

**MINUTES
MAPLE PLAIN CITY COUNCIL – REGULAR MEETING
MAPLE PLAIN CITY HALL
November 26, 2018
7:00 P.M.**

1. WELCOME

2. CALL TO ORDER

Mayor Maas-Kusske called the meeting to order at 7:00 p.m.

Present: Mayor Julie Maas-Kusske, Councilmembers Dominic Broda, Caitlin Cahill, Mike DeLuca, and John Fay. Also Present: City Administrator Robert Schoen, City Attorney John Thames, City Engineer Dan Boyum, City Planner Mark Kaltsas, and West Hennepin Public Safety Director Gary Kroells.

3. PLEDGE OF ALLEGIANCE

4. ADOPT AGENDA

Motion by Councilmember Cahill, seconded by Councilmember Broda, to adopt the agenda. Motion passed, 5-0.

5. DESTINATION IMAGINATION SERVICE PROJECT PRESENTATION

The Time Turners group from Orono Destination Imagination presented their proposal to fix up the Rainbow Park Warming House as a community service project. Components of the project include painting the walls, remodeling the shelves and benches, cleaning, and adding coat hooks, lost and found, and a picnic table. Additionally, the Destination Imagination group added that they would like to host an open house with hot chocolate and cookies once the project is complete.

The group shared that they are doing this project because they like to skate and live near Rainbow Park. They also want to complete the project soon.

The group stated that they are seeking funding of approximately \$500 to purchase supplies in order to complete the project.

Motion by Councilmember Broda, seconded by Councilmember DeLuca, to approve completion of the Destination Imagination Service Project and to provide funding for it. Motion passed, 5-0.

6. ORONO COMMUNITY EDUCATION SUMMER RECREATION PROGRAM PRESENTATION

Melanie DeLuca, Director of Community Education for Orono Schools gave a presentation outlining details about the Summer Recreation Program. Melanie DeLuca shared the program started in 1980 at the request of the Orono School District cities. DeLuca also

stated that the program has two locations, one in Long Lake and one in Maple Plain. The costs are covered half by the participant and half by the City of the participant. For Maple Plain, the bill for services was approximately \$1,300. This includes a discount because the program pays for Rainbow Park rental fees. She noted that Maple Plain is the only city that has not paid their share this year.

Melanie DeLuca clarified that the cities only contribute to the afternoon playground program and that taxes do not fund it.

Mayor Maas-Kusske commented that she agrees to pay it this year but would like to review it for next year. Melanie DeLuca stated that the City must make a decision before the end of February 2019.

Motion by Councilmember Broda, seconded by Councilmember Cahill, to pay the 2018 invoice for the Summer Recreation Program. Motion passed, 5-0.

7. CONSENT AGENDA

- A. November Accounts Payable
- B. CC Minutes 10-22-18 Business Meeting
- C. CC Minutes 11-13-18 Business Meeting
- D. CC Minutes 11-13-18 Workshop
- E. Pay Request #3 Northdale Construction

Councilmember DeLuca requested to further discuss item A and Councilmember Fay requested to further discuss item E from the Consent Agenda.

Motion by Mayor Maas-Kusske to approve Consent Agenda items B, C, and D. Motion passed, 5-0.

Councilmember DeLuca asked multiple questions regarding accounts payable and the following was clarified:

- The \$0.05 Lano invoice from last month was correct.
- The salt usage on the invoice from last month was already used by the City as it is retroactively billed.
- The sweeping bill was for general sweeping which is typically completed every spring and fall.
- The Cornerhouse bill is a place that West Hennepin uses for interviews of children who were sexually assaulted, and this bill is split with the City of Independence.
- The City Engineer is still working on Meadows of Maple Plain which will be deducted off their Letter of Credit.
- The Collision Corner expense on the planner's bill is covered by the fees paid by Collision Corner.

City Administrator Schoen requested to remove the Home Depot bill from the Accounts Payable to further look into it.

Councilmember Fay asked if the American Engineering Testing would be reclassified at the end of the year. Schoen stated that it would not as it is a capital expense. Fay asked if any

others would be classified. Schoen mentioned that the City Engineer's time on the construction would and that it is important to know that there is a difference between accounts payable and what is coming out of the general fund.

City Administrator Schoen explained the situation with Metropolitan Council's bills for sanitary sewer at the request of Councilmember Fay. Schoen stated that he asked Metropolitan Council for an explanation of why the City's bill has increased and has not received one therefore the City has not paid them.

In regard to Pay Request #3 to Northdale, Councilmember Fay asked if the contractor will be paying for additional expenses due to the late timing of the project such as temporary asphalt. City Engineer Boyum explained that the Construction Inspector tracks quantities for materials and will be ensuring that the City does not pay for materials that are the contractor's responsibility.

Motion by Councilmember Fay, seconded by Councilmember DeLuca, to approve Consent Agenda items A and E with the Home Depot Invoice removed. Motion passed, 5-0.

8. ADMINISTRATIVE REPORTS

- A. City Engineer November Monthly Report
- B. City Planner November Monthly Report
- C. West Hennepin October Monthly Report
- D. Public Works November Monthly Report
- E. City Administration November Monthly Report
- F. Quarterly Finance Report

Councilmember DeLuca asked West Hennepin Public Safety Director Kroells if the 20% decrease in year to date traffic incidents in Maple Plain was due to less patrolling or better compliance. Kroells answered that he believes that strong enforcement throughout last year has led to better compliance, but there has not been less patrolling.

Councilmember DeLuca commented that crime incidents were down 50% year to date in Maple Plain but had risen in Independence. Kroells commented that these numbers go up and down dependent on the location of the offenses, but it is something to be proud of in Maple Plain.

Motion by Councilmember Cahill, seconded by Councilmember Broda, to approve Administrative Reports A-E. Motion passed, 5-0.

City Administrator Schoen presented the Quarter 3 Finance Report. Schoen stated that he predicts the City will be underbudget this year. Schoen provided an overview of the status of the expenditures and revenues of each fund.

Councilmember Fay asked multiple questions regarding the Quarter 3 Finance Report and the following was answered:

- The 30% increase in worker's compensation expenses was substantial.
- The fire vehicle purchased will be reclassified as a fire department capital expenditure.

- 4th Quarter Utility revenues will be collected in January 2019 and the auditors will put the revenues in 2018.
- The Fire Department is expected to receive \$25,000 - \$30,000 more in revenue this year as Maple Plain still has one payment left and Independence has two payments left.

Motion by Councilmember Broda, seconded by Councilmember Fay, to approve the Quarterly Finance Report. Motion passed, 5-0.

9. NEW BUSINESS

A. Approve Fire Department Compensation Schedule Appendix D for 2019

City Administrator Schoen presented three possible compensation schedules. The first was the current schedule, the second was proposed by the Fire Department, and the third was proposed by the Personnel Committee. The City Council discussed what the compensation schedule should be.

Councilmember Broda asked why the Personnel Committee's hourly pay was \$0.01 lower than the proposed Fire Department hourly pay. Schoen explained that the Personnel Committee recognized that the hourly pay should increase but did not want it to be based on a Cost of Living increase every year since this is a secondary job.

City Administrator Schoen stated that a spot bonus is for exemplary work that should not be given year after year for work that is expected. Schoen added that the City Council needs to decide how they want to compensate the Fire Chief.

Councilmembers DeLuca and Fay stated that the Fire Chief's pay is a stipend and does reflect the number of hours put in. Councilmember Broda commented that it is a stipend by definition but is a unique situation because those with stipends in the Fire Department are employees.

Councilmember Fay shared that he believes the Fire Chief's stipend should be maintained and a bonus should be continued to be offered for exemplary work. Councilmember Broda stated that he thinks having the lower stipend and a potential bonus does not communicate his value and is ambiguous as how will it be determined what the amount is.

Motion made by Councilmember Broda, seconded by Councilmember Cahill, to approve the Personell Committee's proposed Appendix D with a Fire Chief's stipend of \$5,000.

Mayor Maas-Kusske stated that she will not be participating in parts of the discussion or decision regarding the hourly pay as her husband is a firefighter.

Councilmember Cahill commented that she agrees with the Personnel Committee's recommendation as many of the projects completed by the Fire Chief were one-time projects and it is easier to give a bonus than decrease a stipend for a future chief.

Councilmember DeLuca stated that he believes the stipend level is appropriate compared to other positions with a stipend and suggested that the City Council could look into all stipend levels next year.

Councilmember Broda stated that there needs to be guidelines on what work is sufficient for a bonus.

Motion made by Councilmember Broda, seconded by Councilmember Cahill, to approve the Personnel Committee's proposed Appendix D with a Fire Chief's stipend of \$5,000. Motion failed, 1-3-1 with Mayor Mass-Kusske abstaining.

Motion made by Councilmember DeLuca, seconded by Councilmember Fay, to approve a firefighter hourly wage of \$13.25. Motion passed, 4-0-1 with Mayor Maas-Kusske abstaining.

Motion by Councilmember DeLuca, seconded by Councilmember Cahill, to approve a Fire Chief Stipend of \$3,500, an Assistant Chief Stipend of \$2,500, a Captain/Lieutenant Stipend of \$2,200, and a Training Officer Stipend (if not a Captain/Lieutenant) of \$1,500. Motion passed, 4-1.

B. Request to Draw Plans for Northside Park

City Planner Kaltsas stated that City Staff needs more direction from City Council as far as included components in the Northside Park Master Plan in order to bring back more detailed drawings & plans to use to create a bid package. Kaltsas provided an overview of the components that have been discussed so far and the feedback from both the Park Commission and public gathering.

Councilmember Broda asked it would be possible to include an article in the newsletter explaining the project, the funding sources, and the estimated costs once the City has those. City Administrator Schoen stated that this could be included in the spring newsletter as the City would not have the estimated costs in time for the winter newsletter. Mayor Maas-Kusske commented that City Staff should still include information in the winter newsletter to clear up the rumor that taxes will go up with the project.

Councilmember Cahill stated that the plans should include more play spaces. Cahill noted that the Parks Commission wanted play spaces near the field so parents could watch both their kids and the game, and that City Council had discussed accessibility swings.

Councilmember Fay stated that the Party in the Park event is already planned for June 1, so construction needs to be planned around that. City Planner Kaltsas stated that would not be a problem and that the City would know more regarding timing when the final components are decided.

Councilmember Fay also requested that components are bid as alternates, so the City Council could choose what to include and what to leave out. City Planner Kaltsas that

during the January meeting, the City Council would decide which components are necessary and which are alternate bids.

Councilmember Fay asked if the City would be completing the large parking lot at a later time with the next reconstruction project. Kaltsas responded that some work will have to be put into the parking lot before including grading and location.

Motion by Councilmember Cahill, seconded by Councilmember Fay, to prepare a master plan and scope for Northside Park. Motion passed, 5-0.

C. Approval of the 2040 Comprehensive Plan

City Planner Kaltsas stated that the 2040 Comprehensive Plan has been put together in a draft format. Kaltsas stated that City staff is seeking approval of the draft and direction from the City Council to submit the draft to surrounding jurisdictions for review. Kaltsas provided an overview of the main sections of the 2040 Comprehensive Plan draft.

Councilmember Fay stated he noticed that the plan shows the City losing commercial/industrial land at the expense of mixed-use and asked if this was correct. Kaltsas responded that his observations are correct and that the City would also be decreasing in low-density residential.

Councilmember DeLuca commented that Meadows Park needs to be added to the plan. City Planner Kaltsas agreed.

Councilmember DeLuca stated that the boardwalk across the swamp should not be included as it is not realistic. City Planner Kaltsas responded that this same comment also was brought up at the Planning Commission, but they decided to keep it in as a placeholder as there is not a better route.

Councilmember DeLuca asked if the City would be required to build its building to LEED certification and with solar power because of the language in the Comprehensive Plan. Kaltsas said no as these are only guidelines.

Kaltsas clarified that this is a draft and the document will get edited before being sent to surrounding jurisdictions. Councilmember Fay noted some incorrect references and grammatical errors.

Motion by Councilmember Broda, seconded by Councilmember Cahill, to approve the 2040 Comprehensive Plan Draft. Motion passed, 5-0.

D. Minute Policy

City Administrator Schoen presented a draft of a Minute Policy which directs staff to capture the direction at a workshop and the action taken at City Council meetings as well as audio record workshops.

Mayor Maas-Kusske asked if the City is required to record workshop minutes once we start. City Administrator Schoen clarified that it is not a legal requirement and it can be stopped at any time. City Attorney Thames added that the City would need to keep them in accordance with its retention policy.

Councilmember DeLuca commented that the policy does a good job of summarizing City Council's direction from the last workshop, but there are grammatical errors and the language needs to be cleaned up.

Councilmember Fay commented that he would like the document fixed before adoption.

City Administrator Schoen explained that the policy allows staff to record anything of importance whether legally required or not to give discretion.

The City Council directed City Administrator Schoen to fix the policy and bring it back to the December City Council meeting.

E. Snow Plowing Policy

City Administrator provided a quick summary of a snow plowing policy that he drafted using comments and discussion from a recent City Council workshop. The policy covers curb to curb plowing, salt and sand usage, location of salt and sand use, and Main Street downtown plowing.

Schoen added that it may be beneficial to fully treat particularly busy roads including Independence by the Discovery Center. Mayor Maas-Kusske that these roads will require more treatment and that should be added to the policy.

Councilmember DeLuca asked if curb to curb including cul-de-sacs. Schoen responded that it does.

Councilmember Fay commented that there should be a trigger to start plowing such as 2 or more inches of snow but is okay with not having a specific start time if roads are cleared by morning rush hour traffic.

Councilmember Fay also commented that salt should be intermediately spread on roads instead of continuously.

Councilmember Cahill stated that there should be a trigger of a certain amount of snow to go out and plow. Cahill also stated that pretreating should be limited as using rock salt as the City does is not effective.

City Council directed City Administrator Schoen to bring this policy to the next workshop with suggested changes for further discussion.

F. Resolution 18-1126-01 A Resolution Certifying 2018 Delinquent Utility Bills

City Administrator Schoen explained this is an annual resolution. Schoen provided an updated list as some property owners have paid since the publication of the packet.

Councilmember DeLuca asked that the correct list be published online.

Motion by Councilmember DeLuca, seconded by Councilmember Fay, to approve Resolution 18-1126-01.

Councilmember Broda asked if any residents had approached the City with financial hardship. Schoen answered that one property owner reached out and is in attendance at this meeting. Broda asked if the individual could speak to the Council before voting. Schoen responded that it was not a public hearing but would be up to the Council.

Roll Call Vote:

Cahill: Aye

Fay: Aye

DeLuca: Aye

Maas-Kusske: Aye

Broda: Nay

Motion passed, 4-1.

G. Resolution 18-1126-02 A Resolution Approving a Deferred Street and Utility Assessment for 1709 Howard Avenue

City Administrator Schoen explained that the resolution is to provide a deferred assessment for Carol Quast at 1709 Howard Ave. Schoen noted that City Council was sent documentation showing her financial hardship.

Schoen requested to change the maximum number of years of deferment from 30 to 20 years to correspond with the original length of the special assessment.

City Attorney Thames suggested that the resolution include the City's policy that interest will continue to be charged during the deferment. Thames also suggested that the resolution makes clear that deferment is valid for the decided upon number of years or until the property owner no longer qualifies, whichever occurs first.

Schoen clarified that in the case of sale of a home with a deferred assessment, the new owner would be responsible for the assessment if they do not qualify for deferment. Thames added that most often an assessment is paid off during the sale of a home.

Motion by Councilmember DeLuca, seconded by Councilmember Broda, to approve Resolution 18-1126-02 with noted changes.

Roll Call Vote:

Fay: Aye

DeLuca: Aye

Maas-Kusske: Aye

Broda: Aye

Cahill: Aye

Motion passed, 5-0.

H. Resolution 18-1126-03 A Resolution Designating the 2019 Polling Place

Schoen explained that it is required by state statute to designate a polling place each year even if an election is not scheduled.

Motion by Councilmember Broda, seconded by Councilmember DeLuca, to approve Resolution 18-1126-03.

Roll Call Vote:

DeLuca: Aye

Maas-Kusske: Aye

Broda: Aye

Cahill: Aye

Fay: Aye

Motion passed, 5-0.

- I. Resolution 18-1126-04 A Resolution Changing the Name of Northside Park to Veterans Memorial Park

Schoen stated that changing the name of Northside Park to Veterans Memorial Park has been discussed at multiple City Council workshops so he drafted this resolution for City Council to consider.

Councilmember Broda commented that he thought changing the name was great but wanted to table this resolution until plans are approved.

Councilmember Cahill agreed and added that some residents expressed that they did not want the name to change.

Councilmember Fay commented that it would be meaningful to the Orono Rotary and donors to change the name as it shows the City's commitment to the Veterans Memorial portion.

Councilmember DeLuca stated that City Staff was given the direction to change the name a couple of years ago but did not act on it.

Motion by Councilmember Broda, seconded by Councilmember Cahill, to table Resolution 18-1126-04. Motion failed, 2-3.

Motion by Councilmember DeLuca, seconded by Councilmember Fay, to approve Resolution 18-1126-04.

Councilmember Broda commented that he agrees on changing the name, but the time is not right.

Mayor Maas-Kusske commented that this is something the City Council has been working towards and that it needs to be put in writing.

Councilmember Cahill commented that the name change to her is separate from the Veterans Memorial. She supports having a Veterans Memorial, but not changing the park name.

Roll Call Vote:

Maas-Kusske: Aye

Broda: Nay

Cahill: Nay

Fay: Aye

DeLuca: Aye

Motion passed, 3-2.

J. Ordinance 298 City Council Voting Requirements

City Administrator Schoen stated that this ordinance changes the City Council voting passage requirements for conditional use permits, text amendments, and zoning map changes from a 2/3 vote of the full city council to a majority of the full city council. Schoen requested that a provision be added to require 2/3 vote or supermajority if required by state statute.

Councilmember DeLuca commented that he believes that in these cases a 2/3 vote requirement is appropriate as it forces the City Council to collaborate and creates stability in cases of making major policy changes.

Schoen clarified that these three instances are the only cases of a 2/3 majority vote in the City Code.

Schoen shared that this was recommended for passage by Planning Commission, but there was not much discussion on the topic. Schoen added that while on staff all conditional use permits passed with 4 or more votes.

City Attorney Thames commented that he believes it is more important to change Conditional Use Permits to a majority vote as it would reflect State Statute. Currently the City ordinance is stricter than state statute.

Motion by Councilmember DeLuca, seconded by Councilmember Cahill, to pass Ordinance 298 with only changing Conditional Use Permits to a majority and to retain text amendments and rezoning to a 2/3 vote requirement.

Roll Call Vote:

Cahill: Aye

Fay: Aye

DeLuca: Aye

Maas-Kusske: Aye

Broda: Aye

Motion passed, 5-0.

K. Ordinance 299 Corner Lot Street and Utility Assessment

City Administrator Schoen explained that this ordinance gives a 150-foot frontage credit to properties that are only experiencing benefit to one side of their property if the other side is reconstructed within six years.

Schoen explained that six years was chosen because it allows coverage for two construction cycles as the City is currently planning on completing a reconstruction project every three years.

Schoen stated that he did not foresee any issues with this considering the current project schedule and clarified that the City Council could revisit this in the future.

Motion by Councilmember Fay, seconded by Mayor Maas-Kusske, to approve Ordinance 299.

Roll Call Vote:

Fay: Aye

DeLuca: Aye

Maas-Kusske: Aye

Broda: Aye

Cahill: Abstain

Motion passed, 4-0-1.

10. COUNCIL REPORTS & OTHER BUSINESS

A. City Council Reports

Councilmember Cahill did not have anything to report.

Councilmember Fay shared that he will not be able to attend View Santa as he has a wedding to attend.

Councilmember DeLuca did not have anything to report. DeLuca asked Schoen the status of the Staffing Study. Schoen stated that he will be bringing recommendations to the December 10th workshop.

Councilmember Broda did not have anything to report.

Mayor Maas-Kusske shared she attended the Police Commission with Councilmember DeLuca, Highway 12 Safety Coalition Meeting, Regional Council of Mayors, West Hennepin Chamber of Commerce, and the Northwest League of Municipalities. Maas-Kusske shared that the 38th Annual View Santa is Saturday, December 1 and that the City Council will be meeting the third Monday of the month in December.

11. VISITORS TO BE HEARD

- A. *Note: This is a courtesy extended to persons wishing to address the council who are not on the agenda. A completed public comment form should be presented to the city administrator prior to the meeting; presentations will be limited to 3 minutes. This session will be limited to 15 minutes.*

Adam Gadbois of 4900 Independence Street shared his concern regarding the quality of pavement for the reconstruction project along Independence Street as it was placed

when it was below freezing. Gadbois added that it was explained to him by the City Staff that the contractor's plan was to place four extra inches of aggregate base and then remove it before paving so that pavement would not be placed on frozen aggregate base. Gadbois stated that this procedure was not followed and additionally that the contractor did not roll over the pavement immediately after placing it. Gadbois stated that this has caused pavement that is not quality. Gadbois asked the City Council to direct the contractor to remove the placed pavement and to repave it in the spring.

Mayor Maas-Kusske thanked Gadbois for his comment and stated that City Staff would follow up with him.

Gadbois also commented that some of his neighbors wanted to attend but could not as the time to speak is at the end of the meeting. Gadbois commented that it would be nice to have the comment period at the beginning of the meeting.

City Administrator Schoen and City Engineer Boyum explained that there are compaction standards that both the City and the Contractor test for. The City is still awaiting those results.

Schoen explained that if anything is to be found with the quality of the contractor's work, they will have to redo it at their cost.

Councilmember DeLuca asked City Administrator Schoen to send the results to the City Council.

12. ADJOURNMENT

Motion by Councilmember DeLuca, seconded by Councilmember Broda, to adjourn the meeting. Motion passed, 5-0. Meeting adjourned at 10:00 p.m.

Respectfully submitted,

**Nicole Tingley
Assistant to the City Administrator**