

Maple Grove City Council Meeting

Meeting Minutes

August 16, 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 August 16, 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; 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

3V. Proclamation International Overdose Awareness Day – August 31, 2021

Consent Items

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

MINUTES

- A. Work Session – August 2, 2021
- B. Regular Meeting – August 2, 2021

PERSONNEL ITEMS

C. Commercial Appraiser Appointment

Motion to approve the hiring of Kelsey Tur to the position of Commercial Appraiser in the Assessing Department, at an annual salary of \$81,700.32 annually, effective August 31, 2021, subject to a 12-month probationary period. All required screenings and background checks have been successfully completed.

D. Recruitment Approval for Rental Housing Inspector/ Housing Coordinator

Motion to authorize staff to begin the recruitment process for the vacant position of Rental Housing Inspector/Housing Coordinator in the Community & Economic Development Department due to the resignation of John Van Cleave which was accepted with an effective date August 13, 2021.

COMMUNITY & ECONOMIC DEVELOPMENT ITEMS

E. Crocus Grove Planned Unit Development Residential Concept Stage Plan, Development Stage Plan, Preliminary Plat, Rezoning and Administrative Lot Division

Motion to table the application at the request of the applicant.

F. Cub Wine & Spirits Planned Unit Development Non- Residential Concept Stage Plan Amendment Development Stage Plan - Resolution No. 21-111

Motion to adopt Resolution No. 21-111 approving the Cub Wine & Spirits PUD concept stage plan amendment and development stage plan, subject to:

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

Community & Economic Development.

G. Elm Road Final Plat

Motion to direct the City Attorney to draft a Resolution approving the Elm Road final plat.

H. Sale of 3-Parcels of City-owned Property to MSI, LLC

Motion to approve the first amendment to the purchase agreement with MSI Holdings, LLC extending the due diligence period.

I. Northwood Church Conditional Use Permit - Resolution No. 21-110

Motion to adopt Resolution No. 21-110 approving the Northwood Church conditional use permit.

J. Sierra Trading Post Architectural Review

Motion to approve the architectural elevations of Sierra Trading Post.

K. Northwood Townhomes Planned Unit Development Residential Concept Stage Plan, Development Stage Plan, Rezoning, Preliminary and Final Plat - Ordinance No. 21-14 And Resolution No. 21-112

Motion to adopt Ordinance No. 21-14 approving rezoning from R-A, Single-Family Agricultural to R-4, Medium Density Residential Planned Unit Development.

Motion to adopt Resolution No. 21-112 approving the Northwood Townhomes PUD residential concept stage plan, development stage plan, preliminary 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.

L. Territorial Road Area Master Planning Authorization

Motion to authorize staff to accept and ratify the Territorial

Road area master planning proposal from WSB, dated July 29, 2021.

Motion to authorize the mayor and city administrator to sign the Territorial Road master plan financing agreement with Pulte Homes of Minnesota, LLC.

M. Xcel Energy Conditional Use Permit for 10-foot Fence Conditional Use Permit for Exterior Staging Area - Resolution Nos. 21-113 and 21-114

Motion to adopt Resolution No. 21-113 approving the Xcel Energy conditional use permit for a 10-foot high fence.

Motion to adopt Resolution No. 21-114 approving the Xcel Energy conditional use permit for an exterior staging area.

ENGINEERING ITEMS

N. Edgewater on Cook Lake Project No. 18-23 - Resolution No. 21-093

Motion to adopt Resolution No. 21-093 approving plans for Edgewater on Cook Lake Project No. 18-23 and authorizing advertisement for bids.

O. Avery Park Street and Utility Project No. 21-06 Change Order No. 2

Motion to approve Change Order No. 2 to the Avery Park Street and Utility Improvements Project No. 2021-06 in the amount of \$26,900.00.

P. Northwood Church/Westin Commons Project No. 21-16 - Resolution No. 21-118

Motion to adopt Resolution No. 21-118 establishing Northwood Church/Westin Commons Project No. 21-16, receiving surety and ordering feasibility report.

Q. Arbor Lakes Business Park 2nd Addition Developer's Agreement - Resolution No. 21-117

Motion to adopt Resolution No. 21-117 approving Developer's

Agreement for Arbor Lakes Business Park 2nd Addition, subject to final review by the City Attorney and Director of Public Works.

R. Highway 610 Completion Resolution of Support - Resolution No. 21-109

Motion to adopt Resolution No. 21-109, a resolution in support of the city's Transportation Economic Development (TED) program application for funding of the Highway 610 Completion between TH 610 and CSAH 30.

S. Special Assessment Cancellation - Resolution No. 21-119

Motion to adopt Resolution No. 21-119 cancelling special assessments as a result of Levy No. 18547.

T. Sureties

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

ADMINISTRATIVE ITEMS

U. Amending Maple Grove City Code Chapter 20, Article III, Division I Regarding Loitering, Traffic Median Safety, and Police Orders to Disperse - Ordinance No. 21-15

Motion to approve Ordinance No. 21-15 amending Maple Grove City Code Chapter 20, Article III, Division I regarding loitering, traffic median safety, and police orders to disperse.

V. Proclamation International Overdose Awareness Day – August 31, 2021

This item was removed by Councilmember Barnett for discussion.

W. North Metro Regional Public Safety Training Facility Expansion Project No. 21-15 Acceptance of Bid Package #1 - Resolution No. 21-120

Motion to adopt Resolution No. 21-120 accepting bids for Bid Package #1 for the North Metro Regional Public Safety

Training Facility expansion project No. 21-15. Bid Package #1 includes engineering and design services with the balance of contract recommendations to be approved after receipt of Bid Package #2.

CLAIMS

X. Motion to approve the claims as listed:

City Checks: \$4,610,600.31

Purchasing Card: \$0

Electronic Payments: \$1,175,276.20

Motion by Councilmember Jaeger, seconded by Councilmember Barnett, to approve the Consent Items as amended, removing item 3V (Proclamation International Overdose Awareness Day – August 31, 2021). 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 3V (Proclamation International Overdose Awareness Day – August 31, 2021), Councilmember Barnett stated this was a global event to bring awareness to those who are lost each year to overdose deaths. She reported each year thousands of people are lost to drug overdoses. She explained drug overdoses are preventable and encouraged the community to find practical ways to prevent overdoses in the community. She believed the Maple Grove Police Department worked diligently to prevent drug overdoses and noted the department had a collection box in its lobby to allow people to return prescription drugs that they no longer need. She commented she was very honored that the city was making a proclamation to declare August 31, 2021 as International Overdose Awareness Day in the City of Maple Grove.

Chrissy Princeton, Maple Grove resident, thanked the Council for considering this proclamation. She explained her son passed away on April 4, 2020 from an overdose. She reported she performed CPR on her son but he could not be revived after taking a pill that was pure Fentanyl. She indicated she has

become very involved in the fight against opioids and thanked the city again for bringing awareness to this topic in order to save a life.

Motion by Councilmember Barnett, seconded by Councilmember Hanson, to proclaim August 31, 2021, 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.

Special Business

Open Forum

Pam Williams, 6869 Quantico Lane, stated she had concerns for her neighborhood. She expressed concern with the actions of a company named High Opportunity Neighborhood (HON) out of Texas stating this company would be buying a number of homes in Maple Grove in order to turn them into rentals. She feared that this would change her neighborhood and the overall community. She explained HON already had seven homes in Maple Grove and several others in surrounding communities. She discussed the zoning of her property noting there were 10 people currently living within a HON rental home on Quantico. She explained she has reached out to staff regarding her concerns with this rental property and noted there has been a number of police calls from the rental property. She questioned why the home on 68th Avenue was allowed to have extra bedrooms and stated she would also like to understand how many rental properties the city had. She questioned how many homes HON would be allowed to purchase and turn into Section 8 housing within the community. She explained she loved living in this community and asked the City Council for help. She encouraged the city and its staff to properly follow City Code when it came to rental properties.

Maple Grove Ambassador Program

Maple Grove Ambassadors Rachel Liou, Taylor McGowan, and Gabby Bodin introduced themselves to the City Council. The Ambassadors thanked the Council for their time and support.

Mayor Steffenson thanked the Ambassadors for serving and representing the city well. He commented further on how well run this program was and how he enjoyed keeping in touch with Ambassadors over the years.

Councilmember Hanson stated she looked forward to the coming year for these Ambassadors. She encouraged the Ambassadors to consider participating in the Special Olympics Polar Plunge.

Councilmember Jaeger explained this program has been in place for the past 25 years and has been very successful. She congratulated the recently crowned Ambassadors and wished them all the best in the coming year.

Councilmember Leith stated over the past 20 years he has worked with a lot of different Maple Grove Ambassadors. He indicated this was an amazing program and he appreciated all of the Ambassadors efforts on behalf of the community.

Councilmember Barnett thanked the Ambassadors for their tremendous service to the community and wished them all the best over the next year.

Community Development Items

Neal's Addition Short Plat

Planning Manager Vickerman stated the applicant is proposing a short plat for the purpose of splitting an existing 1.2-acre residential lot into two parcels. The north lot with an existing single-family home would be reduced to a lot area of 26,401 square feet and the new lot would consist of 30,513 square feet in area. The submitted plans are consistent with the dimensional requirements of the R-2 Zoning District. The new lot is shown with a 25-foot roadway easement that is intended to be vacated and allocated to the property. The easement was recorded in 1967 however the neighborhood was developed without utilizing the roadway. The city has no plans for the roadway and staff will support vacating the easement at a future City Council meeting. The applicant has been informed that the property is in a Tree Preservation Overlay District (T-Zone) and a tree plan will be required as part of a future building permit review. The applicant is also aware that the new lot is subject to Park Dedication fees and other assessments associated with creating a new lot. Staff discussed the plans in further detail and reported the Planning Commission recommended approval.

Jon Neal, 16926 Weaver Lake Drive, discussed the short plat in further detail with the Council. He explained this last year has been challenging for everyone, but especially for his family due to several medical issues. He reported this has led him to request a short plat in order to construct a home for his in-laws. He stated he loved his neighborhood and his neighbors. He explained he has talked to many of his neighbors regarding his short plat request. He addressed the concerns that were raised at the Planning Commission meeting and reported he loved the trees on his property. He reported he would work to preserve as many trees as possible. He indicated this property already had a detached structure, with a driveway and it was his intent to build a home at this location. He understood the property was within a T-zone and he would work to protect the trees. He explained there were safety concerns with the traffic coming in and out of the new home. He stated he did not want anyone to feel unsafe in their homes and commented he had children of his own. He indicated he would be using the existing driveway which was 60 feet from the home to the south and would remain lined with trees. He did not believe this would adversely impact the property to the south and would provide ample protection. He reported he would own the new home and his in-laws would be living in it. He explained he does not have plans yet for the new home because he feared this would be putting the cart before the horse. He commented he had no intent to bring down property values for the neighborhood.

Councilmember Hanson commented she was pleased to hear the applicant wanted to maintain as many trees as possible. She understood why the applicant did not have the new house plans, but encouraged the applicant to keep the home in line with the neighborhood. She encouraged the applicant to speak with staff regarding the rental status of the property. She anticipated City Council had no legal basis to deny the request.

Mayor Steffenson questioned if rental properties were allowed in this neighborhood. Community and Economic Development Director Hogeboom stated rental homes were allowed through the rental licensing process.

Councilmember Jaeger inquired if the shoreland rules applied to this property. Community and Economic Development Director Hogeboom reported they do not.

Jess Wadleigh, 16916 Weaver Lake Drive, explained she lived directly south of the Neal's. She reported she moved to the neighborhood seven weeks ago and was surprised by the applicant's request. She indicated she moved to this neighborhood because of the trees and the beautiful feel of the property. She commented she understood and respected the Neal's for wanting to care for their aging parents. She believed this was of the utmost importance. However, she did have concerns with what the new home would look like and how many trees would come down. She explained she did not want to see 50% of the trees taken down on the lot next to her. She understood a driveway had to be installed on the adjacent lot and due to the topography on the lot, trees would have to be removed. She indicated this new driveway would run along the entire side of her house and the new home would sit behind her house. She expressed concern with the fact this driveway would run right by her son's bedroom and feared that a car could run into her house. She reported she works from home where she conducts multiple Zoom presentations every day. She anticipated the construction of a new home on this property would adversely impact her work life for six months to a year, or however long it took to build the new home. She discussed how all of this put stress on her family, along with decreasing the use and enjoyment of their property. She indicated she did not want the new home to be a rental in the future. She feared that the homes to the south would be impacted by the drainage from this property. She requested the Council take into consideration how her property would be impacted by the proposed short plat.

Ron Lucas, 16923 Weaver Lake Drive, explained he lived directly across the street from the proposed short plat. He noted he has lived in his home for the past 53 years. He understood this lot could possibly be split at some point. He stated he loved the trees on this lot as well. He discussed the existing driveway access and topography on the lot. He explained he was concerned with how vehicles would gain access in and out of the property. He commented further on how difficult it would be to bring sewer and water lines onto the property. He understood Mr. Neal doesn't have plans yet for the new home, but noted the neighbors had concerns with how the new home would conform with the neighborhood. He indicated the new home would be inconsistent because it would be tucked away on the property. He then commented on the easement that would be vacated and

stated there may be some confusion surrounding the easement. Planning Manager Vickerman stated it was his understanding the easement that was being vacated was on the applicant's property.

Nicole Moretine, 16916 Weaver Lake Drive, explained she was told by Mr. Corrow to not apply for the easement, because her home was built on the easement. She stated she was a little confused right now. She also feared that mud would be running onto her property from the new lot after grading was completed and a new home was constructed. She commented she was very stressed about this situation, especially after only being in her home for seven weeks. Planning Manager Vickerman explained Ms. Moretine can apply to vacate the easement. He commented it was very curious that this did not come up when Ms. Moretine purchased her home. He commented further on the history of this property and the easements that were in place.

Mayor Steffenson encouraged Ms. Moretine to contact her title company to have this matter cleared up.

Ms. Moretine thanked Mayor Steffenson for the clarification. She explained again that she was concerned for the safety of her son and noted she did not want a driveway running through the adjacent property next to where her son sleeps.

Tony Barga-Samson, 16929 Weaver Lake Drive, stated she lived directly across from the property in question and has lived in her home for the past 26 years. She explained she loved this neighborhood and loves the trees. She reported she has worked to build the value of her home and she encouraged the Neal's to consider the character of the neighborhood. She believed it was admirable the Neal's want to care for their parents, but feared the proposed project would be at the expense of the properties around him. She encouraged the Neal's to consider the other options that were available to him, such as an addition, or using the home they own two doors down.

Councilmember Hanson reiterated that there was no basis for the Council to deny this request. City Attorney Templin concurred stating the application was in compliance with City Code requirements.

Councilmember Barnett reported she was a member of the

Weaver Lake Drive community and she had heard from many residents. She explained she had considered recusing herself from this request given the fact she lives within this tight knit community. She indicated she spoke with the applicant along with the city's community development staff and legal. She stated she had a lot of thoughts about this property and noted she visited the property. She commented she did not like the idea of the lot split, but part of her job was to make difficult decisions at times. She feared that this lot split would start a trend for the surrounding lots. She explained she had spoken with community development staff and she feared how these lots splits would impact the value of her home. She stated the neighbors can watch how this property develops noting the trees would have to be protected. She discussed the requirements the city had in place for the T-zone to ensure another mudslide does not occur.

Councilmember Hanson reported the applicant was proposing a lawful use on his land, which meant there wasn't all that much the city could do.

Councilmember Leith commented the applicant was requesting to split his property and it complied with City Code. He noted the City Council had to follow City Code for this request.

Mayor Steffenson agreed stating the Council would watch this property as it develops to ensure that all T-zone and building requirements were being followed.

Motion by Mayor Steffenson, seconded by Councilmember Jaeger, to approve directing the City Attorney to draft a Planned Unit Development agreement and a Resolution approving the Neal's 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 August 4, 2021**
 - b. The Water Resources Engineer dated July 20, 2021**
 - c. The Parks & Recreation Department, dated August 4, 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:

- A groundbreaking ceremony would be held for the Davis Medical Building on Niagara and 105th on Thursday, August 19 at 3 p.m.
- There would be an open house on Thursday, August 19 from 5:30 to 7 p.m. at the North MetroRegional Public Safety Training Facility.
- The Planning Commission would meet next on Monday, August 30 where the group would discuss the North American Banking request and a short plat for a lot split.

**Report on
Upcoming
Engineering
Items**

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

- Staff provided the Council with an update on the I-94 project.
- Staff would be posting signs regarding the city's watering restrictions.

**Heidi Nelson,
City
Administrator**

Ms. Nelson explained that the Council has her Monday report if there are any questions. She reported Senate and House bonding tours would be occurring in the coming weeks with regard to the bonding request for the Community Center. Staff will keep Council apprised of the upcoming schedule.

**Items Added
to the Agenda**

Councilmember Jaeger stated the Historical Society would be hosting a picnic on Thursday, August 19 at 6:00 p.m. at the Park and Recreation Building on Fernbrook.

Councilmember Jaeger encouraged all residents to get out and

visit the farmer's market every Thursday.

Councilmember Jaeger invited residents to check out the city's new website.

Adjournment

Motion by Councilmember Hanson, seconded by Councilmember Barnett, to adjourn to the regular City Council meeting on September 7, 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 8:53 p.m. by Mayor Steffenson.

Respectfully submitted,

Heidi Nelson
City Administrator