



Shakopee City Council Minutes

December 20, 2022

7:00 PM

City Hall, 485 Gorman St.

Mayor Bill Mars presiding

1. Roll Call

Present: Mayor Bill Mars, Councilmembers Jody Brennan, Matt Lehman, Jay Whiting, Angelica Contreras

Staff Present; City Administrator Bill Reynolds, Assistant City Administrator Chelsea Petersen, City Attorney Jim Thomson, Finance Director, Nate Reinhardt, City Engineer/Public Works Director Steve Lillehaug, Planning/Development Michael Kerski, City Clerk Lori Hensen

2. Pledge of Allegiance

3. Special Presentations

3.A. Recognition of Commissioner Mike Beard

Councilmember Angelica Contreras made a motion to approve R2022-162 resolution of appreciation, seconded by Councilmember Matt Lehman and the motion passed.

5 - 0

3.B. Recognition of Service to Mayor Mars

3.C. Recognition of Service to Councilmember Brennan

4. Approval of Agenda

Councilmember Jay Whiting made a motion to approve the modified agenda, seconded by Councilmember Angelica Contreras and the motion passed.

5 - 0

5. Consent Business - (All items listed in this section are anticipated to be routine. After a discussion by the Mayor there will be an opportunity for members of the Council to remove any items from the consent agenda for individual discussion. Those items removed will be considered following the Public hearing portion of the agenda. Items remaining on the Consent Agenda will not be discussed and will be approved in one motion.)

Reynolds asked to pull 5.C.1. from consent agenda for further discussion

Lehman asked to add to consent 9.B.3. and 9.A.2. with acknowledgment that the age needs to be changed from 18 to 21.

Whiting said we should also add 9.A.1. to consent.

Councilmember Matt Lehman made a motion to approve the modified consent agenda, seconded by Councilmember Angelica Contreras and the motion passed.

5 - 0

A. Administration

*5. A.1. *City Council Minutes

Approve the minutes of December 6, 2022. (Motion was carried under consent agenda)

*5. A.2. *2023 Fee Schedule

Adopt Ordinance O2022-028, establishing fees for 2023. (Motion was carried under consent agenda)

*5. A.3. *Combining Polling Locations for 2023

Adopt Resolution R2022-144 establishing combined polling places for the coming year Special Election. (Motion was carried under consent agenda)

*5. A.4. *2023 Taxicab Business License Renewals

Approve the Taxicab Business License Renewals for 2023. (Motion was carried under consent agenda)

*5. A.5. *2023 Pawnshop Business License Renewals

Approve a Pawnbroker Business License for Excel Pawn Inc. dba Excel Pawn & Jewelry. (Motion was carried under consent agenda)

Approve a Pawnbroker Business License for Pawn Xchange LLC. (Motion was carried under consent agenda)

*5. A.6. *2023 Tobacco License Renewals

Approve the Tobacco Business Licenses for 2023. (Motion was carried under consent agenda)

*5. A.7. *2023 EDA Special Benefit Levy and Budget

Adopt Resolution R2022-141 approving the proposed special benefit levy of the EDA of \$500,000 collectible in 2023. (Motion was carried under consent agenda)

*5. A.8. *Approval of the 2023 Property Tax Levy and the 2023 Annual Budget

Adopt Resolution Nos. R2022-142 and R2022-143, approving the property tax levy collectible in 2023 and the 2023 annual budget. (Motion was carried under consent agenda)

*5. A.9. *2022 Miscellaneous Donations

Adopt Resolution No. R2022-156, a resolution accepting the gifts and donations received from outside organizations as presented. (Motion was carried under consent agenda)

*5. A.10.*Designate individuals authorized to perform certain banking transactions

Adopt Resolution R2022-145, a resolution designating individuals authorized to perform certain banking transactions. (Motion was carried under consent agenda)

*5. A.11.*2022 Budget Amendments

Motion to approve 2022 budget amendments in accordance with the attached document titled "2022 Proposed Budget Amendments". (Motion was carried under consent agenda)

*5. A.12.*Designation of Official Newspaper

Designate the Shakopee Valley News as the official newspaper for the City of Shakopee in 2023, and designate the city website (www.ShakopeeMN.gov) as the official notice and advertisement venue for transportation project bids in 2023. (Motion was carried under consent agenda)

*5. A.13.*Award of Contract for Towing Services

Award of Contract for Towing Services to Shakopee Towing, Inc. (Motion was carried under consent agenda)

*5. A.14.*Statewide Health Improvement Partnership Grant Application

Adopt Resolution R2022-160, approving an application to the Scott County Public Health's Statewide Health Improvement Partnership MN Moves Grant, MN Eats Grant, and MN Well-Being Grant. (Motion was carried under consent agenda)

*5. A.15.*Retirement of Department Head

Accept the retirement of Rick Coleman as Fire Chief effective December 19, 2022. (Motion was carried under consent agenda)

B. Fire

*5. B.1. *Purchase of Self-Contained Breathing Apparatus (SCBA) Equipment

Authorization to purchase SCBA equipment from MacQueen Equipment. (Motion was carried under consent agenda)

C. Parks and Recreation

*5. C.1. *Donation and Sponsorship Acceptance

Councilmember Jay Whiting made a motion to adopt Resolution No.R2022-150, Accepting Donation and Sponsorship Funds for Recreation Programs and Events, seconded by Councilmember Jody Brennan and the motion passed.

5 - 0

D. Public Works and Engineering

*5. D.1. *TH 169 Pedestrian Bridge Project

Adopt Resolution R2022-159, approving plans and specifications and ordering advertisement for bids for the TH 169 Pedestrian Bridge Project CIF-22-002. (Motion was carried under consent agenda)

6. RECOGNITION OF INVOLVED RESIDENTS BY CITY COUNCIL - Provides an opportunity for the public to address the Council on items which are not on the agenda. Comments should not be more than five minutes in length. The Mayor may adjust that time limit based upon the number of persons seeking to comment. This comment period may not be used to make personal attacks, to air personality grievances, to make political endorsements or for political campaign purposes. Council Members will not enter into a dialogue with citizens, and questions from Council will be for clarification only. This period will not be used to problem solve issues or to react to the comments made, but rather for informational purposes only.

7. Business removed from consent will be discussed at this time

8. Public Hearings

8.A. Currency Exchange License for Excel Pawn Inc. dba Excel Pawn & Jewelry

Councilmember Angelica Contreras made a motion to open the public hearing, seconded by Councilmember Jody Brennan and the motion passed.

5 - 0

Councilmember Jody Brennan made a motion to close the public hearing, seconded by Councilmember Matt Lehman and the motion passed.

5 - 0

Councilmember Angelica Contreras made a motion to approve Resolution R2022-157 approving the application of Excel Pawn Inc. dba Excel Pawn & Jewelry, 450 West First Avenue, for a currency exchange license, seconded by Councilmember Jody Brennan and the motion passed.

5 - 0

8.B. Proposed Vacation of a Portion of Drainage and Utility Easement in Ridgeview Estates at 7006 Oak Ridge Court

Councilmember Jay Whiting made a motion to open the public hearing, seconded by Councilmember Angelica Contreras and the motion passed.

5 - 0

Councilmember Jody Brennan made a motion to close the public hearing, seconded by Councilmember Matt Lehman and the motion passed.

5 - 0

Councilmember Jay Whiting made a motion to adopt Resolution R2022-158, which vacates a five-foot wide segment of drainage and utility easement in Ridgeview Estates, seconded by Councilmember Angelica Contreras and the motion passed.

5 - 0

8.C. Vacation of Public Right-Of-Way within Glacier Estates

Councilmember Jody Brennan made a motion to open the public hearing, seconded by Councilmember Angelica Contreras and the motion passed.

5 - 0

Councilmember Jody Brennan made a motion to close the public hearing, seconded by Councilmember Jay Whiting and the motion passed.

5 - 0

Councilmember Jay Whiting made a motion to adopt Resolution R2022-155 regarding the vacation of certain public right-of-way (segment adjacent to Moraine Drive) as dedicated within Glacier Estates, seconded by Councilmember Angelica Contreras and the motion passed.

5 - 0

9. General Business

A. Administration

9. A.1. Monthly Financial Review- November 2022

Informational only (Motion was carried under consent agenda)

9. A.2. THC Licensing

Adopt Ordinance O2022-027 amending Chapter 110 of the Shakopee City Code by adding provisions pertaining to sales of Tetrahydrocannabinol (THC) products; with the change to the age from 18 to 21. (Motion was carried under consent agenda)

Adopt Resolution R2022-146 authorizing publication of Ordinance O2022-027 by title and summary. (Motion was carried under consent agenda)

B. Planning and Development

9. B.1. Reguide property from Parks & Open Space to Suburban Residential, Rezoning of property from Rural Residential (RR) Zone to Urban Residential (R-1B) Zone, and Preliminary & Final Plat of Moraine Addition

Councilmember Jay Whiting made a motion to adopt Resolution R2022-153, Approving a Comprehensive Plan Amendment to Figure 4.12 - Planned Land Use in the 2040 Comprehensive Plan, seconded by Councilmember Jody Brennan and the motion passed.

4 - 1

Nays: Lehman

Councilmember Angelica Contreras made a motion to adopt Ordinance O2022-029, Amending the Zoning Map Adopted in City Code Sec. 151.003 by Rezoning Property at the Northwest Corner of Eagle Creek Boulevard and County Road 18 from Rural Residential Zone (RR) to Urban Residential Zone (R-1B), seconded by Councilmember Jody Brennan and the motion passed.

5 - 0

Councilmember Jody Brennan made a motion to adopt Resolution R2022-154, Approving the Preliminary and Final Plat of Moraine Addition, seconded by Councilmember Angelica Contreras and the motion passed.

4 - 1

Nays: Lehman

9. B.2. Planned Unit Development (PUD) Amendment to the Windermere PUD

Councilmember Jody Brennan made a motion to adopt Resolution R2022-149, approving the proposed PUD Amendment, with conditions, seconded by Councilmember Angelica Contreras and the motion passed.

4 - 1

Nays: Lehman

Councilmember Matt Lehman made a motion for a 10 minutes recess, seconded by Councilmember Jay Whiting and the motion passed.

5 - 0

9. B.3. Sale of Surplus Land at 801 1st Ave W with Retention of ROW

Adopt Resolution R2022-161 for the sale of the property for \$30,000 while retaining the necessary rights of way for an existing road. (Motion was carried under consent agenda)

10. Reports

10.A.City Bill List

Informational only

10.B.Liaison & Administration Reports

11. Other Business

12. Closed Session to conduct a Performance review according to M.S. 13D.05 subd. 3(a)

12.A.City Administrator Review

Councilmember Jay Whiting made a motion to adjourn to closed session to conduct a performance review according to M.S. 13D.05 subd. 3(a), seconded by Councilmember Angelica Contreras and the motion passed.
5 - 0

13. Adjournment to Tuesday, January 3, 2023 at 7 p.m.

Councilmember Jay Whiting made a motion to adjourn to Tuesday, January 3, 2023 at 7:00 pm, seconded by Councilmember Angelica Contreras and the motion passed.
5 - 0