

Maple Grove City Council meeting

meeting minutes

October 17, 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 17, 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 (attending remotely via WebEx), and Kristy Barnett. Absent was none. Present also were Heidi Nelson, City Administrator; Joe Hogeboom, Community and Economic Development Director; Peter Vickerman, Planning Manager; Ryan Ackerman, Community Development Intern; 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

6C. Adopting special assessments against benefited land – Resolution No. 22-156

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. Regular meeting – October 3, 2022
- B. Special meeting – October 5, 2022

HUMAN RESOURCES ITEMS

No items to present.

COMMUNITY & ECONOMIC DEVELOPMENT ITEMS

- C. 2022 Comprehensive plan amendment: Territorial Road area staging plan, forecast adjustment, text amendment and land use map changes

Motion to adopt Resolution No. 22-143 approving the 2022 comprehensive plan amendment

- D. Declaration of public nuisance, ordering abatement, and assessment of clean-up costs at 7356 and 7370 Rosewood Lane North

Motion to approve Resolution No. 22-153 declaring a public nuisance at 7356 and 7370 Rosewood Lane North and ordering abatement and the assessment of costs.

- E. Gravel Mining Area Alternative Urban Areawide Review update authorize contract with Stantec

Motion to authorize staff to enter into a contract with Stantec to update the Gravel Mining Area Alternative Urban Areawide Review (AUAR).

ENGINEERING ITEMS

- F. 2022 Roadway Jurisdictional Transfers - Hennepin County - Municipal State Aid Designations and Revocations

Motion to adopt Resolution No. 22-157, a resolution approving Municipal State Aid Street designations and revocations as part of the 2022 roadway jurisdictional transfers with Hennepin County.

G. AT&T Site lease agreement amendments at East Fish Lake and Ranchview water towers - Resolution No. 22-154

Motion to adopt Resolution No. 22-154 approving the following:

- Third Amendment to Site Lease Agreement for AT&T at East Fish Lake Water Tower
- Fourth Amendment to Site Lease Agreement for AT&T at Ranchview Water Tower

H. Garland Lane Flood Protection Drainage Improvement Project No. 22-16 - approving plans and specs and ordering ad for bids - Resolution No. 22-162

Motion to adopt Resolution No. 22-162 approving plans and specifications for the Garland Lane Flood Protection and Drainage Improvement Project No. 22-16 and ordering advertisement for bids.

I. 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.

J. Minnesota Health Village Utility and Street Improvements Project No. 2019-21 - final acceptance

Motion to approve the final acceptance of the Minnesota Health Village Utility and Street Improvement Project No. 19-21 completed by S.R. Weidema, Inc. subject to the warranty provisions of the contract and statutory law.

K. Senior citizen-permanently disabled assessment deferral

annual renewal - Resolution No. 22-158

Motion to adopt Resolution No. 22-158 approving the senior citizen/permanently disabled assessment deferral on 15 deferred properties for the 2023 tax year.

L. Timber Crest Street Rehabilitation Project No 20-04 - final acceptance

Motion to approve the final acceptance of Timber Crest Forest, Scott Middlemist and Townhomes of Rosemary Woods Project No. 20-04 completed by Park Construction subject to the warranty provisions of the contract and statutory law.

M. Townhouse Villages at Eagle Lake Street Rehabilitation Project No. 22-01 - Change order No. 1

Motion to approve change order No. 1 to Townhouse Villages at Eagle Lake Street Rehabilitation Project No. 22-01 in the amount of \$142,773.73.

ADMINISTRATIVE ITEMS

N. 2022 Copier rental renewal

Motion to enter into a 48-month rental agreement with Loffler Companies to upgrade and provide copiers in all departments with an estimated monthly cost of \$7,000.00 (price based on State of Minnesota contract).

O. Findings of fact on Central Florida Restaurants, Inc. dba TGI Fridays - Resolution No. 22-159

Motion to adopt Resolution No. 22-159 making findings, conclusion, and decision imposing a civil penalty of \$2,000 and a two (2) day suspension on Central Florida Restaurants, Inc. dba TGI Fridays, 11830 Fountains Way N, Maple Grove, Minnesota.

P. Approve claims

Motion to approve claims totaling \$ 2,827,891.23.

Motion by Councilmember Hanson, seconded by Councilmember Jaeger, to approve the consent items as presented. Upon call of the motion and a roll call vote by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Consideration of items pulled from the agenda

None.

Special business

Open forum

Caroline Larson, 7761 Dallas Lane North, asked if there were any limits to the number of properties a rental agency can purchase in any given area. She stated she was concerned with the number of rental properties in her neighborhood. She asked who she should bring her concerns to regarding these rentals.

Community and Economic Development Director Hogeboom reported the city currently had a moratorium in place on new rental licenses. He explained no properties would be granted a rental license until the city has had a chance to review this matter in more detail. He encouraged Ms. Larson to contact him with concerns she had regarding the existing rental properties in her neighborhood.

Public hearings

7:30 p.m. public hearing

Finance Director Sticha requested the Council certify delinquent utility accounts. Staff noted there are 695 accounts listed on the proposed assessment roll with a total due of \$321,803.16 compared to October 11, 2021, 579 accounts with a total due of \$259,993.27. The total due includes the \$30 fee for the certification process. The number of notices mailed on September 12 was 1,081 so there have been a number of payments already. It was noted 100 accounts had been paid since staff sent out the packet. Staff commented further on the remaining delinquent utility accounts and requested the Council certify these accounts to the county.

Public hearing

Delinquent utility accounts certification

Motion by Councilmember Hanson, seconded by

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

Mayor Steffenson opened the public hearing at 7:36 p.m. and asked if anyone would like to address this issue.

No public testimony was offered.

Motion by Councilmember Jaeger, seconded by Councilmember Barnett, to close the public hearing at 7:37 p.m. Upon call of the motion and a roll call vote by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Motion by Councilmember Barnett, seconded by Councilmember Hanson, to adopt Resolution No. 22-160, Resolution Adopting the Special Assessment for 2022 Delinquent Utilities. Upon call of the motion and a roll call vote by Mayor Steffenson, there were five ayes and no nays. Motion carried.

7:30 p.m. public hearing

Delinquent weed and tree certification

Finance Director Sticha requested the Council certify delinquent weed and tree assessments. The total amount to be certified is \$5,200 as compared to \$3,680 in 2021, which includes a \$30 fee for the certification process. The staff of public works, engineering and finance did a good job again this year in coordinating the weed and tree cutting notices, billings, and the assessment roll. It should be noted that roughly 10%-20% of these accounts likely will be paid before final certification in December.

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

Mayor Steffenson opened the public hearing at 7:39 p.m. and asked if anyone would like to address this issue.

No public testimony was offered.

Motion by Councilmember Barnett, seconded by Councilmember Hanson, to close the public hearing at 7:40

p.m. Upon call of the motion and a roll call vote by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Motion by Councilmember Jaeger, seconded by Councilmember Barnett, to adopt No. 22-161, Resolution Adopting the Special Assessment of 2022 Delinquent Weeds and Trees. Upon call of the motion and a roll call vote by Mayor Steffenson, there were five ayes and no nays. Motion carried.

7:30 p.m. public hearing

Adopting special assessments against benefited land

Resolution No. 22-156

Public Works Director/City Engineer Ashfeld stated special assessment hearings are scheduled for the purpose of considering the adoption of assessments against benefited properties from public improvements within residential and commercial developments. Council previously adopted special assessments for the 2022 Street Rehabilitation Program on March 21, 2022. Staff commented on the assessment roll applicable to residential and commercial development projects and individuals who petitioned for various improvements. The resolution, if adopted, will provide assessments in the amount of \$23,729,783.90. It is recommended that Council conduct the public hearing and if all issues are appropriately addressed, adopt the resolution levying the special assessments against benefited lands for various projects.

Councilmember Hanson asked if the utility repair assessments were charged interest over the next five years. Public Works Director/City Engineer Ashfeld reported these assessments had an interest rate of 4%, which was the same as the street assessment.

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

Mayor Steffenson opened the public hearing at 7:45 p.m. and asked if anyone would like to address this issue.

No public testimony was offered.

Motion by Councilmember Jaeger, seconded by

Councilmember Barnett, to close the public hearing at 7:46 p.m. Upon call of the motion and a roll call vote by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Motion by Councilmember Barnett, seconded by Councilmember Jaeger, to adopt Resolution No. 22-156 adopting the special assessments against benefited lands for various projects. Upon call of the motion and a roll call vote by Mayor Steffenson, there were five ayes and no nays. Motion carried.

**Community and
economic
development
items**

**Erickson Addition
short plat**

Community Development Intern Ackerman explained the applicant is proposing a short plat for the purpose of splitting an existing 40,210 square foot lot into two parcels. The south lot with an existing single-family home of 20,099 square foot in area, and the new lot to the north would be 20,111 square foot in area. The submitted plans are consistent with the dimensional requirements of the R-1 Zoning District. The water and sewer utilities for Lot 2 intersect Lot 1 so staff required the applicant to create an easement around the area where the underground utilities cross a portion of Lot 1. The utility easement shall be adjusted over the center of actual utility locations for Lot 1. Staff requested the applicant adjust the grading plans to lower the slope of the driveway from 9% to 8%, consistent with code and worked with them to amend the grading plan such that water runoff will not impact the adjacent lot to the north. The applicant is showing a retaining wall in the drainage and utility easement that will need to be moved outside of said easement and is a condition of approval. Staff commented further on the proposed request and reported the Planning Commission recommended approval.

Councilmember Jaeger explained the city's Water Resource Engineer Derek Asche noted there were five matters yet to be addressed as of October 10. She asked if these matters had been resolved. Community Development Intern Ackerman

reported these matters had been addressed. He explained the retaining wall on the north side would be moved just off of the easement as a condition of approval and all water runoff would flow into the storm drain or down to the swale.

Motion by Mayor Steffenson, seconded by Councilmember Jaeger, to direct the City Attorney to draft a resolution and a Planned Unit Development agreement approving the Erickson Addition short 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 September 19, 2022**
 - b. The Engineering Department dated October 10, 2022**
 - c. The Parks & Recreation Department dated September 19, 2022**
- 2. The proposed retaining wall shall be outside of the five-foot drainage and utility easement.**

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

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

Community and Economic Development Director Hogeboom explained on October 3, 2022 the Council voted on a 3-2 vote to direct the city attorney to draft a resolution and a planned unit development for the Rush Hollow project. He discussed the plans for the Rush Hollow project which included 161 acres in the northwest part of the city. The Rush Hollow development would consist of 211 single family homes, 217 townhomes and an 80-unit senior living cooperative building. He commented on the roadway improvements that would be completed in conjunction with this project. Staff commented further on the proposed project and recommended approval.

Motion by Councilmember Hanson, seconded by Mayor Steffenson, to adopt Resolution No. 22-155 approving Rush Hollow PUD concept stage plan, development stage plan,

preliminary plat, 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.**

Upon call of the motion and a roll call vote by Mayor Steffenson, there were three ayes and two nays (Councilmember Barnett and Councilmember Jaeger). Motion carried.

Motion by Councilmember Hanson, seconded by Councilmember Jaeger, to adopt Ordinance No. 22-18 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. Upon call of the motion and a roll call vote 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:

- Sierra would be holding a grand opening on Saturday, October 22 at 8 a.m. and a ribbon cutting ceremony would be held at 7:45 a.m.
- Main Street improvements were wrapping up and there would be a ribbon cutting ceremony on Monday, October 24 at 4 p.m.
- The Planning Commission meeting scheduled for Monday, October 31 has been canceled.
- The Planning Commission would meet next on Monday, November 14.

Engineering-public works items

Report on upcoming

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

engineering items

- The final paving on the Main Street project would be completed later this week as weather allows.
- The drought conditions within the metro area continue to persist.

Administration items

Report on upcoming administration items

City Administrator Nelson explained that the Council has her Monday report if there are any questions. She commented on the number of people that have been taking advantage of absentee voting and noted the General Election would be held on Tuesday, November 8.

Items added to the agenda

Councilmember Jaeger requested the public use caution when driving in the community.

Councilmember Jaeger reported the citizens police academy was underway and there were 30 residents attending, including Councilmember Kristy Barnett.

Councilmember Jaeger explained the Maria's Voice event was very well attended.

Councilmember Jaeger commented on the grand opening of the new phase of the Bee Hive memory care unit.

Councilmember Jaeger explained the Historical Society would be meeting on Thursday, October 20 and Parks Director Chuck Stifter would be the guest speaker.

Councilmember Jaeger invited the public to attend the last two weeks of the farmers market on Thursday, October 20 and October 27. She reported after this time the farmers market would be moved indoors.

Adjournment

Motion by Councilmember Jaeger, seconded by Councilmember Barnett, to adjourn to the regular City Council meeting on November 7, 2022 at 7:30 p.m. Upon call of the motion and a roll call vote by Mayor Steffenson, there were five ayes and no nays. Motion carried.

The meeting was adjourned at 8:08 p.m. by Mayor Steffenson.

Respectfully submitted,

Heidi Nelson
City Administrator