

# **Maple Grove City Council Meeting**

## **Meeting Minutes**

**March 15, 2021**

### **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 March 15, 2021 at the Maple Grove Government Center/Public Safety Facility, Hennepin County, Minnesota and online via WebEx. 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; Brett Angell, Economic Development Manager; Ken Ashfeld, Public Works Director/City Engineer; Jupe Hale, Assistant 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. Regular Meeting – March 1, 2021

## **PERSONNEL ITEMS**

B. Appointment of Paid-on-Call Fire Officers

Motion to appoint the following to the position of Lieutenant in the Fire Department effective April 1, 2021.

Station 2: Jesse Navin

Station 4: Riley Slimmer, Adam Ohme

Station 5: Louis Anderson, Steve James

Motion to appoint the following to the position of Captain in the Fire Department effective April 1, 2021.

Station 2: Carlos Davila

Station 5: Chandler Van Curler

C. Light Equipment Operator Appointment

Motion to approve the hiring of Dustin Rose to the position of Light Equipment Operator at an annual salary of \$46,063.68 (starting step, per Union Contract), effective on March 16, 2021, subject to a 12-month probationary period. All required screenings and background checks have been successfully completed.

## **COMMUNITY & ECONOMIC DEVELOPMENT ITEMS**

D. Avery Park PUD Residential Development Stage Plan, Rezoning and Final Plat - Ordinance No. 21-04 and Resolution No. 21-035

Motion to adopt Ordinance No. 21-04 rezoning the property from R-A, Single Family Agricultural to R2 PUD Single Family Residential (Planned Unit Development) and R4 PUD, Medium Density Residential District (Planned Unit Development), subject to the approval of the final plat.

Motion to adopt Resolution No. 21-035 approving the Avery Park Residential PUD development stage plan and final plat, subject to:

1. Planned Unit Development agreement final review and approval of the City Attorney and the Director of Community & Economic Development.

E. Edgewater on Cook Lake PUD Residential Development Stage Plan and Final Plat -Resolution No. 21-019

Motion to adopt Resolution No. 21-019 approving the Edgewater on Cook Lake PUD development stage plan and final plat, subject to:

1. Planned Unit Development agreement final review and approval of the City Attorney and the Director of Community & Economic Development.

F. Tricare 4th Addition Final Plat - Resolution No. 21-033

Motion to adopt Resolution No. 21 033 approving the final plat of Tricare 4th Addition.

G. 6248 Eagle Lake Dr Variance - Resolution No. 21-034

Motion to adopt Resolution No. 21-034 approving the 6248 Eagle Lake Drive variance.

## **ENGINEERING ITEMS**

H. Chapel Wood, Weaver Estates Wicklow Meadows, Weaver Lake Boat Launch Street Rehabilitation Project No. 20-02 Final Acceptance

Motion to approve the final acceptance of Chapel Wood, Weaver Estates, Wicklow Meadows and Weaver Lake Boat Launch Area Street Rehabilitation Project No. 20-02 completed by GMH Asphalt subject to the warranty provisions of the contract and statutory law.

I. Sureties

Motion to approve the surety actions as identified on the Council Action Form.

## ADMINISTRATIVE ITEMS

J. Findings of Fact on Hannu Enterprises, Inc. dba Maple Tavern - Resolution No. 21-037

Motion to adopt Resolution No. 21-037 making findings, conclusion, and decision imposing a civil penalty of \$2,000 and a two (2) day suspension on Hannu Enterprises Inc. dba Maple Tavern, 9375 Deerwood Lane, Maple Grove, Minnesota.

K. Maple Grove Transit Station Electric Vehicle Charging Agreement

Motion to authorize Mayor and City Administrator to enter into an agreement with Blink Network for electric vehicle charging stations at the Maple Grove Transit Station.

L. Annual Replace and Upgrade PCs

Motion to approve the replacement of desktops, laptops, monitors and docks for 2021. The total cost of replacement will be \$48,438.00 to be purchased from the Data Processing Replacement Fund. The breakdown of costs are as follows:

Replacement of 30 desktops: \$22,440.00

Replacement of 18 laptops: \$19,468.00

Replacement of 10 monitors: \$1,730.00

Replacement of 20 laptop docks: \$4,800.00

M. Administration Amendment to Maple Grove City Code Chapter 2 by Establishing Section 2.74 - Council Decorum - Ordinance 21-06

Motion to approve Ordinance No. 21-06 amending Maple Grove City Code Chapter 2 by establishing Section 2.74 – Council Decorum.

Motion to approve Summary Ordinance No. 21-06 to reduce publication costs.

N. Refund Consideration of On-Sale Liquor License Fees

Consider a refund of on-sale liquor license fees for additional dates on-sale liquor license holders were closed due to extended

executive orders. A refund of on sale liquor license fee from forced government closure which created an unearned revenue for the City of Maple Grove. This covers May 2 through May 31, 2020 and November 20, 2020 to January 10, 2021 dates of closures, for a total of 82 additional days.

O. Transfer from General Fund to the Long Term Development Fund, Community Resources Fund, Road Reconstruction Fund, Community Center Fund and Sports Dome Fund

Motion to transfer \$4,500,000 from the General Fund to the Long Term Development Fund to finance public facilities and Emerald Ash Borer treatment & removal, \$1,000,000 to be transferred to the Community Resources fund for any potential impacts of the pandemic caused in 2021, \$800,000 to the Road Reconstruction Fund for road maintenance, \$200,000 to the Community Center Fund to cover the 2020 Deficit, and \$100,000 to the Sports Dome Fund to cover the 2020 Deficit.

**CLAIMS**

P. Motion to approve the claims as listed:

City Checks: \$957,167.32

Purchasing Card: \$22,619.01

Electronic Payments: \$962.16

**Motion by Councilmember Leith, seconded by Councilmember Jaeger, to approve the Consent Items as presented. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.**

**Consideration  
of Items  
Pulled from  
the Agenda**

None.

**Special  
Business**

## Open Forum

Owen Schleissman, 6379 Cheshire Lane, explained he sent a letter to the city dated March 9, 2021 regarding zoning law violations due to the junk in his neighbor's yard. He reported his neighbor was contacted by the zoning office requesting his two construction machines, a couch and other items be removed from his yard. He noted an old stock car was also removed. He stated there was some ambiguity in the zoning law and how it was enforced. He asked if City Code allowed homeowners to store junk vehicles or industrial trailers that they do not own in their yards. He questioned if junk tires, pick up trucks, bulldozers and scrap parts can be stored in six-foot high fenced in enclosure that is attached to a shed. He inquired if a driveway can be installed over a catch basin. He asked why Maple Grove allowed his neighbor to continue the illegal driveway after they admitted it was installed on Park Board property. He questioned if fines were assessed for the illegal driveway and wondered who covered the cost of new trees and shrubs. He expressed frustration with the fact the city had poorly trained zoning employees. He believed the zoning code had far too much ambiguity which led to enforcement and interpretation differences. He recommended the City Code be addressed in order to reduce corruption. He explained his neighbor has a travel trailer parked in the front driveway that was one-third the size of the house. He reported this trailer has been parked on the driveway since 2018. He indicated he has reviewed the zoning laws in other suburbs and some restrict the size of or limit this kind of parking in the front yard to 30 days. He encouraged the city to consider hiring additional zoning enforcement staff in order to prevent the decay of Maple Grove neighborhoods. He noted he had photos of his neighbor's property and thanked the Council for hearing his concerns.

City Attorney Templin reported complaints against properties were addressed within the Data Practices Act. He noted the identity of a real property complaint was confidential information, which means any information the city has was confidential.

Mayor Steffenson reported there have been a number of staff members out to address these issues. He explained staff would continue to work with the various homeowners to ensure they were following City Ordinance. He suggested the Council also look at these Ordinances to ensure they were not ambiguous.

Councilmember Barnett asked if the city was hiring additional staff to addressing zoning enforcement concerns. Community and Economic Development Director Hogeboom stated a temporary seasonal zoning inspector would be hired in May.

**7:30 p.m.  
Public  
Hearing**

**Avery Park  
Street &  
Utility Project  
No. 21-06**

Assistant City Engineer Hale requested the Council approve City Project 21-06, the Avery Park Street and Utility Project. He described the work that would be completed in this development which included roadways, watermain, sanitary sewer and trunk sewer, along with a trail along Nathan Lane. The estimated project costs were discussed with the Council along with the proposed assessments. He reviewed which streets would be public and those that would be private and recommended approval of the improvements.

**Resolution No.  
21-036**

**Motion by Councilmember Hanson, seconded by Councilmember Barnett, 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 7:45 p.m. and asked if anyone would like to address this issue.

No public testimony was offered.

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

**Motion by Councilmember Barnett, seconded by Councilmember Hanson, to approve adopting Resolution No. 21-036 ordering Avery Park Street and Utility Project No. 21-06, receiving surety, ordering plans and specifications, approving plans and specifications, authorizing advertisement for bids, and approving Developer's Agreement for Avery Park subject to final review by the City Attorney and Director of Public Works.**

Councilmember Jaeger reviewed the watershed district recommendations for this project.

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

## **Community Development Items**

### **Reserve Arbor Lakes Building 4 Planned Unit Development Development Stage Plan and Final Plat**

Planning Manager Vickerman stated the applicant is requesting a Planned Unit Development (PUD) development stage plan, and final plat for the purpose of constructing the fourth and final building in the Reserve Arbor Lakes apartment development. The building is proposed to have 164 units and 216 bedrooms. The proposed amenities within the development were reviewed with the Council. Staff discussed the plans in further detail and reported the Planning Commission recommended approval with conditions.

Councilmember Leith asked if the building had underground parking. Planning Manager Vickerman stated this complex would have underground and first level parking within the building, along with 114 surface parking spaces.

Evan Doran, Doran Companies, thanked the Council and staff for their time and consideration. He stated he was looking forward to starting and completing the final phase of this project.

Councilmember Leith questioned when construction would begin. Mr. Doran reported the third building was under construction and would be completed at the end of August. He explained the fourth building would begin construction around August 1<sup>st</sup>.

**Motion by Councilmember Leith, seconded by Councilmember Jaeger, to approve directing the City Attorney to draft a Planned Unit Development agreement and a Resolution approving the Reserve Arbor Lakes Building 4 PUD 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 March 3, 2021**



- b. The Water Resources Engineer dated February 17, 2021**
- c. The Fire Department dated February 12, 2021**
- d. The Parks & Recreation Department dated February 16, 2021**

**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.**

**Boston  
Scientific  
Building 3  
West Planned  
Unit  
Development  
  
Development  
Stage Plan**

Economic Development Manager Angell stated Boston Scientific is seeking Planned Unit Development (PUD) development stage plan approval to construct a new building of approximately 76,000 square feet of production space. The proposed addition would be constructed directly to the west of existing building #3 and would be connected via skyway to the other buildings within the overall campus. The building would be constructed in what is currently surface parking area. The request for this development stage plan for the new building coincides with the parking lot expansion that Boston Scientific was approved of in 2020. The applicant has expressed the need for the expansion is due to a current limited availability of available production space within the campus. The product that would be manufactured in this space is currently being produced in building number 2 and will be relocated to this space allowing for more spacing of equipment, materials, and to free up the existing production space that is used for future new product creation. The landscaping plan was reviewed with the Council along with the proposed renderings. Staff discussed the plans in further detail and reported the Planning Commission recommends approval with conditions.

Councilmember Jaeger questioned if this project would be impacting Niagara Lane. Economic Development Manager Angell explained this project would not be impacting Niagara Lane.

Councilmember Jaeger asked why all of the additional parking was needed. Economic Development Manager Angell deferred

this question to the applicant.

Brendan Collins, Boston Scientific representative, explained pre-COVID the site was constrained by parking. He indicated the additional parking was needed for shift change times.

Councilmember Jaeger inquired if this would create additional traffic along Weaver Lake Road. Mr. Collins stated he did not anticipate the project would increase the traffic volumes along Weaver Lake Road any more than they are now.

Councilmember Jaeger asked if the construction traffic would be using Niagara Lane. Mr. Collins reported the construction traffic would not be using Niagara Lane.

**Motion by Councilmember Jaeger, seconded by Councilmember Leith, to approve directing the City Attorney to draft a Resolution and a Planned Unit Development agreement approving the Boston Scientific Building 3 West PUD development stage plan, 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 February 23, 2021**
  - b. The Engineering Department dated February 22, 2021**
  - c. The Fire Department dated February 23, 2021**
  - d. The Arbor Committee dated March 2, 2021**

**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.**

**Evanswood  
PUD Concept**

**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**

## **Stage Plan**

**five ayes and no nays. Motion carried.**

Planning Manager Vickerman explained the applicant has resubmitted plans for the Evanswood proposal. He indicated the main change was for the area in the northwest that had 28-foot wide lots have been changed to 45-foot wide lots. He noted everything else remains the same as was previously discussed. He reported the development now has 301 single family detached lots when 358 lots were previously requested. He commented on the changes that were made to the townhome area noting four additional units were added. He indicated screening of the townhomes from Lawndale Avenue would have to be further considered. He requested the Council discuss the development and provide the applicant with feedback on how to proceed.

Councilmember Jaeger asked if the streets would be public or private. Planning Manager Vickerman explained the streets in the single-family area would be public and the streets within the townhome area would be private.

Councilmember Leith indicated this item was tabled at the last meeting in order to allow the Council to discuss this development at a work session meeting along with the recently completed housing study. He noted this worksession meeting was cut short. He questioned why this matter was being considered when further discussion had to be held with respect to the housing study. Planning Manager Vickerman stated staff was running short on time under 15.99.

Councilmember Jaeger asked if time could be made to further consider this request.

Councilmember Hanson stated there was a 120-day review time period which put this project out to April 28, 2021.

Councilmember Jaeger questioned if a work session was held by the Council could this item be approved on a future consent agenda.

Mayor Steffenson anticipated this item had to be fully considered and could not be placed on the Consent Agenda. He asked when the Council would be able to further review the housing study. He commented he had concerns with the 45-foot lot widths. Planning Manager Vickerman explained the housing

study would be discussed at the April 19, 2021 work session meeting, which would be the last meeting the Council could address this project prior to the 15.99 deadline running out.

Councilmember Hanson asked if the applicant would agree to an extension to the May 3, 2021 City Council meeting to allow the Council to review this project in light of the housing study in April.

Councilmember Leith explained he appreciated going from 28 to 45-foot wide lots, but he stated this was still quite small for single family homes.

Mayor Steffenson requested the applicant address the Council at this time.

Ben Schmidt, Excelsior Group representative, stated his goal was not to jam this thing through for approval, but rather to seek feedback from the Council. He appreciated the dialogue from the Council and noted he would be refining the plan as the Council considers the housing study. He offered several comments on why he submitted the project the way he did noting he spent a fair amount of time speaking to the neighbors to the north. He described the diverse housing product and prices that would be offered. He commented further on how the housing development was designed noting he was willing to come back with an alternate design, but noted the cost of housing would continually be on the rise. He explained he would support an extension.

Councilmember Hanson thanked the applicant for being willing to support an extension. She stated when she looks at this development, it appears all of the homes would be squeezed in on top of each other without any space in between.

Councilmember Jaeger agreed.

Councilmember Leith commented on the recent Comprehensive Plan and noted the plans for this area was low density with medium density as the site approached Dayton. He indicated he was envisioning a development that matched this vision. He stated he looked forward to considering this further when the housing study was discussed.

Mayor Steffenson stated this was his recollection as well and he

looked forward to reviewing the housing study analysis.

**Motion by Mayor Steffenson, seconded by Councilmember Jaeger, to approve tabling the Evanswood PUD concept stage plan to the April 5, 2021 City Council meeting so the applicant can make additional adjustments to their plan based on City Council feedback. 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, March 29, 2021 at 7:00 p.m. where the group will discuss a 6,000 square foot medical building, an amendment to allow a drive through at the Shake Shack, and a seven lot development in the Nottingham Parkway area.
- The plans for Main Street were being revised and the Council would be reviewing these shortly.
- The Community Forum on Race would be held on April 22, 2021. It was noted this event would be held jointly with the City of Brooklyn Park and the Osseo School District.

**Report on  
Upcoming  
Engineering  
Items**

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

- The I-94 project continues and beams would be placed at the Dayton Parkway interchange later this week.
- The city would be painting the Upland Lane water tower this summer.

**Heidi Nelson,  
City  
Administrator**

Ms. Nelson explained that the Council has her Monday report if there are any questions. She reported the Council would be holding a work session meeting on March 25, 2021. She commented the street maintenance hearings would be held on April 5, 2021. She stated the Board of Appeal meetings would be held on April 8, 2021 and April 22, 2021 noting valuation notices were currently being mailed.

**Items Added  
to the Agenda**

Councilmember Jaeger stated maple trees are being tapped in Maple Grove.

Councilmember Jaeger reported the farmer's market was being held on Sunday, March 21, 2021.

Councilmember Jaeger encouraged residents to clean up after their pets in the city's parks and trails.

## **Adjournment**

**Motion by Councilmember Jaeger, seconded by Councilmember Leith, to adjourn to the regular City Council meeting on April 5, 2021 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 8:46 p.m. by Mayor Steffenson.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Heidi Nelson". The signature is fluid and cursive, with a large initial "H" and "N".

Heidi Nelson  
City Administrator