

MINUTES
MAPLEWOOD CITY COUNCIL
7:00 P.M. Monday, February 14, 2022
Held Remotely Via Conference Call
Meeting No. 03-22

A. CALL TO ORDER

A meeting of the City Council was held remotely via conference call and was called to order at 7:00 p.m. by Mayor Abrams.

Mayor Abrams wished everyone a happy Valentine’s Day and invited all to join Maplewood’s State of the City address, which will be held Tuesday virtually. Mayor Abrams thanked the communications team, Joe Sheeran and Kevin Schmitz for their work in making the virtual event a success.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Marylee Abrams, Mayor	Present
Rebecca Cave, Councilmember	Present
Kathleen Juenemann, Councilmember	Present
William Knutson, Councilmember	Present
Nikki Villavicencio, Councilmember	Present

D. APPROVAL OF AGENDA

The following items were added to Council Presentations:

Public Safety Year End Report

League of MN Cities Training

Councilmember Juenemann moved to approve the agenda as amended.

Seconded by Councilmember Knutson Ayes – All, via roll call

The motion passed.

E. APPROVAL OF MINUTES

1. January 24, 2022 City Council Workshop Meeting Minutes

Councilmember Knutson moved to approve the January 24, 2022 City Council Workshop Meeting Minutes as submitted.

Seconded by Councilmember Juenemann Ayes – All, via roll call

The motion passed.

2. January 24, 2022 City Council Meeting Minutes

Councilmember Juenemann moved to approve the January 24, 2022 City Council Meeting Minutes as submitted.

Seconded by Councilmember Knutson

Ayes – All, via roll call

The motion passed.

F. APPOINTMENTS AND PRESENTATIONS

1. Administrative Presentations

a. Council Calendar Update

City Manager Coleman gave an update to the council calendar and reviewed other topics of concern or interest requested by councilmembers.

2. Council Presentations

Public Safety Year End Report

Councilmember Juenemann acknowledged the quality of the Public Safety Year End Report and the work that went into it.

League of MN Cities Training

Councilmember Villavicencio reported on attending the League of MN Cities training.

3. Strategic Plan Update for Fourth Quarter 2021

Administrative Services & Performance Measurement Coordinator Knutson gave the presentation.

No Action Taken.

- G. CONSENT AGENDA** – *Items on the Consent Agenda are considered routine and non-controversial and are approved by one motion of the council. If a councilmember requests additional information or wants to make a comment regarding an item, the vote should be held until the questions or comments are made then the single vote should be taken. If a councilmember objects to an item it should be removed and acted upon as a separate item.*

Agenda items G4-G6 were highlighted.

Agenda item G7 was pulled to be heard and voted on separately.

Councilmember Juenemann moved to approve agenda items G1-G6, G8.

Seconded by Councilmember Cave

Ayes – All, via roll call

The motion passed.

1. Approval of Claims

Councilmember Juenemann moved to approve the approval of claims.

ACCOUNTS PAYABLE:

\$	1,808,785.49	Checks # 108501 thru # 108543 dated 01/25/22
\$	290,352.25	Checks # 108544 thru # 108561 dated 02/01/22
\$	781,313.36	Checks # 108562 thru # 108588 dated 02/08/22
\$	14,308,672.19	Disbursements via debits to checking account dated 01/17/22 thru 02/06/22
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\$	17,189,123.29	Total Accounts Payable

PAYROLL

\$	747,754.51	Payroll Checks and Direct Deposits dated 01/21/22
\$	606,069.07	Payroll Checks and Direct Deposits dated 02/04/22
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\$	1,353,823.58	Total Payroll
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\$	18,542,946.87	GRAND TOTAL

Seconded by Councilmember Cave

Ayes – All, via roll call

The motion passed.

2. First Amendment to Purchase Agreement with Barostas, LLC for the Sale of 2228 Maplewood Drive North

Councilmember Juenemann moved to approve the first amendment to purchase agreement with Barostas, LLC for the sale of 2228 Maplewood Drive North.

Seconded by Councilmember Cave

Ayes – All, via roll call

The motion passed.

3. Gladstone Phase 3 Corridor Improvements, City Project 16-18
a. Resolution Directing Modification of Existing Construction Contract, Change Order No. 2 & No. 3
b. Resolution Directing Final Payment and Acceptance of Project

Councilmember Juenemann moved to approve the resolution Directing Modification of Existing Construction Contract, Change Order No. 2 & No. 3, Gladstone Phase 3 Corridor Improvements, City Project 16-18, and authorize the City Manager to sign Change Order

No. 2 & No. 3.

Resolution 22-02-2040
DIRECTING MODIFICATION OF EXISTING CONSTRUCTION CONTRACT,
PROJECT 16-18, CHANGE ORDER NO. 2 & No. 3

WHEREAS, the City Council of Maplewood, Minnesota has heretofore ordered the Gladstone Phase 3 Corridor Improvements, City Project 16-18, and has let a construction contract pursuant, and

WHEREAS, it is now necessary and expedient that said contract be modified and designated as Gladstone Phase 3 Corridor Improvements, City Project 16-18, Change Order No. 2 & No. 3.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, Minnesota, that

1. The Mayor, City Manager, and City Engineer are hereby authorized and directed to modify the existing contract by executing said Change Order No. 2 & No. 3 which is an increase of \$77,846.60.
2. The revised contract amount is \$4,127,465.37

Seconded by Councilmember Cave

Ayes – All, via roll call

The motion passed.

Councilmember Juenemann moved to approve the resolution Directing Final Payment and Acceptance of Project for the Gladstone Phase 3 Corridor Improvements, City Project 16-18.

Resolution 22-02-2041
DIRECTING FINAL PAYMENT AND ACCEPTANCE OF PROJECT
GLADSTONE PHASE 3 CORRIDOR IMPROVEMENTS, CITY PROJECT 16-18

WHEREAS, the City Council of Maplewood, Minnesota has heretofore ordered the Gladstone Phase 3 Corridor Improvements, City Project 16-18, and has let a construction contract, and

WHEREAS, the City Engineer for the City of Maplewood has determined that the Gladstone Phase 3 Corridor Improvements, City Project 16-18, is complete and recommends acceptance of the project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, Minnesota, that

City Project 16-18 is complete and maintenance of the improvements are accepted by the City; the final construction cost is \$3,917,777.88. Final payment to Veit & Company, Inc. and the release of any retainage or escrow is hereby authorized.

Seconded by Councilmember Cave

Ayes – All, via roll call

The motion passed.

4. Resolution Directing Modification of Existing Construction Contract, Change Order No. 20, No. 22, No. 23, No. 24, No. 26 and No. 27, North Fire Station Construction Project

Councilmember Juenemann moved to approve the resolution Directing Modification of the Existing Construction Contract, Change Order No. 20, No. 22, No. 23, No. 24, No. 26, and No. 27, North Fire Station Construction Project, North Fire Station Construction Project and authorize the Mayor and City Manager to sign Change Order No. 20, No. 22, No. 23, No. 24, No. 26, and No. 27.

Resolution 22-02-2042

DIRECTING MODIFICATION OF EXISTING CONSTRUCTION CONTRACT,
NORTH FIRE STATION CONSTRUCTION PROJECT, CHANGE ORDER NO. 20, NO. 22,
NO. 23, NO. 24, NO. 26 AND CHANGE ORDER NO. 27

WHEREAS, the City Council of Maplewood, Minnesota has heretofore ordered the construction of the North Fire Station, and has approved construction contracts related to the project.

WHEREAS, it is now necessary and expedient that said contract be modified and designated as North Fire Station Construction Project, Change Order No. 20, No. 22, No. 23, No. 24, No. 26, and Change Order No. 27.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
MAPLEWOOD, Minnesota, that

1. The Mayor, City Manager, and Fire and EMS Chief are hereby authorized and directed to modify the existing contract by executing said Change Order No. 20 which is an increase of \$1,029.38.

The revised contract amount for Work Scope 26-A Electrical Production Services, Inc., is \$910,724.11.

2. The Mayor, City Manager, and Fire and EMS Chief are hereby authorized and directed to modify the existing contract by executing said Change Order No. 22 which is a decrease of \$8,068.68.

The revised contract amount for Work Scope 32-B-Ebert, Inc. is \$206,194.26.

3. The Mayor, City Manager, and Fire and EMS Chief are hereby authorized and directed to modify the existing contract by executing said Change Order No. 23 which is an increase of \$3,271.50.

The revised contract amount for Work Scope 08-A-Twin City Hardware Company is \$126,450.

The revised contract amount for Work Scope 26-A-Electrical Production Services, Inc. is \$126,450.

- The Mayor, City Manager, and Fire and EMS Chief are hereby authorized and directed to modify the existing contract by executing said Change Order No. 24 which is an increase of \$3,991.

The revised contract amount for Work Scope 05-A-Thornberg Steel, Inc. is \$542,174.

The revised contract amount for Work Scope 05-B-KMH Erectors, Inc. is \$172,301.

The revised contract amount for Work Scope 07-H-Jackson & Associates, LLC., is \$367,192.18.

- The Mayor, City Manager, and Fire and EMS Chief are hereby authorized and directed to modify the existing contract by executing said Change Order No. 26 which is an increase of \$5,558.73.

The revised contract amount for Work Scope 26-A-Electrical Production Services, Inc. is \$912,224.61.

The revised contract amount for Work Scope 07-H-Jackson & Associates, LLC., is \$367,558.18.

- The Mayor, City Manager, and Fire and EMS Chief are hereby authorized and directed to modify the existing contract by executing said Change Order No. 27 which is an increase of \$3,899.50.

The revised contract amount for Work Scope 09-A-Mulcahy Nickolaus, LLC. is \$328,399.50

Seconded by Councilmember Cave

Ayes – All, via roll call

The motion passed.

5. First Amendment to Joint Powers Agreement with Ramsey County for Embedded Social Worker

Councilmember Juenemann moved to approve the first amendment to the Joint Powers Agreement with Ramsey County for Embedded Social Worker.

Seconded by Councilmember Cave

Ayes – All, via roll call

The motion passed.

6. Resolution Accepting Great River Greening Pollinator Central: Habitat Improvement with Citizen Monitoring Agreement

Councilmember Juenemann moved to approve the Great River Greening Pollinator Central: Habitat Improvement with Citizen Monitoring Agreement Resolution and to authorize the Mayor and City Manager to enter into an agreement with Great River Greening.

Resolution 22-02-2043

ACCEPTANCE OF GREAT RIVER GREENING POLLINATOR CENTRAL: HABITAT IMPROVEMENT WITH CITIZEN MONITORING AGREEMENT

WHEREAS, The Minnesota Legislature, under M.L. 2021, First Special Session, Chp. 06, Art. 05, Sec. 02, Subd. 08a, Pollinator Central: Habitat Improvement with Citizen Monitoring, appropriated \$750,000 the second year from the trust fund to the Commissioner of Natural Resources for an agreement with Great River Greening (GRG) to restore and enhance approximately 400 acres of pollinator habitat on traditional and nontraditional sites; and

WHEREAS, (Partial) funding for this project is provided by the Minnesota Environment and Natural Resources Trust Fund as recommended by the Legislative-Citizen Commission on Minnesota Resources (LCCMR).

WHEREAS, Partial funding is provided by The National Fish and Wildlife Foundation (NFWF) Monarch Butterfly and Pollinators Conservation Fund, Improving Pollinator Habitat for Rusty Patched Bumble Bee and Other Pollinators (MN) grant, awarded GRG \$84,999.58 to improve habitat for monarch butterflies, rusty patched bumble bees and other pollinators along the Mississippi River Corridor near the Twin Cities metropolitan area in Minnesota; to improve 700 acres, collect 8 pounds of milkweed seed and engage 200 people; and

WHEREAS, The City of Maplewood proposed a partnership with GRG to improve pollinator habitat at the Maplewood City Hall Campus; and

WHEREAS, The City seeks to enter into an agreement with GRG for the purpose of support of the Maplewood City Hall Pollinator Habitat Improvement Project, with GRG contributing funds from the above appropriations; and

WHEREAS, the LCCMR funding will provide for installation of 9 acres of pollinator beneficial native plants, benefitting Monarch Butterflies and the Federally Endangered Rusty-Patched Bumble Bee on the Maplewood City Hall Campus; and

WHEREAS, the NFWF funding will provide contracted grazing services for removal of buckthorn and other invasive plants on the City Hall Campus; and

WHEREAS, replacement of current sloped lawn and short-rooted invasive plants by long-rooted native plant species will enhance storm water infiltration and reduce erosion; and

WHEREAS, Great River Greening agrees to contribute \$37,500 and the city agrees to contribute \$7500 toward the project;

NOW, THEREFORE, BE IT RESOLVED that the Maplewood City Council authorizes

the City of Maplewood to enter into this agreement.

Seconded by Councilmember Cave

Ayes – All, via roll call

The motion passed.

7. Strategic Priorities Modifications

City Manager Coleman gave further information on the new priorities. Councilmembers discussed the topic and amended the Financial and Asset Management to include the word “quality”.

Councilmember Juenemann moved to establish the City’s Strategic Priorities as: Community Inclusiveness, Environmental Stewardship, Financial & Asset Management, Integrated Communication, Operational Effectiveness, and Targeted Redevelopment and to add the word “quality” in the Financial and Asset Management Strategic Priority.

Seconded by Councilmember Cave

Ayes – All, via roll call

The motion passed.

8. 2022 Master Group Contract for Medica Insurance Company

Councilmember Juenemann moved to approve the 2022 Master Group Contract for Medica Insurance Company.

Seconded by Councilmember Cave

Ayes – All, via roll call

The motion passed.

H. PUBLIC HEARINGS – *If you are here for a Public Hearing please familiarize yourself with the Rules of Civility printed on the back of the agenda. Sign in with the City Clerk before addressing the council. At the podium please state your name and address clearly for the record. All comments/questions shall be posed to the Mayor and Council. The Mayor will then direct staff, as appropriate, to answer questions or respond to comments.*

1. Cope Avenue Improvements, City Project 21-06

a. Public Hearing 7:00 pm

b. Resolution Ordering Improvement after Public Hearing (4 votes)

Public Works Director Love introduced Assistant City Engineer Jarosch who gave the presentation and answered questions of council.

Mayor Abrams opened public hearing. The following people spoke:

None

Mayor Abrams closed the public hearing.

Councilmember Juenemann moved to approve the Resolution Ordering the Improvement for the Cope Avenue Improvements, City Project 21-06 (Four affirmative votes are required to

approve this resolution).

Resolution 22-02-2044
ORDERING IMPROVEMENT

WHEREAS, pursuant to a resolution of the City Council adopted January 24th, 2022, a date for a council hearing was set on the proposed street improvements for the Cope Avenue Improvements, City Project 21-06; and

WHEREAS, a notice was mailed ten days in advance to residents and a notice of the hearing was published, and the hearing was duly held on February 14th, 2022; and the council has heard all persons desiring to be heard on the matter and has fully considered the same;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA:

1. That it is necessary, cost-effective and feasible, as detailed in the Feasibility Report, that the City of Maplewood make improvements to the Cope Avenue Improvements, City Project 21-06.
2. Such improvements ordered as proposed in the Council resolution adopted on the 14th day of February, 2022.
3. The City Engineer, or his designee, is the designated engineer for this improvement project and is hereby directed to prepare final plans and specifications as previously directed by the City Council at the January 24th, 2022 council meeting.
4. The Finance Director was authorized to make the financial transfers necessary for the preparation of plans and specifications at the January 24th, 2022 council meeting. A budget of \$3,927,500 was established at that time. The proposed financing plan shall be implemented and is as follows

Estimated Project Cost Recovery		
Funding Source	Total Amount	% of Total
Environmental Utility Fund	\$429,100	11%
G.O. Bonds Improvement	\$1,688,000	43%
Sanitary Sewer Fund	\$209,900	5%
Special Benefit Assessment	\$441,000	11%
St. Paul Regional Water	\$1,004,500	26%
W.A.C. Fund	\$155,000	4%
Total Estimated Project Funding:	\$3,927,500	100%

Seconded by Councilmember Knutson

Ayes – All, via roll call

The motion passed.

2. **Gervais Area Pavement Rehabilitation, City Project 21-07**
 - a. **Public Hearing 7:00 pm**
 - b. **Resolution Ordering Improvement after Public Hearing (4 votes)**

Assistant City Engineer Jarosch who gave the presentation and answered questions of council

Mayor Abrams opened public hearing. The following people spoke:

Jim Hornecker with Cub Foods.

Mayor Abrams closed the public hearing.

Councilmember Cave moved to approve the Resolution Ordering the Improvements for the Gervais Area Pavement Rehabilitation (Four affirmative votes are required to approve this resolution).

Resolution 22-02-2045
ORDERING IMPROVEMENT

WHEREAS, pursuant to a resolution of the City Council adopted January 24th, 2022, a date for a council hearing was set on the proposed street improvements for the Gervais Area Pavement Rehabilitation, City Project 21-07; and

WHEREAS, a notice was mailed ten days in advance to residents and a notice of the hearing was published, and the hearing was duly held on February 14th, 2022; and the council has heard all persons desiring to be heard on the matter and has fully considered the same;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA:

1. That it is necessary, cost-effective and feasible, as detailed in the Feasibility Report, that the City of Maplewood make improvements to the Gervais Area Pavement Rehabilitation, City Project 21-07.
2. Such improvements ordered as proposed in the Council resolution adopted on the 14th day of February, 2022.
3. The City Engineer, or his designee, is the designated engineer for this improvement project and is hereby directed to prepare final plans and specifications as previously directed by the City Council at the January 24th, 2022 council meeting.
4. The Finance Director was authorized to make the financial transfers necessary for the preparation of plans and specifications at the January 24th, 2022 council meeting. A budget of \$4,113,300 was established at that time. The proposed financing plan shall be implemented and is as follows:

Estimated Project Cost Recovery		
Funding Source	Total Amount	% of Total
Special Benefit Assessments	\$1,097,000	26%
G.O. Improvement Bonds	\$194,928	5%
Environmental Utility Fund	\$171,200	4%

Sanitary Sewer Fund	\$89,300	2%
Street Revitalization Fund	\$1,202,272	29%
W.A.C. Fund	\$156,900	4%
Saint Paul Regional Water Services	\$648,400	16%
City of North Saint Paul	\$553,300	14%
Total Estimated Project Funding:	\$4,113,300	100%

Seconded by Councilmember Juenemann

Ayes – All, via roll call

The motion passed.

I. UNFINISHED BUSINESS

None

J. NEW BUSINESS

- 1. Resolution Accepting Feasibility Study, Authorizing Preparation of Plans & Specifications, and Calling for a Public Hearing for McMenemy Street Improvement Project, City Project 21-02**

Assistant City Engineer Jarosch who gave the presentation Community Development Director Thomson answered questions of council.

Councilmember Juenemann moved to approve a Resolution Accepting the Feasibility Report, Authorizing the Preparation of Plans and Specifications, and Calling for a Public Hearing at 7:00 p.m. on February 28, 2022 for the McMenemy Improvements, City Project 21-02.

Resolution 22-02-2046

ACCEPTING FEASIBILITY STUDY, AUTHORIZING PREPARATION OF PLANS AND SPECIFICATIONS, AND CALLING FOR PUBLIC HEARING

WHEREAS, pursuant to a resolution of the council adopted August 9th, 2021, a report has been prepared by Bolton and Menk, Incorporated with reference to the improvement of the McMenemy Street Improvements, City Project 21-02, and this report was received by the council on February 14th, 2022.

WHEREAS, the report provides information regarding whether the proposed project is necessary, cost-effective, and feasible,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA:

1. The City Council will consider the McMenemy Street Improvements, City Project 21-02 in accordance with the report and the assessment of abutting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429 at an estimated total cost of \$5,448,000.
2. The City Engineer or his designee is the designated engineer for this improvement project and is hereby directed to prepare final plans and specifications for the making of said improvement.

3. The Finance Director is hereby authorized to make the financial transfers necessary for the preparation of plans and specifications. A proposed budget of \$5,448,000 shall be established. The proposed financing plan is as follows

Estimated Project Cost Recovery		
Funding Source	Total Amount	% of Total
Environmental Utility Fund	\$1,059,100	19%
G.O. Bonds Improvement	\$1,156,600	21%
Sanitary Sewer Fund	\$54,200	1%
Special Benefit Assessment	\$630,300	12%
St. Paul Regional Water	\$1,104,800	20%
W.A.C. Fund	\$193,000	4%
Local Road Improvement Grant	\$1,250,000	23%
Total Estimated Project Funding:	\$5,448,000	100%

4. A public hearing shall be held on such proposed improvement on the 28th day of February, 2022 at 7:00 PM. The City Clerk shall give mailed and published notice of such hearing and improvement as required by law.

Seconded by Councilmember Knutson

Ayes – All, via roll call

The motion passed.

- 2. Scooter’s Coffee, 2228 Maplewood Drive North**
a. Conditional Use Permit and Setback Variance Resolution
b. Design Review Resolution

Community Development Director Thomson gave the presentation and answered questions of council.

Residents Catherine and Debbie Dupre expressed their concerns about the project.

Mayor Abrams moved to approve the resolution for a conditional use permit and setback variance for a proposed drive-thru coffee kiosk at 2228 Maplewood Drive North.

Resolution 22-02-2047

CONDITIONAL USE PERMIT AND SETBACK VARIANCE RESOLUTION

BE IT RESOLVED by the City Council of the City of Maplewood, Minnesota, as follows:

Section 1. Background.

- 1.01 Chris Crotteau, on behalf of Barostas Keller, LLC has requested approval of a conditional use permit and setback variance to allow for the construction of a coffee shop on the property.
- 1.02 The property is located at 2228 Maplewood Drive and is legally described as: Lot 1, Block 1, Keller Addition, Ramsey County, Minnesota

PIN: 092922340007

- 1.03 City Ordinance Section 44-637(a) (b) requires a conditional use permit for any building erected, altered or conducted within 350 feet of a residential district.
- 1.04 The variance will allow a portion, approximately 25 square feet, of the parking lot and drive aisle to be within the required parking setback.

Section 2. Standards.

- 2.01 General Conditional Use Permit Standards. City Ordinance Section 44-1097(a) states that the City Council must base approval of a Conditional Use Permit on the following nine standards for approval.
 - 1. The use would be located, designed, maintained, constructed and operated to be in conformity with the City's Comprehensive Plan and Code of Ordinances.
 - 2. The use would not change the existing or planned character of the surrounding area.
 - 3. The use would not depreciate property values.
 - 4. The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water run-off, vibration, general unsightliness, electrical interference or other nuisances.
 - 5. The use would not exceed the design standards of any affected street.
 - 6. The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.
 - 7. The use would not create excessive additional costs for public facilities or services.
 - 8. The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.
 - 9. The use would cause minimal adverse environmental effects.
- 2.02 Variance Standard. City Ordinance Section 44-13 refers to state statute which states a variance may be granted from the requirements of the zoning ordinance when: (1) the variance is in harmony with the general purposes and intent of this ordinance; (2) when the variance is consistent with the comprehensive plan; and (3) when the applicant establishes that there are practical difficulties in complying with the ordinance. Practical difficulties mean: (1) the proposed use is reasonable; (2) the need

for a variance is caused by circumstances unique to the property, not created by the property owner, and not solely based on economic conditions; (3) the variance, if granted, will not alter the essential character of the locality.

Section 3. Findings.

3.01 The proposal meets the specific conditional use permit standards.

3.02 The setback variance request meets the required standards for a variance.

Section 4. City Review Process

4.01 The City conducted the following review when considering this conditional use permit and setback variance request.

1. On January 18, 2022, the Planning Commission held a public hearing. City staff published a hearing notice in the Pioneer Press and sent notices to the surrounding property owners. The Planning Commission gave everyone at the hearing a chance to speak and present written statements. The Planning Commission recommended that the City Council approve this resolution.
2. On February 14, 2022, the City Council discussed this resolution. They considered reports and recommendations from the planning commission and City staff.

Section 5. City Council

5.01 The City Council hereby approves the resolution. Approval is based on the findings outlined in section 3 of this resolution. Approval is subject to the following conditions:

1. All construction shall follow the approved plans, date-stamped December 21, 2021. The director of community development may approve minor changes.
2. The proposed construction must be substantially started within one year of council approval or the permit shall become null and void.
3. The city council shall review this permit in one year.
4. The applicant shall meet the conditions outlined in the design review resolution.
5. All work shall follow the approved plans. City staff may approve minor changes.

Seconded by Councilmember Knutson

Ayes – All, via roll call

The motion passed.

Councilmember Juenemann moved to approve a design review resolution and project plans date stamped December 21, 2021, for a proposed drive-thru coffee kiosk at 2228 Maplewood Drive North.

Resolution 22-02-2048
DESIGN REVIEW RESOLUTION

BE IT RESOLVED by the City Council of the City of Maplewood, Minnesota, as follows:

Section 1. Background.

1.01 Chris Crotteau, on behalf of Barostas Keller, LLC has requested design review approval to allow for the construction of a coffee shop on the property.

1.02 The property is located at 2228 Maplewood Drive North and is legally described as: Lot 1, Block 1, Keller Addition, Ramsey County, Minnesota

PIN: 092922340007

1.03 On January 18, 2022, the community design review board reviewed this request. The applicant was provided the opportunity to present information to the community design review board. The community design review board considered all of the comments received and the staff report, which are incorporated by reference into this resolution.

Section 2. Standards.

2.01 City ordinance Section 2-290(b) requires that the community design review board make the following findings to approve plans:

1. That the design and location of the proposed development and its relationship to neighboring, existing or proposed developments and traffic is such that it will not impair the desirability of investment or occupation in the neighborhood; that it will not unreasonably interfere with the use and enjoyment of neighboring, existing or proposed developments; and that it will not create traffic hazards or congestion.
2. That the design and location of the proposed development are in keeping with the character of the surrounding neighborhood and are not detrimental to the harmonious, orderly and attractive development contemplated by this article and the city's comprehensive municipal plan.
3. That the design and location of the proposed development would provide a desirable environment for its occupants, as well as for its neighbors, and that it is aesthetically of good composition, materials, textures and colors.

Section 3. Findings.

3.01 The proposal meets the specific findings for design review approval.

Section 4. City Council

4.01

The City Council hereby approves the resolution. Approval is based on the findings outlined in section 3 of this resolution. Subject to staff approval, the site must be developed and maintained in substantial conformance with the site and design plans date-stamped December 21, 2021. Approval is subject to the following conditions:

1. Repeat this review again in two years, if the city has not issued a building permit.
2. The applicant shall meet the requirements set forth in the report by the Assistant City Engineer, Jon Jarosch, dated January 6, 2022.
3. The applicant shall meet the requirements set forth in the report by the Environmental Planner, Shann Finwall, and the Natural Resources Coordinator, Carole Gernes, dated January 6, 2022. The applicant shall update details on the landscape plan, per staff's recommendations and submit a revised plan.
4. The applicant shall obtain an annual food establishment license.
5. All signage must meet the City's sign ordinance and be approved with a separate sign permit.
6. All requirements of the Fire Code and Building Code must be achieved.
7. All mechanical equipment and trash receptacles shall be screened from view of all nearby residential properties, per city ordinance standards.
8. The applicant shall restore any public right-of-way, adjacent property or property irons disturbed by the construction.
9. A cash escrow or an irrevocable letter of credit for all required exterior improvements. The amount shall be 150 percent of the cost of the work.
10. The applicant shall complete the following before occupying the building:
 - a. Replace any property irons removed because of this construction.
 - b. Provide continuous concrete curb and gutter around the parking lot and driveways.
 - c. Install all required landscaping and an in-ground lawn irrigation system for all landscaped areas.
11. If any required work is not done, the city may allow temporary occupancy if:
 - a. The city determines that the work is not essential to the public health, safety or welfare.
 - b. The above-required letter of credit or cash escrow is held by the City of Maplewood for all required exterior improvements. The owner or contractor shall complete any unfinished exterior improvements by June 1 of the following year if occupancy of the building is in the fall or

winter or within six weeks of occupancy of the building if occupancy is in the spring or summer.

12. Comply with all city ordinance requirements for signage, trash enclosures and parking.
13. All work shall follow the approved plans. City staff may approve minor changes.
14. Staff will ascertain that the main discharge of rain water from the roof is internal, and that the scaffold shown on the elevation is an overflow scaffold.
15. The applicant provide physical samples of the exterior of the building to staff for review.

Seconded by Councilmember Cave

Ayes – All, via roll call

The motion passed.

3. Ordinance Amending City Code Section 1-17 Pertaining to Administrative Penal Offenses

Community Development Director Thomson gave the staff report.

Councilmember Juenemann moved to adopt the ordinance amending Maplewood City Code Sec 1-17 pertaining to Administrative Penal Offenses.

Ordinance 1028

AN ORDINANCE AMENDING SECTION 1-17 OF THE MAPLEWOOD CITY CODE PERTAINING TO ADMINISTRATIVE PENAL OFFENSES

THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MINNESOTA ORDAINS AS FOLLOWS:

Section 1. Section 1-17 (c) of the Maplewood City Code is hereby amended as follows:

Sec. 1-17. - Administrative penal offenses.

(c) Reserved.

Section 2. Effective Date. This Ordinance shall be effective following its adoption and publication.

Seconded by Councilmember Cave

Ayes – All, via roll call

The motion passed.

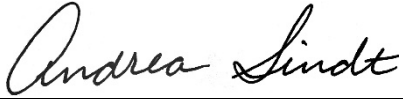
4. AWARD OF BIDS

None

5. **ADJOURNMENT**

Each councilmember shared thoughts on current events.

Mayor Abrams adjourned the meeting at 9:45 p.m.

A handwritten signature in black ink that reads "Andrea Sindt". The signature is written in a cursive style with a large initial 'A'.

Andrea Sindt, City Clerk