

Maple Grove City Council meeting

meeting minutes

October 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 October 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; Peter Vickerman, Planning Manager; 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

None

Item added to the agenda

None

Item removed from the consent agenda for discussion

3N. Donation of proceeds from a youth lemonade stand to the Maple Grove Police K-9 program

3O. Proclamation declaring October 2022 as Domestic Violence Awareness Month and recognition of Domestic Violence

Awareness and Action organization the Police Department's Purple Patch Initiative

Consent items

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

MINUTES

A. Regular meeting – September 19, 2022

HUMAN RESOURCES ITEMS

B. Separation of police officer and authorize recruitment for the vacancy

Motion to approve the separation of Daniel Neitzel from his employment as a police officer, effective October 3, 2022, and authorize staff to begin the recruitment process for the vacancy created.

COMMUNITY & ECONOMIC DEVELOPMENT ITEMS

C. Magnifi Financial planned unit development stage plan

Motion to adopt Resolution No. 22-151 approving Magnifi Financial PUD development stage plan subject to:

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

D. Pints and Paddle adjusted architecture review

Motion to approve the adjusted architectural elevations of Pints and Paddle.

ENGINEERING ITEMS

E. Evanswood Project No. 21-10 - change order No. 1

Motion to approve Change Order No. 2 to the Evanswood Project No. 21-10 in the amount of \$47,585.41.

F. Highway 610 Extension Project No. 19-24 - additional services

Motion to accept the proposal from SRF Consulting Services, Inc. to adjust the final design services scope and budget for the Highway 610 Extension Project No. 19-24 to include additional and/or modified services at a cost of \$262,570.

G. Main Street Rehabilitation Project No. 19-10 - overnight working hours

Motion to approve overnight working hours for the final paving work for the Main Street Rehabilitation Project No. 19-10.

H. Rainbow Treecare - final payment

Motion to approve payment in the amount of \$110,988.90 to Rainbow Treecare for treatment of public ash trees pursuant to December 7, 2021 proposal.

I. Sureties - October 3, 2022

Motion to approve the surety actions.

J. Woodland Ponds Water Quality Pond Maintenance Project No. 22-07 - final payment

Motion to approve the final acceptance and payment of the Woodland Ponds Water Quality Pond Maintenance Project, No. 22-07 completed by New Look Contracting, Inc. subject to the warranty provisions of the contract and statutory law.

ADMINISTRATIVE ITEMS

K. Acting city administrator October 13-16, 2022

Motion to approve Public Works Director/City Engineer Ken Ashfeld as acting city administrator effective Thursday, October 13 through Sunday, October 16, 2022.

L. Acceptance of citizen donation

Motion to accept donations of \$700 to the Police Department and \$700 to the Fire Department from Maple Grove residents Scott and Maureen O'Brien.

M. Automated external defibrillators (AEDs) donation

Motion to accept the donation of 33 automated external defibrillators (AEDs) valued at \$67,980 from the Leona M. and Harry B. Helmsley Charitable Trust to the Center for Resuscitation Medicine for the replacement of 33 AEDs in Police Department vehicles.

N. Donation of proceeds from a youth lemonade stand to the Maple Grove Police K-9 program

This item was removed by Councilmember Jaeger for discussion.

O. Proclamation declaring October 2022 as Domestic Violence Awareness Month and recognition of Domestic Violence Awareness and Action organization the Police Department's Purple Patch Initiative

This item was removed by Councilmember Hanson for discussion.

P. Approve claims

Motion to approve claims totaling \$ 4,439,537.09.

Motion by Councilmember Leith, seconded by Councilmember Jaeger, to approve the consent items as amended, removing items 3N (Donation of proceeds from a youth lemonade stand to the Maple Grove Police K-9 program) and 3O (Proclamation declaring October 2022 as Domestic Violence Awareness Month and recognition of Domestic Violence Awareness and Action organization the Police Department's Purple Patch Initiative). 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 3N (Donation of proceeds from a youth lemonade stand to the Maple Grove Police K-9 program), Councilmember Jaeger thanked Jack Henry, Liam Henry and Kris Henry for their generous donation to the Maple Grove Police Canine Program. She offered a round of applause for their efforts.

Motion by Councilmember Jaeger, seconded by Councilmember Barnett, to approve to accept a second cash donation of \$940 for the Maple Grove Police Canine Program from 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.

Regarding Item 3O (Proclamation declaring October 2022 as Domestic Violence Awareness Month and recognition of Domestic Violence Awareness and Action organization the Police Department's Purple Patch Initiative), Councilmember Hanson read the proclamation in full for the record and thanked DVAA for all of their efforts on behalf of the community. She then requested Police Chief Werner come forward in order to speak about the Purple Patch Initiative. Police Chief Werner reported October was Domestic Violence Awareness Month in the City of Maple Grove. He explained the STRIVE Committee within the Maple Grove Police Department came up with the Purple Patch Initiative in an effort to raise funds for Maria's Voice.

Motion by Councilmember Hanson, seconded by Councilmember Leith, to approve October 2022 as Domestic Violence Awareness Month in Maple Grove and recognize the local organization Domestic Violence Awareness and Action's work to prevent domestic violence since 2004; and their partnership with the City of Maple Grove in the Purple Lights Initiative since 2017, which raises awareness to the issue of domestic violence. In addition, to recognize the Police Department's Purple Patch Initiative. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Special business

Open forum

There were no open forum issues brought before the Council at this meeting.

Assistant Fire Chief Rob Pearson retirement

Fire Chief Bush recognized Assistant Fire Chief Rob Pearson and thanked him for his 37+ years of dedicated service to the Maple Grove Fire Department. He discussed Assistant Fire Chief Pearson's many accomplishments over the years and wished him all the best in his retirement. He presented Assistant Fire Chief Pearson with a retirement coin and helmet. A round of applause and standing ovation was offered by all in attendance.

Assistant Fire Chief Pearson thanked the City Council for their continued support over the years.

Fire Chief Bush thanked all of the firefighters that responded to the fire at Lynde's Nursery on Sunday.

Oath of office for police officers and sergeant

Police Chief Werner introduced newly hired Police Officers Ben Buchin, Trent Mitchell, Flavio Becerra, and Conor Wollenzien to the City Council.

Mayor Steffenson administered the oath of office to Officers Buchin, Mitchell, Becerra, and Wollenzien and welcomed them to the Maple Grove Police Department. Badges were pinned on and a round of applause was offered by all in attendance.

Police Chief Werner reported Officer Keith Stuart was promoted to Sergeant on June 6, 2022. He commented further on Sergeant Stuart's promotion along with his accomplishments over the past 19 years.

Mayor Steffenson administered the oath of office to Sergeant Keith Stuart and commended him on his promotion within the Maple Grove Police Department. Sergeant Stuart's badge was pinned on and a round of applause was offered by all in attendance.

Community and economic development

items

**Rush Hollow
planned unit
development
concept stage
plan,
development
stage plan,
rezoning and
final plat**

Motion by Councilmember Hanson, seconded by Councilmember Barnett, to remove this item from the table. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Planning Manager Vickerman explained that the applicant has made a number of changes since the September 6, 2022 City Council meeting to address the concerns they heard from the City Council. Staff reviewed the changes in further detail with the Council, and discussed the most critical ones with some additional information. It was noted that all of the changes were on the west side of Maple Grove Parkway North, in the detached home area. No changes were made on the east side. It was noted the plan now has 64 50-foot wide lots and the number of total units has been reduced from 536 to 527. Staff commented further on the proposed request and recommended the Council approve the Rush Hollow project.

Councilmember Leith indicated the area with the circle has 28 homes and was currently zoned High Density Residential, which meant the area could have an apartment complex or townhomes. He explained the city was proposing to zone this area Medium Density Residential. Planning Manager Vickerman reported this was the case noting this area had a density of 2.8 unit per acre.

Councilmember Leith asked if the villa homes would have different exteriors and unit varieties so they didn't all look the same. Planning Manager Vickerman explained the developer would have a fair amount of variety for the villa homes. He noted the developer would have an anti-monotony code in place.

Councilmember Hanson requested further information regarding the filling of the wetlands. Planning Manager Vickerman discussed how the applicant would be purchasing wetland credits in order to fill the wetland area (just under one acre).

Councilmember Jaeger questioned if there were any fuel pipelines near this project area and inquired if there were any

dangers with this. Planning Manager Vickerman reviewed the location of the fuel pipeline that ran through the project area. He stated this pipeline ran through a large part of Maple Grove. He reported there would be an easement along the pipeline which created larger backyards.

Councilmember Jaeger asked how the filled in wetlands would be used by the developer. Planning Manager Vickerman explained some of the land would be used for roadways and other areas would be used for houses.

Councilmember Jaeger expressed concern with the fact the developer would be locating homes and roadways over filled in wetlands. She questioned how the water drained from this site. Planning Manager Vickerman reported he did not have a map that showed the existing drainage patterns for this property, but that most water on the site generally drains north to Rush Creek.

Councilmember Barnett stated when looking at the overall development, she questioned if it was considered a high-density project. Planning Manager Vickerman commented 300 to 800 units could be developed on this site based on the zoning and noted the developer was proposing to construct 527 units, which was right in the middle.

Councilmember Jaeger inquired how much space would be between the houses located on 50-foot wide lots. Planning Manager Vickerman stated there would be at least 10 feet between each of the homes.

Dean Lotter, Manager of Land Planning and Entitlement with Pulte Homes, introduced himself to the Council. He commented on how lots were shifted around in order to make more 65-foot wide lots and fewer 50-foot wide lots. He discussed how switching over to a villa product would create greater diversity within the development, as well as having more architectural options for future buyers. He commented further on the project and noted he was available for questions.

Councilmember Jaeger expressed concern with how close the homes would be within the villa portion of the development.

She suggested every fifth home within the villa development be removed in order to create larger lots. Mr. Lotter explained these homes, while not age restricted would have an HOA that would manage lawns and snow removal. He stated the demographic for the villas would be empty nesters that want a smaller lot. He noted the proposed lot sizes also met the city's comprehensive plan guidance.

Councilmember Leith asked if the 65, 75 and 80-foot wide lots would have an HOA. Mr. Lotter indicated these lots would have an HOA, but that the HOA would not be responsible for lawn care and snow removal.

Councilmember Jaeger requested further information regarding the size of the garages. Mr. Lotter discussed the width and square footage of the proposed garages.

Mayor Steffenson opened the meeting for public comment.

Emmett Smith, 14832 Territorial Road, explained he looked over all of the plans. He stated he appreciated all of the trees that would be planted behind his house. He noted the villa homes would be located on smaller lots and would be smaller structures which he appreciated. He indicated he also appreciated how traffic would move through the area. He stated the project was still not ideal, but it was better. He thanked the Council for hearing his concerns.

Jessica Smith, 14832 Territorial Road, commented her only concern with the development was with the tree line on the east side of her property that would abut the villas. She asked that this tree line remain in place.

Councilmember Hanson questioned if these trees could be preserved by the developer. Mr. Lotter explained the street would be a city project and the preservation of these trees would have to be coordinated with the city's Engineering Department.

Councilmember Jaeger inquired if there would be any private streets within this development. Mr. Lotter reported the roads within the townhome development would have private roads.

Councilmember Hanson thanked Pulte Homes and staff for

working to address the concerns that were previously voiced regarding this project. She appreciated the fact the number of 50-foot wide lots was reduced. In addition, she thanked the developer for putting in additional screening.

Councilmember Leith thanked the developer for all of their efforts and asked that the engineering staff work to preserve as many trees as possible along the Smith's property.

Councilmember Jaeger thanked the developer for all of their efforts.

Mayor Steffenson stated he believed this was a better plan and he appreciated the increased access points.

Councilmember Barnett indicated she was pleased the development would have additional access points. She commented she was still not happy with the fact this development would have 60 50-foot wide lots when other developers were required to increase their lot widths to 65 feet. She believed the city had a standard and the city was not holding to this standard. She explained she would not be offering her support for this development.

Motion by Councilmember Hanson, seconded by Councilmember Leith, to direct the city attorney to draft a resolution and a planned unit development agreement approving the Rush Hollow PUD concept stage plan, development stage plan, preliminary plat, 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 20, 2022.**
 - b. The Water Resources Engineer dated July 20, 2022.**
 - c. The Parks and Recreation Department dated July 26, 2022****
- 2. The applicant shall amend their plan to add additional landscaping along Territorial Road North in the rear yards of the detached homes west of Maple Grove**

Parkway North subject to the review of staff.

Upon call of the motion by Mayor Steffenson, there were three ayes and two nays (Councilmembers Barnett and Jaeger opposed). Motion carried.

Motion by Councilmember Hanson, seconded by Councilmember Leith, to direct the city attorney to draft an ordinance approving the rezoning from R-A, Single-Family Agricultural to R-2 PUD, Single-Family Residential Planned Unit Development, R-4 PUD Medium Density Residential Planned Unit Development District, and R-5 PUD High Density Residential Planned Unit Development District.

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.

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

**2022
Comprehensive
plan amendment:
Territorial Road
Area staging plan,
forecast
adjustment, text
amendment and
land use map
changes**

Motion by Councilmember Leith, seconded by Councilmember Barnett, to remove this item from the table. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Planning Manager Vickerman explained that due to the concerns expressed by the Planning Commission and some of the neighboring residents, staff has prepared an alternative for this area which shows six acres less high density west of Territorial Road North and two acres more (where a storm pond is proposed on the Pulte project) east of Territorial Road North. This alternative would still meet the Metropolitan Council requirements. Staff notes that the various tables were not readjusted with this alternative scenario.

Planning Manager Vickerman reported due to the rapid residential growth that Maple Grove experienced over the past three years (over 3,300 units approved or under consideration), combined with the earlier-than-expected potential development of the Rush Hollow site, the

comprehensive plan needs to be amended to reflect more accurate population and household estimates, as well as to reflect the earlier development staging of the Territorial Road area. The current language in the comprehensive plan estimates that Maple Grove will grow by approximately 3,300 households between 2020 to 2030. With the proposed forecast adjustment, Maple Grove is now expected to grow by approximately 5,600 households in this decade. The increase in households also requires that Maple Grove increase its goal for total high-density housing units added this decade. The current comprehensive plan figure indicates that Maple Grove needed to add 1,188 high-density housing units by 2030 (36% of 3,300). The Metropolitan Council now expects Maple Grove to add a total of 2,015 (36% of 5,600) high-density housing units by 2030. This requires an increase in areas guided for high density housing. Staff commented further on the proposed land use map amendments and recommended approval of the proposed changes.

Councilmember Jaeger asked if this change was written in stone. Planning Manager Vickerman explained this change would be forwarded onto the Met Council for consideration and changes could also be considered by the City Council in the future.

Motion by Mayor Steffenson, seconded by Councilmember Jaeger, to direct the city attorney to draft a resolution approving the 2022 comprehensive plan amendment. 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 would meet next on Monday, October 10 and the group would be discussing a small subdivision request.
- Main Street would be holding a ribbon cutting ceremony on Monday, October 24 from 4:00 p.m. to 5:00 p.m.

**Engineering-
public works**

items

**Report on
upcoming
engineering
items**

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

- The city-wide cleanup drop-off day would be held on Saturday, October 8 from 8:00 a.m. to 12:00 p.m. at the Public Works Facility.
- Staff commented on the process residents must follow to get items picked up curbside. It was noted it was illegal to leave items at the boulevard and citations can be issued.

**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 there would be a hearing for TGI Fridays' liquor license compliance check on Wednesday, October 5 at 6:00 p.m. She stated there would be a gathering for Marias Voice on Thursday, October 6 at the Town Green at 6:00 p.m.

**Adjourn to EDA
meeting**

Mayor Steffenson adjourned the City Council meeting to the EDA meeting at 8:59 p.m.

**Reconvene to
regular meeting**

Mayor Steffenson reconvened the regular City Council meeting at 9:02 p.m.

**Items added to
the agenda**

Councilmember Jaeger discussed the Lynde's Nursery Fire and discussed how the public was being asked to help save Christmas on Tuesday, October 4 at 8:00 a.m. when the poinsettia crop will be relocated.

Councilmember Jaeger encouraged the public to visit the city's farmers market.

Councilmember Jaeger commented on the Housing for All tour that was recently conducted.

Councilmember Jaeger invited the public to attend the Maple Grove Historical Society open house on Sunday, October 9 at 1:00 p.m.

Adjournment

Motion by Councilmember Hanson, seconded by Mayor Steffenson, to adjourn to the regular City Council meeting on October 17, 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 9:08 p.m. by Mayor Steffenson.

Respectfully submitted,

Heidi Nelson
City Administrator