



Shakopee City Council Minutes

February 21, 2023

7:00 PM

City Hall, 485 Gorman St.

Mayor Matt Lehman presiding

1. Roll Call

Present: Mayor Matt Lehman, Councilmember Jay Whiting, Jim DuLaney, Terry Joos

Absent: Councilmember Angelica Contreras

Staff Present: City Administrator Bill Reynolds, Police Chief Jeff Tate, City Attorney Jim Thomson, Finance Director Nate Reinhardt, Interim City Engineer/Public Works Director Bruce Loney, City Clerk Lori Hensen, Parks/Recreation Director Jay Tobin, Interim Fire Chief Ryan Ytterness, Assistant City Engineer Ryan Halverson

2. Pledge of Allegiance

3. Approval of Agenda

Reynolds move to items 7, 8 to following item 5.

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

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4. 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.)

Joos removed items 4.B.1., 4.B.2., 4.B.3., 4.B.5., 4.B.6. for further discussion.

Councilmember Jim DuLaney made a motion to approve the modified agenda, seconded by Councilmember Terry Joos and the motion passed.

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A. Administration

*4. A.1. * City Council Minutes

Approve the minutes of February 7, 2023. (Motion was carried under consent agenda)

*4. A.2. * Monthly Financial Review- January 2023

Review of January 2023 General Fund revenues and expenditures, and Community Center, Ice Arena and SandVenture year-over-year comparison. (Motion was carried under consent agenda)

*4. A.3. *Set Public Hearing Date for THC License Hearing

Set public hearing date for March 7, 2023 at 7:00 pm or thereafter, to review the request to reconsider the denial of THC license of Shakopee Express One located at 1148 Vierling Drive East. (Motion was carried under consent agenda)

*4. A.4. *Set Public Hearing Date for THC License Hearing

Set public hearing date for March 7, 2023 at 7:00 pm or thereafter, to review the request to reconsider the denial of THC license of Top Star Market located at 616 Marschall Rd., and Nicollet Tobacco located at 185 1st Avenue East. (Motion was carried under consent agenda)

*4. A.5. *Shakopee Chamber Bock Party

Approve the closure of First Avenue between Holmes Street and Lewis Street for Shakopee Brewhall Bock Party. (Motion was carried under consent agenda)

*4. A.6. *Approve a Tobacco License for VK Global LLC. dba Kota Botanics

Approve a Tobacco License for VK Global LLC. dba Kota Botanics located at 8070 Old Carriage Court North. (Motion was carried under consent agenda)

*4. A.7. *Approve On Sale and Sunday Liquor Licenses for Angels LLC. dba Don Ramon Restaurante

Approve On-Sale and Sunday Liquor Licenses for Angels LLC. dba Don Ramon Restaurante, located at 1561 1st Avenue East. (Motion was carried under consent agenda)

*4. A.8. *Approving job descriptions for recently established positions, amending the 2023 Non-Union Pay Plan accordingly, hiring for the position of Director of Public Works

Approve the job description for the position of City Engineer. (Motion was carried under consent agenda)

Approve the job description for the position of Director of Public Works. (Motion was carried under consent agenda)

Approve the amended 2023 Non-union pay plan with the inclusion of the positions of City Engineer and Director of Public Works. (Motion was carried under consent agenda)

agenda)

Approve the hiring of Mr. Bill Egan as the Director of Public Works. (Motion was carried under consent agenda)

*4. A.9. *AARP Community Challenge Grant

Adopt Resolution R2023-026, approving an application to the AARP Community Challenge grant. (Motion was carried under consent agenda)

*4. A.10.*Minnesota Department of Commerce Auto Theft Prevention Grant

Adopt Resolution R2023-024, approving an application to the MN Department of Commerce Auto Theft Prevention grant. (Motion was carried under consent agenda)

*4. A.11.*City Phone System Replacement

Approve the city VOIP phone replacement project for \$110,300. (Motion was carried under consent agenda)

*4. A.12.*Fiber Installation

Approve installation of Fiber from Fire Station #2 to Fuller Street by EPS for \$56,363. (Motion was carried under consent agenda)

B. Planning and Development

*4. B.1. * Planned Unit Development & Preliminary Plat for Bluff View Addition

Councilmember Jay Whiting made a motion to adopt Ordinance O2023-002, approving Planned Unit Development District #10 (Bluff View) for property located north of LaTour Avenue (adjacent to the SPU water tower in the Windermere Neighborhood) and west of Zumbro Avenue, seconded by Councilmember Jim DuLaney and the motion passed.

3 - 1

Nays: Joos

Councilmember Jim DuLaney made a motion to adopt Resolution R2023-011, approving the Preliminary Plat of Bluff View Addition, seconded by Councilmember Jay Whiting and the motion passed.

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Nays: Joos

*4. B.2. * Rezoning of Three Properties in Southbridge Fields From Planned Residential District (PRD) to Highway Business (B-1)

Councilmember Jay Whiting made a motion to adopt Ordinance O2023-005,

rezoning three properties from Planned Residential District (PRD) to Highway Business (B-1), seconded by Councilmember Jim DuLaney and the motion passed.

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*4. B.3. * Annexation and Rezoning of Property to Agricultural Preservation (AG) Zone

Councilmember Terry Joos made a motion to adopt Resolution R2023-010 approving the annexation of property in Jackson Township into the city of Shakopee, seconded by Councilmember Jay Whiting and the motion passed.

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Councilmember Jay Whiting made a motion to adopt Ordinance O2023-004 approving the rezoning of certain properties that were in Scott County to Agricultural Preservation (AG) Zone, seconded by Councilmember Jim DuLaney and the motion passed.

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Councilmember Terry Joos made a motion for a 7 minute recess, seconded by Councilmember Jim DuLaney and the motion passed.

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*4. B.4. * Minnesota Pollution Control Agency MN Diesel Replacement Program Grant

Adopt Resolution R2023-025, approving an application to the Minnesota Pollution Control (MN PCA) MN Diesel Replacement Program grant. (Motion was carried under consent agenda)

*4. B.5. *Award of Contract for Landscape Design, Architecture, and Engineering for the Schroeder House and Livery

Councilmember Jay Whiting made a motion to table to a future date, seconded by Councilmember Terry Joos and the motion passed.

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*4. B.6. *Award Contract for Construction Manager as Agent for the Schroeder House

Councilmember Jay Whiting made a motion to table to future date, seconded by Councilmember Terry Joos and the motion passed.

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C. Police

*4. C.1. *Surplus Property

Declare nine forfeited vehicles as surplus property and authorize disposal. (Motion was carried under consent agenda)

D. Public Works and Engineering

*4. D.1. *Final Contract Payment for the River Bluffs Public Improvements & Street Light Projects

Adopt Resolution R2023-012, accepting work on the River Bluffs Public Improvements and River Bluffs Street Lights Projects CIF-20-007, and authorizing final payment in the amount of \$26,639.53 to Northwest Asphalt Inc. (Motion was carried under consent agenda)

*4. D.2. *Award a Contract for TH 169 Pedestrian Bridge

Adopt Resolution R2023-022, accepting bids and awarding a contract in the amount of \$4,854,177.84 to Lunda Construction Company, for the TH 169 Pedestrian Bridge Project CIF-22-002. (Motion was carried under consent agenda)

*4. D.3. *Memorandum of Understanding for the Acknowledgment of Public Authority Responsibility

Approve the attached Memorandum of Understanding (MOU), as proposed by the Shakopee Mdewakanton Sioux Community (SMSC), for their long range transportation plan. (Motion was carried under consent agenda)

5. 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.

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

7. Public Hearings

7.A. 2023 Full-Depth Pavement Reconstruction Project

Councilmember Terry Joos made a Motion to open the public hearing, seconded by Councilmember Jay Whiting and the motion passed.

Councilmember Terry Joos made a motion to close the public hearing, seconded by

Councilmember Jim DuLaney and the motion passed.

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Councilmember Jay Whiting made a motion to adopt Resolution R2023-021, ordering improvements and preparation of plans and specifications for the 2023 Full-Depth Pavement Reconstruction Project CIF-23-001, seconded by Councilmember Jim DuLaney and the motion passed.

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8. General Business

A. Administration

8. A.1. Academy Champion Agreement with Shakopee Public Schools

Councilmember Terry Joos made a motion to Adopt Resolution R2023-028 approving the Academy Champion Agreement with Shakopee Public Schools, seconded by Councilmember Jim DuLaney and the motion passed.

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B. Fire

8. B.1. Donation from Rahr Malting Co.

Councilmember Jay Whiting made a motion to Approve Resolution R2023-027, accepting an equipment donation from Rahr Malting Co., seconded by Councilmember Terry Joos and the motion passed.

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9. Reports

9.A. City Bill List

Information only

9.B. Liaison & Administration Reports

10. Other Business

11. Adjournment to Tuesday, March 7, 2023 at 7 p.m.

Councilmember Terry Joos made a motion to adjourn to Tuesday, March 7, 2023 at 7:00 pm, seconded by Councilmember Jim DuLaney and the motion passed.

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