

MINUTES
MAPLEWOOD CITY COUNCIL
7:00 P.M. Monday, June 13, 2022
City Hall, Council Chambers
Meeting No. 13-22

A. CALL TO ORDER

A meeting of the City Council was held in the City Hall Council Chambers and was called to order at 7:00 p.m. by Acting Mayor Cave.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Marylee Abrams, Mayor	Absent
Rebecca Cave, Acting Mayor	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:

National Night Out

Councilmember Juenemann moved to approve the agenda as amended.

Seconded by Councilmember Knutson Ayes – All

The motion passed.

E. APPROVAL OF MINUTES

1. May 23, 2022 City Council Workshop Meeting Minutes

Councilmember Knutson moved to approve the May 23, 2022 City Council Workshop Meeting Minutes as submitted.

Seconded by Councilmember Juenemann Ayes – All

The motion passed.

2. May 23, 2022 City Council Meeting Minutes

Councilmember Knutson moved to approve the May 23, 2022 City Council Meeting Minutes as submitted.

Seconded by Councilmember Juenemann Ayes – All

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

National Night Out

Councilmember Juenemann announced National Night Out will take place August 2, 2022 and suggested residents start planning.

3. 2021 Annual Comprehensive Financial Report

Finance Director Paulseth introduced the item. Matt Mayer, Partner at BerganKDV, gave the presentation.

Councilmember Juenemann moved to accept the Maplewood 2021 Annual Comprehensive Financial Report.

Seconded by Councilmember Villavicencio Ayes – All

The motion passed.

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 item G5 was highlighted.

Councilmember Juenemann moved to approve agenda items G1-G5.

Seconded by Councilmember Knutson Ayes – All

The motion passed.

1. Approval of Claims

Councilmember Juenemann moved to approve the approval of claims.

ACCOUNTS PAYABLE:

\$	1,339,956.91	Checks # 109011 thru # 109063 dated 05/24/22
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\$	728,259.27	Checks # 109064 thru # 109081 dated 05/31/22
\$	130,024.63	Checks # 109082 thru # 109101 dated 06/07/22
\$	1,336,029.83	Disbursements via debits to checking account dated 05/16/22 thru 06/05/22
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\$	3,534,270.64	Total Accounts Payable

PAYROLL

\$	604,051.97	Payroll Checks and Direct Deposits dated 05/27/22
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\$	604,051.97	Total Payroll
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\$	4,138,322.61	GRAND TOTAL

Seconded by Councilmember Knutson Ayes – All

The motion passed.

2. Resolution to Maintain Statutory Tort Liability Limits

Councilmember Juenemann moved to approve the resolution to maintain statutory tort liability limits.

Resolution 22-06-2096
RESOLUTION TO MAINTAIN THE STATUTORY TORT LIMITS FOR
LIABILITY INSURANCE PROPOSED

WHEREAS, the League of Minnesota Cities Insurance Trust annually requests member cities to make an election to waive or not waive the tort liability limit established by Minnesota Statutes 466.04; and

WHEREAS, the City has three choices: to not waive the statutory limit, to waive the limit but to keep insurance coverage at the statutory limit, and to waive the limit and to add insurance to a new level;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Maplewood hereby elects to not waive the statutory tort liability limit established by Minnesota Statutes 466.04

Seconded by Councilmember Knutson Ayes – All

The motion passed.

3. Local Lawful Gambling Permit for St. Paul’s Monastery, 2675 Benet Road

Councilmember Juenemann moved to approve the Local Lawful Gambling permit for St. Paul's Monastery for their event on July 9, 2022.

Seconded by Councilmember Knutson

Ayes – All

The motion passed.

4. Resolution Appointing Election Judges and Establishing a Ballot Board for the 2022 State Primary Election

Councilmember Juenemann moved to approve the resolution listing election judges and establishing a ballot board for the 2022 State Primary Election to be held on August 9, 2022.

Resolution 22-06-2097

RESOLUTION FOR 2022 STATE PRIMARY ELECTION
APPOINTING ELECTION JUDGES AND ESTABLISHING A BALLOT BOARD

WHEREAS, MN State Statute 204B.21, Subd. 2 states election judges for precincts in a municipality shall be appointed by the governing body of the municipality; and

WHEREAS, it is required by MN Statutes 203B.121, Subd. 1 to establish a Ballot Board; and

WHEREAS, approval of the resolution does not qualify individuals to serve as an election judge; and

WHEREAS, appointments will be made from the list to fill the needed positions after training and required paperwork have been completed; and

WHEREAS, appointment of additional election judges within the 25 days before the election may be made if the appointing authority determines that additional election judges will be required; and

NOW, THEREFORE, IT BE RESOLVED, by the City Council of Maplewood, Minnesota, a Ballot Board is hereby established that would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22 to perform the task; and

FURTHER, BE IT RESOLVED, that the City Clerk or designee assign Election Judges to serve on the Ballot Board and in the 2022 State Primary Election to be held on Tuesday, August 9, 2022 from the following list

ANDERSON, THEODORE
GROTE, DEL
KWAPOCK, JACKIE
HULET, JEANETTE
VANG, DAVID
EADS, JOHN
HAYDEN, DENNIS
LEWIS, NEAL
URBANSKI, HOLLY
DEMOE, JASON

DROMMERHAUSEN, LAURÉN
PEREZ, LAURIE
MASTRO, CHRISTINA
JONES, GWENDOLYN
KOEGL, PETE
FRITSCH, DEAN
HOFFMANN, DEB
MICHAELSON, DORCAS
HARDER, MARY
FULLER, MARY KATHERINE

GREFE, DAVID
SMITH, MARGARET
BJORNSTAD, MYRON
SAMAC, DEBORAH
RODRIGUEZ, VINCENT
GOEPPINGER, LINDA
LANDERS, PATRICIA
DEZELAR, PHIL
SCHMIDT, WILLIAM
MCCABE, BONNIE

MCCANN, JOHN
STEENBERG, JUDITH
PUTZ, SHELLY
GRAF, AMY
ROZMARYNOWSKI, BOB
KOSKINEN, CAROL
SCHAEFER, THOMAS
DITTLI, ALBIN
FUNK, BARBARA
PINC, ROBERTA
UNKLESBAY, JEANINE
CATHERINE, MARY
MARTINSON, PATRICIA
SELBY, PATRICIA
KREBSBACH, JOHN
HUTH, RAYMOND
VIRNALA, RONALD
HANSFORD, LISA
KARALUS, SHARON
GOLASKI, DIANE
BROCKWAY, TOM
SKAAR, SUSAN
WALSH, ALISON
HEILLE, LISA
WIENS, ANDREW
COOK, KENDALL
JENSEN, KATHLEEN
TURNER, GLORIA
MAHRE, JERI
HINNENKAMP, GARY
DOHERTY, MICHELLE
CINCOTTA, MARY
ROWLEY, CYNTHIA
PORTER, LEON
FREIMUTH, KATHRYN
MATTINSON, STEVEN
NELSON, KARLA
JACOBSON, CHRISTINE
NENTWIG, CAROLINE
SCHREIER, BRIGID
BABIN, PAUL
CAMPBELL, THOMAS
JADER, ANITA
NELSON, KARLA
XIONG, YANG
FRANEY, JUDITH
MINDER, ALEX
KRAEMER, DENNIS
LOR, LINDA
BARON, JODI

NELSON, STEVEN
O'BRIEN, D. WILLIAM (BILL)
CLELAND, ANN
SLIND, TYLER
LABARRE, TOM
ROGERS, PETER
VERBEEK, STEVEN
NICHOLS, MIRANDA
LUCAS, LYDIA
RENNER, MARY ANN
OLSON, ANITA
HAHN OHS, SANDRA
OLSON, LINDA
YORKOVICH, CINDY
GRAF, RON
KIPKA, JUDY
BEDOR, DAVID
HUTH, PATRICIA
NADEAU, JILL
PARENT, DIAN
CARLIN, MARY CHRIS
SPRAGUE, FLORENCE
BERGK, KRIS
HODGES, PAMELA
STAFKI, TIM
DANIELSON, MEGAN
NORBERG, ANN
WALKER, MARGARET
JOHNSTON, HOWARD
STEMPER, JAMES
KARALUS, SHARON
MCCABE, DAVID
BARRETT, WILLIAM
KRONSCHNOBEL, ROBERT
DUNSHEE, GLORIA
CHARTRAND, NATHANIEL
CARSON, LARRY
FRANS, JANINE
LEHRKE, DUSTIN
NORDBY, JAMES
SCHREIER, MARGARET
KNUTSON, JASON
HESS, HARLAND
LENTSCH, LOUIS
WESTCOTT, THERESA
BATTLE, WILMA
HUNEKE, DANIEL
WENDT, MARY
THOLE, LYNN

SHINDLER, TIM
LEONARD, CLAUDETTE
DEY, PETER
URBANSKI, CAROLYN
DICKERSON, CHARLENE
ROSSBACH, TERESA
WALKER, MELISSA
BRANDON, RICHARD
LYNCH, VIRGINIA
SCHAEFER, MARYANN
BRANDON, GINNY
LEECH, JEFF
POTTER, NINA
PUTZ, STEVE
HEININGER, JEAN
PASQUARELLA, CHERYL
SKAAR, DELANEY
JACOBSON, CHRIS
DAHL RYGG, CRYSTAL
BORSCHIED, STEPHANIE
NORDIN, ERIKA
TSCHIDA, MICKI
FELLMAN, GAIL
PARNELL, SUSAN
BAAS, ROB
HARRIS, MARK
PARNELL, JOHN
JOHANNESSEN, JUDITH
FRANZEN, NICK
JAHN, DAVID
SMITH, RUSSELL
EVANS, JOAN
PRAHL, LESLIE
GEISER, RACHEL
DAWSON, BETTY
BARON, JODI
LEWIS, KENNETH
GUNARD, DANIEL
SPANGENBERG, ALBERT
SCHLUENDER, CYNTHIA
ZOLLINGER, PAUL
HORN, GARY
DUNSHEE, GLORIA
MARTINSON, STEVE
VIRNALA, RONALD
BRUDZINSKI, MARGARET
LARSON, STEVEN
PEARSON, GINA
STRANDNESS, (MARY)
LENNEA

Seconded by Councilmember Knutson

Ayes – All

The motion passed.

5. Purchase of One Police Canine (K9) and Applicable Training

Councilmember Juenemann moved to approve the contract to purchase and train One Police K9 team through McDonough K-9.

Seconded by Councilmember Knutson

Ayes – All

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.*

None

I. UNFINISHED BUSINESS

None

J. NEW BUSINESS

1. Home Occupation License Resolution, Living Long Hair, 1973 Barclay Street

Community Development Director Thomson gave the staff report. Kristi Long, Owner – 1973 Barclay, addressed the council.

Councilmember Juenemann moved to approve a home occupation license resolution for Living Long Hair studio located at 1973 Barclay Street, subject to certain conditions of approval.

Resolution 22-06-2098

HOME OCCUPATION LICENSE RESOLUTION

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

Section 1. Background.

1.01 Kristi Long is proposing a home-based hair salon business.

1.02 The property is located at 1973 Barclay Street and is legally described as:

Lots 29 and 30, Block 26, GLADSTONE PLAT 2, Ramsey County, Minnesota, and adjacent East 1/2 of vacated alley

Property Identification Number 152922240076

Section 2. Standards.

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2.01 Section 14-56 outlines the licensing requirements for home occupations on residential property.

Section 3. Findings.

3.01 The proposal meets the specific home occupation license standards.

Section 4. City Review Process

4.01 The City conducted the following review when considering this home occupation license request.

1. On May 17, 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 a chance to speak and present written statements at the hearing. The Planning Commission recommended that the City Council approve this resolution.
2. On June 13, 2022, the City Council discussed this resolution. They considered reports and recommendations from the Planning Commission and city staff.

Section 5. City Council Action.

5.01 The City Council hereby approves the resolution. Approval is based on the findings outlined in Section 2 of this resolution. Approval is subject to the applicant doing the following:

1. The applicant must apply to the City Clerk for a business license. This license must be renewed with the City Clerk on an annual basis.
2. The applicant shall provide a copy of their state license (Minnesota State Board of Cosmetology).
3. Parking shall be provided on the property, in the property owner's driveway. Public streets cannot be used for customer parking.

Seconded by Councilmember Villavicencio

Ayes – All

The motion passed.

2. Conditional Use Permit Amendment and Setback Variance Resolution, MG McGrath Inc, 1387 Cope Avenue East

Community Development Director Thomson gave the staff report. Mike McGrath and Tim Sauro with MG McGrath addressed the council and provided further information.

Councilmember Knutson moved to approve the resolution for a conditional use permit amendment and a setback variance permitting exterior storage and a parking lot expansion for MG McGrath Inc.'s property located at 1387 Cope Avenue East.

Resolution 22-06-2099

CONDITIONAL USE PERMIT AMENDMENT AND SETBACK VARIANCE RESOLUTION

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

Section 1. Background.

1.01 Tim Sauro, of MG McGrath, has requested approval of a conditional use permit amendment to allow exterior storage.

1.02 The applicant has also requested approval of a setback variance of 13 feet to expand its parking lot.

1.03 The property is located at 1387 Cope Avenue East and is legally described as:

The north 1/2 of the southwest 1/4 of section 10. Township 29. Range 22. Except the east 39 acres. Except that part lying west of the easterly right of way line of the northern pacific railroad. And except that part lying north of the southerly right of way line of highway no. 36 as now located:

Excepting therefrom. The following described parcel:

Commencing at the center of said section 10. Thence southerly along the east line of the southwest 1/4 a distance of b4b.3 feet to the intersection of the southerly right-of-way line of trunk highway no. 36. Thence westerly along the said southerly right-of-way line a distance of 1196.20 feet. Thence deflecting to the left 90 degrees and along the said right-of-way line a distance of 25 feet, thence deflecting to the right 90 degrees and along said right-of-way line a distance of 93.46 feet to an iron, said point being the intersection of west line of the east 39 acres and the said trunk highway no. 36 southerly right-of-way line. Thence westerly along said right-of-way line a distance of 233.30 feet. Thence southerly and parallel with the west line of the east 39 acres a distance of 250.00 feet to the point of beginning. Thence continuing along the same line a distance of 169.15 feet to a point on the south line of the said north 1/2 of the southwest 1/4 of section 10. Thence easterly along the said south line a distance of 233.30 feet to a point on the west line of the said east 39 acres, thence northerly along said west line a distance of 188.86 feet. Thence westerly parallel with the said southerly right-of-way line a distance of 233.30 feet to the point of beginning.

And

Excepting therefrom the following described parcel:

Commencing at the center of said section 10. Thence southerly along the east line of the southwest 1/4 a distance of b48.3 feet to the intersection of the

southerly right-of-way line of trunk highway no. 36, thence westerly along the said southerly right-of-way line a distance of 1196.20 feet. Thence deflecting to the left 90 degrees and along said right-of-way line a distance of 25 feet. Thence deflecting to the right 90 degrees and along said right-of-way line a distance of 93.46 feet to an iron. Said point being the intersection of west line of the east 39 acres and the said trunk highway no. 36 southerly right-of-way line and the point of beginning. Thence westerly along said right-of-way line a distance of 233.30 feet. Thence southerly and parallel with the west line of the east 39 acres a distance of 250.00 feet. Thence easterly and parallel with the southerly right-of-way line a distance of 233.30 feet to a point on the west line of the east 39 acres. Thence northerly along said west line a distance of 250 feet to the point of beginning.

Section 2. Standards.

2.01 City Ordinance Section 44-512(4) requires a Conditional Use Permit for the exterior storage of goods or materials.

2.02 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.

2.03 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.

Section 3. Findings.

3.01 The proposal meets the specific conditional use permit standards.

3.02 The proposal meets the specific variance standards.

Section 4. City Review Process

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

1. On May 17, 2022, the planning commission held a public hearing. The 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 June 13, 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 site plan approved by the City. Prior to the construction of an expanded parking lot, the applicant must submit and receive approval of a 15-Day Minor Construction Project application.
2. The City Council may require additional parking in the future if the council determines that there is a need for additional parking on the site. This approval permits the addition of 16 additional parking spaces to be added to the south of the building.
3. The proposed construction must be substantially started within one year of Council approval or the permit shall become null and void. The Council may extend this deadline for one year.

4. The City Council shall review this permit in one year.
5. The applicant must submit a site plan for staff approval that includes the following elements:
 - a. Locations of all exterior storage areas. Exterior storage is required to be setback at least 40 feet to the north from the south building line and out of view from Highway 36.
 - b. Location of all trash enclosures. All trash receptacles stored outside are required to be kept inside an enclosure.
6. The expanded parking lot must be setback at least two feet from the front property line along Cope Avenue East.
7. All requirements of the engineering report, dated April 27, 2022, must be met.
8. The applicant must submit a screening plan for staff approval that includes landscaping between the expanded parking lot and Cope Avenue East.
9. Prior to any permits being issued for the parking lot expansion project, the applicant must meet all requirements of the city's tree preservation ordinance.

Seconded by Councilmember Villavicencio

Ayes – All

The motion passed.

K. AWARD OF BIDS

None

L. ADJOURNMENT

Acting Mayor Cave adjourned the meeting at 7:46 p.m.



Andrea Sindt, City Clerk