

Maple Grove City Council Meeting

Meeting Minutes

June 21, 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 June 21, 2021 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; 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

3S. Donations to Police Department D.A.R.E. Program

Consent Items

The following Consent Items were presented for Council's approval:

MINUTES

- A. Work Session – June 7, 2021
- B. Regular Meeting – June 7, 2021

PERSONNEL ITEMS

C. Probationary Paid-On-Call Firefighter Appointment

Motion to approve the hiring of the following Apprentice Firefighters to the position of Probationary Paid-On-Call Firefighters (starting salary \$13.29/hour) effective on July 1, 2021, subject to an 18-month probationary period:

Bryz-Gornia, Erik
Hegna, Harlan
Hornberger, Steve
Kilian, Valerie
Koscielniak, Jan
Kvasnik, Staci
Overton, Bryton
Williams, Eric

All required screenings and background checks have been successfully completed.

D. Police Sergeant Promotion

Motion to approve the promotion of Steve Parker to Sergeant at an annual salary of \$96,449.60 (SGT/C), effective on June 22, 2021, subject to a 12-month probationary period.

E. Police Officer Appointment

Motion to approve the hiring of Sam Freng to the position of Police Officer at the 2YR salary step of \$74,676.16 annually, effective July 6, 2021, subject to a 12-month probationary period. All required screenings and background checks have been successfully completed.

F. Recruitment Approval for Police Officer

Motion to authorize staff to begin the recruitment process for a Police Officer position due to the resignation of Alex Maleski

effective June 6, 2021.

COMMUNITY & ECONOMIC DEVELOPMENT ITEMS

G. Maple Grove CVB Consultant Agreement

Motion to enter into an agreement for professional services with Zeitgeist Consulting for the purpose of creating a Maple Grove Convention and Visitors Bureau and authorizing additional expenditures related to the creation of the organization.

H. Park 81 Amendment to Easement Agreement

Motion to approve an amendment to an easement agreement on the Park 81 property subject to final review and approval by the Director of Community and Economic Development and the City Attorney.

I. ZOTA – Tree Preservation Overlay District

Motion to remove this item from the table.

Motion to direct the City Attorney to draft an Ordinance amending City Code Division 6 regarding Tree Preservation.

ENGINEERING ITEMS

J. Edgewater on Cook Lake Project No. 18-23 - Resolution No. 21-083

Motion to adopt Resolution No. 21-083 receiving feasibility report for Edgewater on Cook Lake Project No. 18-23 and ordering public hearing.

K. Territorial Greens Project No. 2019-08 Change Order No. 3

Motion to approve Change Order No. 3 to The Territorial Greens Utility and Street Improvements Project No. 2019-08 extending the final completion date to September 15, 2021.

L. Fernbrook Ln./Territorial Road Project No. 20-19 Award of Contract - Resolution No. 21-082

Motion to adopt Resolution No. 21-082 accepting bid for Fernbrook Lane/Territorial Road Project No. 20-19.

M. Avery Park Project No. 2021-06 Change Order No. 1

Motion to approve Change Order No. 1 to The Avery Park Utility and Street Improvements Project No. 2021-06 in the amount of \$52,434.00.

N. Tricare 4th Addition Project No. 21-11 - Resolution No. 21-076

Motion to adopt Resolution No. 21-076 receiving feasibility report for Tricare 4th Addition Project No. 21-11, receiving surety, and ordering public hearing.

O. 96th Avenue, Queensland Lane, and Peony Lane Speed Limit Reduction - Resolution No. 21-085

Motion to approve Resolution No. 21-085 adopting a posted speed limit of 25 mph on 96th Avenue, Queensland Lane, and Peony Lane Speed Reduction within the North Glen Carriage Home and the Maple Ridge Townhome Neighborhoods.

P. Resolution of Support for Funding Highway 610 Completion - Resolution No. 21-084

Motion to adopt Resolution No. 21-084, a resolution in support of the city's Rebuilding America Infrastructure with Sustainability and Equity (RAISE) Transportation Grant application for funding of the Highway 610 Completion between TH 610 and CSAH 30.

Q. Sureties

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

ADMINISTRATIVE ITEMS

R. Tuition Reimbursement Request Construction Management North Hennepin Community College

Motion to approve an Associate of Science Degree Plan in Construction Management for Ken Nelson, Combination Plan Reviewer/Building Inspector.

S. Donations to Police Department D.A.R.E. Program

This item was removed by Councilmember Leith for discussion.

T. Approve Adoption of Purchasing Policy

Staff recommends the City Council adopt the attached purchasing policy.

CLAIMS

U. Motion to approve the claims as listed:

City Checks: \$2,374,306.16

Purchasing Card: \$0

Electronic Payments: \$6,952.73

Motion by Councilmember Leith, seconded by Councilmember Hanson, to approve the Consent Items as amended, removing item 3S (Donations to Police Department D.A.R.E. Program). 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 3S (Donations to Police Department D.A.R.E. Program), Councilmember Leith thanked Councilmember Jaeger for her generous donation to the city's D.A.R.E. program in memory of her husband Henry Jaeger.

Motion by Councilmember Leith, seconded by Mayor Steffenson, to accept donations of \$1,185 to the police department's D.A.R.E. program fund in memory of Henry Jaeger. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

**Special
Business**

Open Forum

An online comment was received from Lauren Sorensen, a local animal behavior professional, regarding the city's current leash ordinance allowing electronic dog collars rather than a physical leash. She noted several reasons why she feels physical leashes should be required.

**Oath of Office
for Police
Officer**

Police Chief Werner introduced newly hired Police Officer Robert Johnson to the City Council.

Mayor Steffenson administered the Oath of Office to Officer Johnson and welcomed him to the Maple Grove Police Department. A round of applause was offered by all in attendance.

**Oath of Office
for Police
Officer**

Police Chief Werner introduced newly hired Police Officer Jacob Hatzenbeller to the City Council.

Mayor Steffenson administered the Oath of Office to Officer Hatzenbeller and welcomed him to the Maple Grove Police Department. A round of applause was offered by all in attendance.

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

City Administrator Nelson explained CEC Entertainment, LLC dba Chuck E. Cheese's has requested an on-sale wine and 3.2% malt liquor license. She reported all necessary paperwork and fees have been paid to the city. Staff commented further on the request and recommended approval.

**On-Sale Wine
and 3.2%
Malt Liquor
for CEC
Entertainment
LLC dba
Chuck E.
Cheese's #794**

Motion by Councilmember Jaeger, 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 7:46 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 7:46 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 Barnett, to approve the on-sale wine and

3.2% malt liquor license for CEC Entertainment, LLC dba Chuck E. Cheese's #794, 12945 Elm Creek Blvd, 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, 2022. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

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

Assistant City Engineer Hale requested the Council approve an easement for the existing right of way along 63rd Avenue east of Balsam Lane. He explained the gravel road only serves a park. He reported the Three Rivers Park District would be assuming ownership of this roadway.

**Easement
Vacation No.
21-04**

Motion by Councilmember Barnett, 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.

**Resolution 21-
081**

Mayor Steffenson opened the public hearing at 7:48 p.m. and asked if anyone would like to address this issue.

Jackie Malling, 6490 Balsam Lane, questioned when the road would come under Three Rivers Park control and if there were things the neighborhood should be aware of. She explained she was concerned if there would be a change in traffic, or if the roadway would be paved. Mr. Hale explained the property would be turned over to the Three Rivers Park District fairly quickly. He reported he could not speak to the long-term plans for the Three Rivers Park District, but he indicated this may be a park entrance at some point in the future. He stated he did not understand if the roadway would be paved or not.

Motion by Councilmember Jaeger, seconded by Councilmember Hanson, to close the public hearing at 7:51 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 Barnett, to approve adopting Resolution No. 21-081 vacating certain easements located in the City of Maple Grove, County of Hennepin, State of Minnesota. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

**Community
Development
Items**

**9661
Fernbrook
Lane North
Sign Variance**

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.

Associate Planner Corrow stated the property at 9661 Fernbrook Lane North was requesting a sign variance to allow for a high definition scoreboard at the Maple Grove High School Athletic Stadium. The scoreboard would be facing away from the adjacent neighborhood. It was noted the scoreboard would be 36 feet high which was higher than was allowed by City Code. He discussed the proposed scoreboard sign in further detail with the Council and recommended approval of the sign variance.

Councilmember Jaeger questioned who would be paying for the sign. Associate Planner Corrow explained it was his understanding the booster club and advertisers on the sign would be paying for the scoreboard.

Councilmember Hanson reported there were two neighbors that opposed the sign originally. She asked if anyone else had reached out to the city in opposition of the proposed sign variance. Associate Planner Corrow commented he only received the two comments from the public.

Ricardo Jones, Activities Director at Maple Grove High School, indicated the existing scoreboard was in need of replacement. He stated he was excited to be adding the high definition scoreboard to the stadium for both athletes and fans.

Terry Brennan, 9639 Harbor Lane, explained he wrote a letter to the City Council previously and was opposed to the scoreboard for a number of reasons. He stated the application was made on April 29, 2021 by a sign company, not the school district. He indicated he received notification from the city regarding the sign variance request on June 11th and from the school district on June 15th. He read the letter from the school district in full for the City Council. He reported the requested sign was 17.6%

bigger than was allowed by City Code. He believed this was somewhat extreme. He indicated the June 11th agenda item made no mention of a sound system within the scoreboard but the June 21st notification did. He understood that the booster club originally requested assistance from the city for the sign and he applauded the City Council for not making a contribution. He went on to discuss the criteria that must be followed to grant a variance and he believed there were no plausible reasons for granting this sign variance. He believed the scoreboard would be distracting for passing traffic along Fernbrook Lane. He recommended that the City Council table or deny action on this variance.

Councilmember Jaeger indicated there were other cities that have these scoreboards. She did not believe this scoreboard was unusual.

Mayor Steffenson agreed there were other communities with these types of scoreboards.

Brian Grandstrand, EM Electronics, introduced himself to the Council noting he was a distributor for Daktronics. He discussed how the scoreboard sign would be illuminated and reported the sound system should be less noisy than the current system and would not impact the adjacent neighbors. He commented there were similar scoreboards at St. Michael and Monticello. He explained a sign company applied for this variance because they would be constructing the sign structure for the school. He reported the sign would only be used during events at the stadium.

Further discussion ensued regarding the similarities and differences between electronic billboards and the proposed scoreboard.

Councilmember Leith explained the sign would be in the end zone on the football field. He anticipated that the bleachers would block the view of the scoreboard from Fernbrook Lane.

Mr. Brennan indicated the school district has stated they will comply with all city regulations and the sign size did not meet city regulations.

Motion by Councilmember Jaeger, seconded by Councilmember Leith, to approve directing the City

Attorney to draft a Resolution approving 9661 Fernbrook Lane North Sign Variance. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

**73rd Avenue
Office
Building
Development
Stage Plan**

Associate Planner Corrow stated the applicant is requesting a development stage plan approval for the purpose of constructing an 18,000 square foot, single-story, office building located between 73rd Avenue and Interstate 694 at 10402 73rd Avenue North. The office building use is consistent with the comprehensive plan and is an appropriate use in the Freeway Frontage zoning district. Staff commented further on the proposed plans and reported the Planning Commission recommended approval.

Councilmember Hanson thanked staff for clarifying that the tree calculation did not apply to non-buildable property. She asked if the property owner would be providing an easement to Clear Channel. Associate Planner Corrow deferred this question to the applicant.

Councilmember Jaeger questioned if all watershed requirements have been met. Public Works Director/City Engineer Ashfeld discussed the infiltration basin that would be located on the property and commented on the maintenance agreement that would be in place.

Steve Fischer, Arrow Companies, thanked the Council for considering his request. He explained he has yet to close on the property. He commented further on the perpetual easement that would be put in place for Clear Channel. It was his understanding was working with city staff on upgrades for the billboard.

Councilmember Hanson questioned why a perpetual easement would be put in place versus a regular easement. Mr. Fischer commented the incentive was to allow Arrow Companies to develop the portion of land that was developable, while still allowing Clear Channel to maintain their billboard signs.

Councilmember Hanson stated she was not excited about the perpetual easement.

Councilmember Leith requested further comment on the

MNDOT holding ponds. Public Works Director/City Engineer Ashfeld explained in 1988 73rd was realigned in order to create larger buildable lots. He commented the city erred a little in that this lot was not created as a separate lot but was preserved as excess right-of-way. He reported the Commissioner of Transportation has the authority to take over local rights-of-way, which is what happened with the land the holding ponds were located on.

Motion by Councilmember Jaeger, seconded by Councilmember Barnett, to approve directing the City Attorney to draft a Planned Unit Development agreement and a Resolution approving the 10402 73rd Avenue North 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 June 3, 2021**
 - b. The Water Resources Engineer dated June 1, 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.

**Maple Grove
Medical Office
Building
Planned Unit
Development
Concept Stage
Plan,
Development
Stage Plan,**

Planning Manager Vickerman stated the applicant is proposing a PUD concept stage plan for the 8.13 acres of land bordered by Niagara Lane, 105th Avenue N, Maple Grove Parkway, and Highway 610. The applicant is proposing a PUD development stage plan, rezoning and final plat for a 4.0-acre portion of this overall site to build a 45,000 square foot, two-story, medical office building. The site is located in the 105th Avenue Master Plan area. Staff commented further on the proposed request and noted the Planning Commission recommended approval.

Mark Davis, representative for the applicant, thanked the

**Rezoning
Lynde and
McLeod
Second
Additional
Final Plat**

Council for their time and consideration. He explained he had one of the largest gastroenterology clinics, MNGI Digestive Health, lined up as tenants for this building.

Motion by Councilmember Leith, seconded by Councilmember Barnett, to approve directing the City Attorney to draft a Planned Unit Development agreement and a Resolution approving the Maple Grove Medical Office Building PUD concept stage plan, development stage plan and Lynde and McLeod Second Addition 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 June 3, 2021**
 - b. The Engineering Department dated May 24, 2021**
 - c. The Fire Department dated May 19, 2021**
 - d. The Parks & Recreation Department, dated June 9, 2021**

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

Motion by Councilmember Hanson, seconded by Mayor Steffenson, to approve directing the City Attorney to draft an Ordinance rezoning property from RA, Single-Family Agricultural to B-PUD, Business-Planned Unit Development.

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.

**Tricare Retail
Planned Unit**

Planning Manager Vickerman stated the applicant is requesting a PUD development stage plan and final plat to construct a 22,000 square foot retail building, with a 15,000 square foot

**Development
Non-
Residential
Development
Stage Plan
Tricare 5th
Addition Final
Plat**

grocery store as the primary use. The approved concept plan for this site showed approximately the same amount of retail and the development stage plan is consistent with the concept plan. The site is located between AutoZone and Walgreens along County Road 30. Staff discussed the plans in further detail with the Council and noted the Planning Commission recommended approval of the request.

Councilmember Jaeger asked if this site would be difficult to access. Planning Manager Vickerman explained the site would be accessed on Garland Lane and then onto a private drive or from 96th Avenue past Walgreens.

Councilmember Jaeger questioned if staff had any concerns with the amount of traffic that would be coming to this site. Planning Manager Vickerman reported staff did not have any concerns.

Irfan Habib, 1337 Mount Trail, explained he was a representative for the applicant. He thanked the Council for considering his request.

Mayor Steffenson thanked Mr. Habib for his application. He stated he was looking forward to having the new grocery store in Maple Grove because it would meet a need that was not currently available in the community.

Councilmember Jaeger questioned what the name of the grocery store would be. Mr. Habib stated the grocery store would be named Desi Brothers.

Motion by Councilmember Leith, seconded by Councilmember Hanson, to approve directing the City Attorney to draft a Planned Unit Development agreement and a Resolution approving Tricare Retail PUD development stage plan and Tricare 5th Addition 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 June 9, 2021**
 - b. The Water Resources Engineer dated May**

20, 2021

- c. The Fire Department dated May 27, 2021**
- d. The Parks & Recreation Department, dated June 9, 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.

**Report on
Upcoming
Community
and Economic
Development
Items**

Community and Economic Development Director Hogeboom updated the Council regarding the following:

- An update was provided on the Clear Channel billboard that would be located along 73rd Avenue.
- The Planning Commission would meet next on July 26, 2021.

**Report on
Upcoming
Engineering
Items**

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

- County Road 30 was being resurfaced from I-94 to County Road 81.
- Staff explained the city was running at capacity for water pumping at this time. He reported the city was going to be encouraging larger water users to conserve. He encouraged residents to consider sprinkling in the overnight and evening hours.
- Discussion ensued the blue-green algae in one of the lakes in Maple Grove. Staff reported they would investigate this matter further.

**Heidi Nelson,
City
Administrator**

Ms. Nelson explained that the Council has her Monday report if there are any questions. She reported staff would continue to monitor the special legislative session. She stated there would be no City Council Meeting on Monday, July 6, 2021. She discussed the plans for Maple Grove Days and noted staff would be getting information to the Council regarding the

parade and coronation.

Items Added to the Agenda

Councilmember Jaeger invited the public to attend the Maple Grove Ambassador steak fry which would be held on Tuesday, June 22, 2021 at the Osseo/Maple Grove Legion from 5:00 p.m. to 7:00 p.m. She noted buttons would be sold for \$3 to support the ambassadors.

Councilmember Jaeger stated on Sunday, July 18, 2021 the Maple Grove Historical Society would be holding an open house.

Councilmember Jaeger encouraged residents to consider visiting the farmer's market each week.

Councilmember Jaeger reminded residents to check their smoke alarms and to replace batteries if necessary.

Councilmember Jaeger wished everyone a safe and happy Fourth of July.

Mayor Steffenson read a statement regarding the closed session meeting that would be held after the adjournment of the regular City Council meeting.

Adjournment

Motion by Councilmember Jaeger, seconded by Councilmember Hanson, to adjourn to the regular City Council meeting on July 19, 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 8:52 p.m. by Mayor Steffenson.

Respectfully submitted,



Heidi Nelson
City Administrator