

Maple Grove City Council meeting

meeting minutes

August 15, 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 15, 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; Jesse Corrow, Associate Planner; Ken Ashfeld, Public Works Director/City Engineer; Tim Bush, Fire Chief; Eric Werner, Police Chief; 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

3K. Repayment of a portion of RALF loan number L-02-02

Item added to the agenda

None

Item removed from the consent agenda for discussion

3O. Accept donation from Costco Wholesale

Consent items

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

MINUTES

A. Worksession meeting – August 1, 2022

Regular meeting – August 1, 2022

HUMAN RESOURCES ITEMS

B. Approval of Article 60 - remote workplace policy

Approve the adoption of article 60 – remote workplace policy to address the changing workforce and allow the city to remain competitive for recruitment and retention of employees.

C. Recruitment approval for city assessor

Motion to authorize staff to begin the recruitment process for the city assessor position due to the resignation of Tim Mitchell with an effective date of September 30, 2022.

D. 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 Detective Wilson Maiers, with an effective date of October 8, 2022.

E. Termination of VOYA and Nationwide as deferred compensation vendors

Termination of two deferred compensation vendors due to low enrollment.

COMMUNITY & ECONOMIC DEVELOPMENT ITEMS

F. 10204 94th Avenue North variance

Motion to adopt Resolution No. 22-129 approving the 10204 94th Avenue North variance

G. Arbor Lakes 9th Addition preliminary plat and final plat

Motion to recommend that the City Council direct the city attorney to draft a resolution and a planned unit development agreement approving the preliminary plat and final plat subject to:

1. The applicant addressing to the satisfaction of the city any remaining applicable comments contained in the memorandum from:
 - a. The Engineering Department dated August 8, 2022

The applicant shall acknowledge that park dedication requirements are based on staff review and recommendation to the Park and Recreation Board and their subsequent board action. Board meetings are held on the third Thursday of each month.

H. Pints and Paddle planned unit development stage plan and final plat

Motion to adopt Resolution No. 22-130 approving Pints and Paddle PUD non-residential development stage plan and final plat subject to:

1. Planned unit development agreement final review and approval of the city attorney and director of community and economic development

ENGINEERING ITEMS

I. Brockton Lane north - joint powers agreement - Resolution No. 22-134

Motion to adopt Resolution No. 22-134 approving the joint powers agreement for Brockton Lane (north) and authorizing the mayor and the city clerk to execute the agreement.

J. Partial release of developer's agreement

Motion to approve special assessment and release agreement for Outlot A, Lynde and McLeod Second Addition.

K. Repayment of a portion of RALF loan number L-02-02

Motion to approve partial repayment of right-of-way acquisition loan fund loan number L-02-02 in the amount of \$899,454.99 resulting in the release of covenants recorded against Outlot C, Rush Creek Boulevard TH610.

This request for council action is being amended due to a typographical error changing the amount of \$899,454.91 to \$899,454.99.

L. Sureties - August 15, 2022

Motion to approve the surety actions.

ADMINISTRATIVE ITEMS

M. Tobacco license approval for VZ Inc. dba MGM Wine and Spirits

Motion to approve a tobacco license for VZ Inc., dba MGM Wine and Spirits, 16475 96th Avenue North, Maple Grove, Minnesota for the period August 16, 2022 through December 31, 2022, subject to compliance with all licensing requirements as outlined in Article XVI of the Maple Grove City Code.

N. 2022 Wildlife Management Plan

Motion to approve the 2022 Wildlife Management Plan.

O. Accept donation from Costco Wholesale

This item was removed by Councilmember Hanson for discussion.

P. Accept annual financial report

Motion to accept the 2021 Annual Comprehensive Financial Report.

Q. Approve claims

Motion to approve claims totaling \$ 2,411,660.62.

Motion by Councilmember Leith, seconded by Councilmember Hanson, to approve the consent items as amended, removing item 30 (Accept donation from Costco Wholesale). 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 30 (Accept donation from Costco Wholesale), Councilmember Hanson thanked Costco for their generous donation to the Maple Grove Fire Department noting these funds would be used to support fire prevention programs.

Motion by Councilmember Hanson, seconded by Councilmember Jaeger, to approve Resolution No. 22-131 to accept donation of \$250 from Costco Wholesale – Maple Grove Warehouse to the Maple Grove Fire Department to support fire prevention programs. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Special business

Open forum

Christian Cortez, 22 Gaywood Drive, Dayton, MN, encouraged the council to reconsider the Main Street plan to include better biking and pedestrian access. He reviewed several suggestions noting it was his hope these changes would also attract more businesses to the area. He reported the Main Street plan was currently very car oriented and he believed this focus should be shifted to pedestrians in order to improve the pedestrian experience.

Norma Cortez, 22 Gaywood Drive, Dayton, MN thanked the council for hearing the concerns her son had and encouraged the council to reconsider their vision for the Main Street area to make it more inviting for pedestrians.

International Overdose Awareness Day -

City Administrator Nelson requested the council declare August 31, 2022 as International Overdose Awareness Day in the City of Maple Grove.

August 31, 2022

Councilmember Barnett stated in 2021 there were 69 reported overdoses, 33 were related to opioids and 12 deaths occurred. She explained in five of those deaths, fentanyl was a factor. She stated 24 doses of Narcan were used in 18 different incidents. She discussed how bystanders and family members were also using Narcan to assist individuals who have overdosed. She reported the DEA has declared August 21 as National Fentanyl Prevention and Awareness Day because over 100,000 have died of a drug overdose in the last year. She indicated fentanyl deaths are projected to double in the next year. She stated fentanyl poisoning was now the leading cause of death for adults age 18 to 45 in the United States, with a fentanyl related death occurring every nine minutes. She commented on the variety of ways the Maple Grove Police Department works to fight drug abuse. She noted she would be at Town Green on August 31 when Town Green will be lit purple to honor those who have been lost to drug overdoses. She then invited the Princeton family to come forward to speak.

Chrissy Princeton, Maple Grove resident, stated on the night of April 7, 2020 every parents' worst nightmare happened to her when her son was taken from her due to a lethal dose of fentanyl. She explained her son had 16 milligrams of fentanyl in his system which was enough to kill 12 people. She thanked the City Council for recognizing August 31 as National Overdose Awareness Day. It was her hope the more awareness that is raised, the more lives that can be saved. She stated it was her family's mission to spread awareness regarding the dangers of fentanyl and overdose. She believed that if her son's message touches even one life, her son Grant, would not have died in vain.

Mayor Steffenson thanked Ms. Princeton for coming forward.

Motion by Councilmember Barnett, seconded by Councilmember Hanson, to proclaim August 31, 2022, as International Overdose Awareness Day in Maple Grove. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

**Donation of
proceeds from a**

Police Chief Werner stated on June 18, 2022, Jack Henry (9) and Liam Henry (8) wanted to raise money for the Maple

youth lemonade stand to the Maple Grove Police K-9 Program

Grove Police Canine Program through their lemonade stand. On August 8, 2022, they delivered the cash proceeds of \$134 to the Maple Grove Police Department to meet with Sergeant Keith Stuart and K-9 Calo. They enjoyed their time with Calo and toured the police department. He stated he was extremely proud to see engaged youth in our community supporting the police department.

Jack and Liam's father thanked the City Council for all they do for the community. He explained his family has lived in Maple Grove for the past four years and his family greatly supported the work being done by the Maple Grove Police Department.

Mayor Steffenson thanked Jack and Liam Henry for their generous donation to the Maple Grove Police Canine Program. A round of applause was offered by all in attendance.

Motion by Councilmember Hanson, seconded by Councilmember Jaeger, to approve accepting a cash donation for the Maple Grove Police K-9 Program from Maple Grove residents Jack Henry, Liam Henry, and their mother Kris Henry. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Accept donation from the Maple Grove Firefighter's Relief Association

Fire Chief Bush stated on July 24, 2022 Maple Grove Firefighter Relief Association awarded the City of Maple Grove, MN funds totaling \$50,000 for the following items:

- \$5,000 – ISD 279 Schools fire education programs (books and other program supplies)
- \$2,500 – Smoke Alarms for fire prevention “smoke alarm blitzes”
- \$2,500 – Fire prevention handout items
- \$5,000 – Stovetop Fire Stop for distribution to non-fire sprinkler equipped apartment complexes
- \$15,000 – MGF D Fire Station 4 extractor project (industrial washing machine for firefighter turnout gear)
- \$20,000 – Battery powered extrication tools used for motor vehicle crashes and other emergencies

Fire Chief Bush explained acceptance of these funds will improve the safety of Maple Grove residents and the firefighters serving our community.

Mayor Steffenson thanked the Maple Grove Firefighter Relief Association for their generous donation.

Councilmember Hanson thanked the fire department for all of their efforts on behalf of the community.

Motion by Mayor Steffenson, seconded by Councilmember Hanson, to approve Resolution No. 22-128 to accept donation of \$50,000 from Maple Grove Firefighter Relief Association to the Maple Grove Fire Department to support fire prevention programs, Fire Station 4 extractor project, and purchase of battery powered extrication tools. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Public hearings

7:30 p.m. public hearing for off-sale intoxicating liquor license for VZ Inc. dba MGM Wine and Spirits

City Administrator Nelson reported due to new ownership at MGM Wine and Spirits, staff is in receipt of a new off-sale intoxicating liquor license, which does require a public hearing. She noted representatives from MGM Wine and Spirits were present to answer any questions the council may have regarding the request for a liquor license.

Vera Lwanga-Zaman, owner of MGM Wine & Spirits, introduced herself to the council and noted she has been in the liquor retail business since 2008.

Mayor Steffenson encouraged Ms. Lwanga-Zaman and her employees to take advantage of the free alcohol training that was provided by the City of Maple Grove.

Motion by Mayor Steffenson, seconded by Councilmember Hanson, to open the public hearing. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Mayor Steffenson opened the public hearing at 8:00 p.m. and asked if anyone would like to address this issue.

No public testimony was offered.

Motion by Councilmember Jaeger, seconded by

Councilmember Hanson, to close the public hearing at 8:01 p.m. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Motion by Councilmember Hanson, seconded by Councilmember Leith, to approve the off-sale intoxicating liquor license for VZ Inc., dba MGM Wine and Spirits, 16475 96th Ave N, Maple Grove, Minnesota, subject to compliance with liquor licensing requirements in Chapter 4, Article I of the City Code, with said license to expire June 30, 2023. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

7:30 p.m. public hearing

Maple Grove Wellhead Protection Plan 2022 amendment

Public Works Director/City Engineer Ashfeld stated 40 years ago the city undertook the long-term plan for the gravel mining area and land use guidance. He reported the city's wells were located in this area and the council has wisely managed water quality and water preservation.

Utility Operations Engineer Jay Murzyn presented the council with further information on the city's wellhead protection plan. He explained this plan must be reviewed and updated every 10 years. He reported Nancy Ziegler with AE2S assisted him with this project.

Nancy Ziegler, AE2S, provided the council with further information on the wellhead protection plans' two parts. She noted the first part of the plan delineates the wellhead protection area, addresses the drinking water source management area and completes a well and aquifer vulnerability assessment. She reported part two inventories potential contaminants, evaluates several data elements, and prepares the management portion of the plan setting goals and objectives. The goals were reviewed in further detail. She provided a brief history on the wellhead protection plan and noted the proposed amendment. She commended the city on its efforts to protect and provide safe high-quality water.

Motion by Councilmember Leith, seconded by Councilmember Hanson, to open the public hearing. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Mayor Steffenson opened the public hearing at 8:13 p.m. and asked if anyone would like to address this issue.

No public testimony was offered.

Motion by Councilmember Hanson, seconded by Councilmember Jaeger, to close the public hearing at 8:14 p.m. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Community and economic development items

Suite Living of Maple Grove planned unit development, concept stage plan, development stage plan and final plat

Associate Planner Corrow stated the applicant is proposing a concept plan for a 32 unit assisted living memory care facility on a 1.9-acre undeveloped outlot located behind the Hy-Vee building in the southwest portion of the city. The proposed 21,000 square foot single-story building will offer 24-hour care for the 20 assisted living units and 12 memory care units at the facility. Staff discussed the plans in further detail and reported the Planning Commission recommends approval.

Jeremy Larson, Suite Living Senior Care representative, thanked the council for considering his request.

Councilmember Leith stated he believed this was a great plan for this property. He questioned if the berm in the area could be cut down in order to improve site lines. Public Works Director/City Engineer Ashfeld stated staff would look into this.

Motion by Councilmember Leith, seconded by Councilmember Hanson, to direct the City Attorney to draft a resolution and a planned unit development agreement approving Suite Living PUD concept stage plan, development stage plan, and the 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 25, 2022

b. The Engineering Department dated August 8, 2022

c. The Fire Department dated July 21, 2022

d. The Parks & Recreation Department, dated August 3, 2022.

Upon call of the motion by Mayor Steffenson, there were five 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's meeting scheduled for Monday, August 29 has been canceled.
- The Planning Commission would meet next on Monday, September 12.
- Staff invited the council to attend the ribbon cutting ceremony for Kingdom Coffee on Friday, August 19 at 1:00 p.m.

Engineering-public works items

Report on upcoming engineering items

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

- Traffic issues on Rice Lake Road.
- Weaver Lake Road retaining walls and street reconstruction were underway.

Administration items

Approval of Community Center Expansion and Renovation Project Resolution and ballot language calling for a sales

City Administrator Nelson requested the council consider approving Resolution No. 22-132 calling for an election on a sales and use tax for city Community Center project. She reported the city has been working for several years on a plan to renovate and expand the Maple Grove Community Center. In 2021, the city received authority from the legislature for local option sales tax to assist in funding the project, which requires voter approval. The attached resolution establishes

and use tax

the local option sales tax question to be included on the 2022 general election ballot. Ms. Nelson noted that the city intended to pursue state bonding in the 2023 session as well. She reviewed the project timeline noting ballot language had to be submitted to the Hennepin County Auditor by August 26. She read the ballot language in full for the record and recommended approval.

Motion by Mayor Steffenson, seconded by Councilmember Leith, to approve Resolution No. 22-132 calling for an election on a sales and use tax for city Community Center project.

Councilmember Hanson stated she supported the proposed ballot language for the proposed sales and use tax. She indicated this tax would assist the city with funding a major renovation to the Community Center. She noted she supported giving the residents a choice regarding how the Community Center project should be funded.

Councilmember Jaeger explained she supported the sales and use tax as well. She reported the Community Center was in need of renovations and she hoped the public would support this item in November's election.

Councilmember Leith indicated the Community Center was over 25 years old and noted the facility was in need of upgrades and expansions. He stated after speaking to residents about the proposed sales and use tax, they appreciated the fact that both residents and non-residents would be funding this project.

Mayor Steffenson stated he appreciated the fact Maple Grove residents would have a choice on this matter. He reported if the sales and use tax were approved, it would allow the city to spread the expense of the project over multiple users, which was a great way to finance this project.

Councilmember Barnett indicated she would be voting no on this item. She believed the timing was wrong and she would like this project put on hold for two years due to rising costs, interest rates and inflation. She stated she felt the proposed project did not meet the city's needs. She also indicated that the residents she has talked to have not been supportive of

paying for the Community Center project and for those reasons, she would not support the project.

Upon call of the motion by Mayor Steffenson, there were four ayes and one nay (Councilmember Barnett opposed). 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 there would be no bus service from Maple Grove to the State Fair again this year, noting this was due to the lack of bus drivers.

**Items added to
the agenda**

None.

Adjournment

Motion by Councilmember Leith, seconded by Councilmember Hanson, to adjourn to the regular City Council meeting on Tuesday, September 6, 2022 at 7:30 p.m. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

The meeting was adjourned at 8:32 p.m. by Mayor Steffenson.

Respectfully submitted,

Heidi Nelson
City Administrator