administrator; Joe Hogeboom, Community and Economic Development Director; Brett Angell, Assistant Community and Economic Development Director, Jesse Corrow, Associate Planner; Ken Ashfeld, Public Works Director/City Engineer; and Justin Templin, City Attorney.

Mayor Steffenson 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

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

None

Item added to the agenda

None

Item removed from the consent agenda for discussion

None

Consent items

The following consent items were presented for Council's

approval:

MINUTES

A. Worksession meeting – July 18, 2022

Regular meeting – July 18, 2022

HUMAN RESOURCES ITEMS

B. Appointment of legal assistant

Motion to approve the appointment of Anne McLaughlin to the position of legal assistant in prosecution services at an annual salary of \$50,417.12 effective August 2, 2022 subject to a twelve-month probationary period. All required screenings and background checks have been successfully completed.

C. Appointment of senior residential appraiser, and authorize staff to begin the recruitment process for appraiser

Motion to approve the appointment of Markus Yager to the position of senior residential appraiser in the Assessing Department at an annual salary of \$104,472.16 effective August 2, 2022 subject to a twelve-month probationary period. All required screenings and background checks have been successfully completed.

D. Recruitment approval for police records management technician

Motion to authorize staff to begin the recruitment process for the vacant police records management technician position in the Police Department due to the resignation of Kaylen Boeddeker with an effective date of August 5, 2022.

COMMUNITY & ECONOMIC DEVELOPMENT ITEMS

E. Hy-Vee Fast and Fresh PUD non-residential concept stage plan amendment, development stage plan and Village at Arbor Lakes 13th addition final plat approval extension

Motion to extend Hy-Vee Fast and Fresh PUD non-residential

concept stage plan amendment, development stage plan and Village at Arbor Lakes 13th addition final plat approval extension until August 1, 2023.

ENGINEERING ITEMS

- F. CSAH 101 - 73rd Ave to 83rd Ave, Project No. 22-10 - reject bids - Resolution No. 22-127

Motion to adopt Resolution No. 22-127 rejecting bids for CSAH 101 – 73rd Ave. to 83rd Ave., Project No. 22-10.

- G. Fox Briar Ridge East, Project No. 22-15 - Contract award - Resolution No. 22-126

Motion to adopt Resolution No. 22-126 accepting bid for Fox Briar Ridge East, Project No. 22-15.

- H. Sureties - August 1, 2022

Motion to approve the surety actions.

ADMINISTRATIVE ITEMS

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

Motion to remove this item from the table.

Motion to adopt 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.

- J. Transit Station storage room change order number 1

Motion to authorize the Mayor and City Administrator to execute a change order number 1 with Meisinger Construction Company, Inc in an amount not to exceed \$8,874 for the Maple Grove Transit Station storage room bid award.

K. Approve claims

Motion to approve claims totaling \$ 7,275,023.99.

Motion by Councilmember Jaeger, seconded by Councilmember Barnett, to approve the consent items as presented. Upon call of the motion by Mayor Steffenson, there were four ayes and no nays. Motion carried.

Consideration of items pulled from the agenda

None.

Special business

Open forum

Mayor Steffenson reported Representative Robbins was awarded Legislator of the Year by the League of Minnesota Cities. He congratulated Representative Robbins for all of her efforts on behalf of the community.

Oath of office for assistant city prosecutor

Mayor Steffenson administered the oath of office to assistant city prosecutor David Smith and welcomed him to the City of Maple Grove. A round of applause was offered by all in attendance.

Adjourn to EDA meeting

Motion by Councilmember Barnett, seconded by Councilmember Hanson, to adjourn to the EDA meeting. Upon call of the motion by Mayor Steffenson, there were four ayes and no nays. Motion carried.

Mayor Steffenson adjourned the City Council meeting to the EDA meeting at 7:35 p.m.

Reconvene to regular meeting

Motion by Councilmember Hanson, seconded by Councilmember Barnett, to reconvene the regular City Council meeting. Upon call of the motion by Mayor Steffenson, there were four ayes and no nays. Motion carried.

Mayor Steffenson reconvened the regular City Council meeting at 7:45 p.m.

**Community and
economic
development
items**

**10204 94th
Avenue North
variance**

Associate Planner Corrow explained the applicant is requesting a variance to the side yard setback for the purpose of constructing a garage addition to the existing home at 10204 94th Avenue North. The proposed expansion would convert an existing single stall garage to a standard two-car garage. The property is located on a corner lot at the intersection of 94th Avenue North and Quaker Lane North. Since the construction of this home in 1964, city code has been amended to require setbacks on corner lots of at least 15 feet on the side yard abutting a public right-of-way. The house faces 94th Avenue North and an attached single stall garage is currently placed 20.1 feet from the right-of-way along Quaker Lane North. Expanding the width of the garage by the proposed 6.5 feet would place the new garage 13.6 feet from the right of way line, resulting in an encroachment of 1.4 feet (1 foot, 5 inches). A variance is requested for the encroachment into the setback. In addition to expanding the garage, the applicant is planning to add on to the rear of their home. The home addition is illustrated on plans included with the application and complies with the zoning code. The added impervious area of the entire project will not exceed the 40% lot coverage limit. Staff reported the Planning Commission reviewed the variance request and recommended approval.

Councilmember Jaeger stated she supported the variance request.

Mayor Steffenson requested the applicants come forward at this time.

Julian Elizondo, 10204 94th Avenue North, explained he moved to the City of Maple Grove in 2016 and he has two children. He reported he likes the neighborhood and school district he lives in. He commented further on the proposed changes he would like to make to his home and stated he would like to make an investment in his property.

Motion by Councilmember Jaeger, seconded by Mayor

Steffenson, to direct the city attorney to draft a resolution and approving the 10204 94th Avenue North variance. Upon call of the motion by Mayor Steffenson, there were four ayes and no nays. Motion carried.

**Pints and Paddle
planned unit
development
stage plan and
final plat**

Assistant Community and Economic Development Director Angell stated the applicant is requesting PUD development stage plan and final plat approval for the purpose of adding an approximately 33,000 square foot building within The Grove development which would be utilized as Pints and Paddle, an indoor pickleball and a restaurant/beer hall. The proposed development would be built and share a common wall with Crunch Fitness. Staff discussed the plans in further detail and reported the Planning Commission recommended approval.

Councilmember Jaeger expressed concern with the beer garden having self-pour taps. Assistant Community and Economic Development Director Angell reported this use was growing in popularity across the nation. He explained Minneapolis, Eagan and Plymouth had self-pour taps. He described how the self-pour beer walls would operate and be staffed.

Mayor Steffenson asked the applicant to come forward.

Patrick Daly, Ryan Companies representative, thanked staff for all of their assistance on this project. He commented on the long relationship Ryan Companies has had with the City of Maple Grove. He reported the proposed project was a continuation or completion of The Grove and would bring a new unique amenity to the community.

Councilmember Hanson stated she was very excited to see this facility coming to Maple Grove.

Councilmember Barnett indicated she was looking forward to this facility opening in Maple Grove and encouraged the applicant to have cider or wine available for patrons as well.

Motion by Councilmember Jaeger, seconded by Councilmember Hanson, to recommend that the City Council direct the city attorney to draft a resolution and a planned unit development agreement approving the Pints and Paddle

**PUD non-residential development stage plan and final plat,
subject to:**

- 1. The applicant addressing to the satisfaction of the city any remaining applicable comments contained in the memorandums from:**
 - a. The Community & Economic Development Department dated July 14, 2022**
 - b. The Engineering Department dated July 8, 2022**
 - c. The Fire Department dated July 8, 2022.**

Upon call of the motion by Mayor Steffenson, there were four ayes and no nays. Motion carried.

**Arbor Lakes
Business Park III
Gravel Mining
Area TIF
development
agreement**

Assistant Community and Economic Development Director Angell stated Endeavor Development, dba Arbor Lakes Industrial Owner, LLC, has submitted a request for tax increment financing assistance to aid in the costs to construct the Arbor Lakes Business Park phase II, building B. Staff commented further on the request and reported that both EDA and City Council approval is needed.

Motion by Mayor Steffenson, seconded by Councilmember Barnett, to adopt Resolution No. 22-125 concurring in the approval of, and authorization to execute, a tax increment financing development agreement for Arbor Lakes Business Park phase II, building B. Upon call of the motion by Mayor Steffenson, there were four ayes and no nays. Motion carried.

**Interim
ordinance
prohibiting the
sale, testing,
manufacturing,
and distribution
within the city of
products
containing THC**

Community and Economic Development Director Hogeboom stated during the most recent legislative session, the Minnesota Legislature amended Minnesota Statute § 151.72 to permit the sale of edible and nonedible cannabinoid products that contain no more than 0.3% of tetrahydrocannabinol (“THC”) effective July 1, 2022. The amendment contained certain regulatory items, including requirements for packaging and warning labels, establishes the maximum individual dosage size, and prohibits sales of products containing THC to anyone under the age of 21. However, the law does not contain any other regulations governing production, sale, or legal compliance, leaving all

such matters to local authorities. Stakeholders in this matter, including the League of Minnesota Cities, were not given any notice of action, and were therefor unprepared to provide guidance on further regulation, including preventing access of THC products to minors. Establishment of this moratorium allows the city time to consider placing parameters around the sale of TCH products.

Mayor Steffenson reported a number of cities were taking this action and he believed it made sense in order to allow the city to work through how THC should be sold and distributed in the community.

Motion by Mayor Steffenson, seconded by Councilmember Jaeger, to adopt Ordinance No. 22-16 approving the interim ordinance establishing a moratorium within the city on the sale, testing, manufacturing, and distribution of products containing tetrahydrocannabinol (“THC”). Upon call of the motion by Mayor Steffenson, there were four ayes and no nays. Motion carried.

Motion by Councilmember Barnett, seconded by Councilmember Hanson, to adopt summary Ordinance No. 22-16 to reduce publication costs. Upon call of the motion by Mayor Steffenson, there were four ayes and no nays. Motion carried.

**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, August 8 where the group would discuss a five lot subdivision called Eagle Point along with Arbor Lakes 9th Addition.

**Engineering-
public works
items**

**Report on
upcoming
engineering
items**

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

- Staff commented on the RALF parcel subdivision.

- Staff prepared a request through Representative Phillips office for right-of-way funding for TH610. This same request was made through Representative Smith and Representative Klobuchar's offices.
- Xcel Energy was installing a shield wire from Monticello to Maple Grove along their mail wires. It was noted this work would be conducted by helicopters.

Administration items

Report on upcoming administration items

City Administrator Nelson explained that the Council has her Monday report if there are any questions. She reported National Night Out would be held on Tuesday, August 2. She indicated the Council would be holding a budget worksession on Monday, August 15.

Items added to the agenda

Councilmember Jaeger encouraged residents to visit the farmers market every Thursday from 3:00 to 7:00 p.m.

Councilmember Jaeger stated the Maple Grove Women of Today would be hosting a bingo event on Thursday, August 4 at the Osseo American Legion.

Councilmember Jaeger invited the public to attend the screening of Encanto at the Town Green on Friday, August 5 at dusk.

Adjournment

Motion by Councilmember Hanson, seconded by Councilmember Jaeger, to adjourn to the regular City Council meeting on August 15, 2022 at 7:30 p.m. Upon call of the motion by Mayor Steffenson, there were four ayes and no nays. Motion carried.

The meeting was adjourned at 8:17 p.m. by Mayor Steffenson.

Respectfully submitted,

Heidi Nelson
City Administrator