

**OAK GROVE COUNCIL  
Regular Meeting Minutes  
Monday, August 29, 2022**

The Regular Meeting of the Oak Grove City Council was called to order by Mayor Denno at 7:00 p.m. on Monday, August 29, 2022. Pledge of Allegiance was said, and roll call taken.

Present: Dan Denno, Mayor  
Weston Rolf, Council Member  
Mike Wylie, Council Member  
John West, Council Member

Also Present: Loren Wickham, City Administrator  
Jessica Rieland, City Clerk  
Chuck Schwartz, MSA  
Rob Engler, Fire Chief  
Matt Anderson, Public Works Director  
Steve Anderson, MSA

Via Zoom: Paul Tradewell, Council Member  
Bob Vose, City Attorney

**1. PUBLIC FORUM**

John Vilandre 3150 216<sup>th</sup> Ave NW mentioned that he is an election judge and that he would like to acknowledge city staff for the quality of support they provide during the election. He thanked Clerk Rieland and Director Anderson for doing a great job.

**2. ANNOUNCEMENTS**

Council Member Rolf mentioned that the tree lighting event will be on December 2<sup>nd</sup> at City Hall from 6:30-8:00 pm.

Council Member West added that all the vendors have signed up for the event and they are looking for one more food truck.

Administrator Wickham mentioned that Fall Recycle Day will be on Saturday, September 24<sup>th</sup> from 8:00-12:00 at the public works facility.

**3. SETTING OF REGULAR AGENDA**

Mayor Denno added 7.A. Presentation from Karsten Anderson

Council Member Rolf added 11.A. Fire truck discussion

**MOTION MADE BY COUNCIL MEMBER WYLIE, SECOND BY COUNCIL MEMBER ROLF TO APPROVE THE REGULAR AGENDA. All in favor.**

**4. APPROVAL OF COUNCIL MINUTES: WORK SESSION AND REGULAR MEETING FOR JULY 25, 2022**

**MOTION MADE BY COUNCIL MEMBER WEST, SECOND BY COUNCIL MEMBER ROLF TO APPROVE THE WORK SESSION AND REGULAR MEETING MINUTES. All in favor.**

**5. ACKNOWLEDGE RECEIPT OF COMMISSION AND COMMITTEE MINUTES**

- A. Parks Commission minutes for August 17, 2022
- B. Planning Commission minutes for August 18, 2022

Council acknowledged receipt of commission minutes.

## 6. SHERIFF'S REPORT FOR JULY 2022

Commander Knotz reported that in July there were 250 calls for service, including 1 burglary, 2 thefts, 1 criminal sexual conduct, 1 harassing communication, 2 felony arrests, 1 gross misdemeanor arrest, 5 misdemeanor arrests, 2 DUI arrests, 3 domestic arrests, 1 warrant arrests, and 9 traffic arrests.

Council Member West inquired about the lower number of traffic arrests.

Commander Knotz replied that the department has staffing issues and that may have resulted in a lower number of arrests.

Council Member Rolf voiced appreciation to Commander Knotz for participating in Night to Unite.

Mayor Denno noted that it was brought to his attention that residents have been making calls about grass clippings, street parking, and plowing snow across the road and he does not want deputies to respond to those types of calls.

Commander Knotz replied that the department is obligated to respond to the calls it receives.

Mayor Denno asked that they direct the resident to call the city instead of having a deputy go to the location.

Kevin Shepherd 18375 Dahlia St NW inquired if the drug arrest that was made was an Oak Grove resident or someone passing through.

Commander Knotz replied that he does not have that data at this time.

## 7. PETITIONS, INDIVIDUALS, PRESENTATIONS, AND INQUIRIES

### A. Presentation from Karsten Anderson

Karsten Anderson introduced himself and noted that he started as the new superintendent for St. Francis area schools on July 1<sup>st</sup>. He has served as a superintendent in Minnesota for 25 years and is excited for all the possibilities ahead of him. Mr. Anderson stated that he is passionate about helping students prepare for careers after graduating high school.

### B. Minnesota Rural Water Association Midi Loan – David Drown Associates, Inc.

Mike Bubany provided an overview of the loan program the city will be using to fund the 2022 assessment projects.

1. Resolution 22-108 Authorizing the Issuance, Sale, and Delivery of a \$350,000 G.O. Improvement Note, Series 2022A for Assessment Project.

Council Member Tradewell asked if the city could make larger payments based on the payments received by residents.

Mike Bubany replied that the prepayment provisions in the agreement state that prepayments have to pay off the note in full so the city would not be able to make larger payments periodically.

A roll-call vote was taken to authorize the improvement note.

Council Member Wylie: Aye

Council Member Rolf: Aye

Mayor Denno: Aye

Council Member West: Aye

Council Member Tradewell: Aye

**MOTION MADE BY COUNCIL MEMBER WEST, SECOND BY COUNCIL MEMBER WYLIE TO APPROVE RESOLUTION 22-108 AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF A \$350,000 G.O. IMPROVEMENT NOTE, SERIES 2022A FOR ASSESSMENT PROJECT. All in favor.**

### C. Second Quarter Financial Report – Abdo Financial Solutions

1. Accept 2022 Second Quarter Financial Report

City Council date

MaryEllen Stuk with Abdo presented the second quarter financial report.

## 8. PUBLIC HEARINGS

- A. Interim ordinance 22-07 temporarily prohibiting sales, testing, manufacturing, and distribution of certain THC products

Attorney Vose provided background information on the new law that was passed legalizing certain THC products.

Mayor Denno opened the public hearing.

Kevin Shepherd 18375 Dahlia St NW voiced concern about adopting the ordinance because the city does not have the resources to enforce it.

Council Member Rolf mentioned that he is the one that suggested adopting the moratorium and believes that THC products should be licensed like tobacco and liquor.

Council Member West agreed that the city should adopt the moratorium in order to do more research on regulating the products.

Mayor Denno voiced concern about legally interfering with authorized commerce in the city.

Brad Johnson 3865 193<sup>rd</sup> Ln NW Planning Commission Chair, inquired if the League of Minnesota Cities is working to draft template ordinance language that smaller cities can use.

Attorney Vose replied yes, they are, and they have formed a task force of attorneys to develop the ordinance language and model for licensing.

Council Member Rolf voiced support for Staff to develop a licensing process for THC products.

Administrator Wickham noted that if the council adopts the moratorium, Staff will begin researching and working on the issue with the planning commission.

Darrel Untereker 21730 Cedar Dr NW member of the planning commission, voiced concern about having the planning commission work on the framework of the THC ordinance.

Mayor Denno closed the public hearing.

**MOTION MADE BY COUNCIL MEMBER WEST, SECOND BY COUNCIL MEMBER ROLF TO ADOPT ORDINANCE 22-07 TEMPORARILY PROHIBITING SALES, TESTING, MANUFACTURING, AND DISTRIBUTION OF CERTAIN THC PRODUCTS FOR ONE YEAR AND PUBLISHING AN ORDINANCE SUMMARY. All in favor.**

## 9. CONSENT AGENDA

*The Consent Agenda contains several items, which are acted upon by the Council in one motion. Upon request by any one Councilmember, City staff, or the public a consent agenda item may be removed and put on the regular agenda for discussion and consideration.*

- A. Claims and Accounts
- B. Resolution 22-109 project reduction for Premier Estates
- C. Resolution 22-110 approving Variance and Minor Subdivision for Lynette Johnson
- D. Resolution 22-111 approving IUP for Josh Walstrom
- E. Resolution 22-112 approving Variance for Paul Grund
- F. Resolution 22-113 approving Step Increases for Firefighters
- G. Resolution 22-114 Retirement of Firefighter
- H. Resolution 22-115 Hiring of Firefighters
- I. Resolution 22-116 Closing Development Escrows
- J. Resolution 22-117 approving 2022 Crack Sealing

Council Member West requested to remove G.

Council Member Rolf requested to remove A.

City Council date

Mayor Denno requested to remove D.

**MOTION MADE BY COUNCIL MEMBER WYLIE, SECOND BY COUNCIL MEMBER WEST TO APPROVE B, C, E, F, H, I, AND J. All in favor.**

Council Member Rolf inquired about the purchase of sweatshirts and pants. Chief Engler replied that he put together kits for the firefighters so they can decontaminate after fire calls. Council Member Rolf noticed a charge for towing the fire truck and inquired if the city has a contract with a tow service. Administrator Wickham replied no, the city does not have a contract for towing since it happens so infrequently.

**MOTION MADE BY COUNCIL MEMBER ROLF, SECOND BY COUNCIL MEMBER WEST TO APPROVE A. All in favor.**

Council Member West thanked Firefighter John LeSage for his 20 years of service in Oak Grove.

**MOTION MADE BY COUNCIL MEMBER WEST, SECOND BY COUNCIL MEMBER WYLIE TO APPROVE G. All in favor.**

Mayor Denno noted that Josh Walstrom has requested to change the screening condition of his Interim Use Permit (IUP).

Josh Walstrom 18315 Dahlia St NW requested to place the screening condition on hold because he plans on moving his business from his home to the industrial park off Tamarack St NW.

Brad Johnson 3865 193<sup>rd</sup> Ln NW Planning Commission Chair, noted that the planning commission recommended installing a fence as a temporary solution that would not incur too much cost. He added that the applicant has requested to plant arbor vitae trees instead of installing the fence. Mr. Johnson voiced support for the revision to the screening condition.

Darrel Untereker 21730 Cedar Dr NW member of the planning commission mentioned that he drove past the applicant's home business and noted that the property is well maintained but there are a lot of trailers on the property.

Council Member Rolf voiced support for revising the screening condition to trees.

Council Member West asked Mr. Walstrom how many trailers he stores on the property. Mr. Walstrom replied that he has three trucks, four dump trailers, and three enclosed trailers. Council Member West voiced support for planting trees for screening.

Council Member Tradewell suggested amending condition number six to allow the applicant to plant four trees instead of installing a fence.

**MOTION MADE BY COUNCIL MEMBER WEST, SECOND BY COUNCIL MEMBER ROLF TO AMEND CONDITION NUMBER SIX TO SAY OUTSIDE STORAGE MUST BE SCREENED WITH FOUR ARBOR VITAE TREES AS DEPICTED ON EXHIBIT A. All in favor.**

Mr. Walstrom asked for clarification on the number of business trucks and trailers that are allowed to be parked in the driveway overnight. Administrator Wickham suggested revising condition number five to say that outside storage should be limited to the area depicted on the application except for two business related trucks and two business related trailers.

**MOTION MADE BY COUNCIL MEMBER WEST, SECOND BY COUNCIL MEMBER ROLF TO AMEND CONDITION NUMBER FIVE TO SAY OUTSIDE STORAGE LIMITED TO AREA IDENTIFIED IN THE APPLICATION EXCEPT FOR TWO BUSINESS RELATED TRUCKS AND TWO BUSINESS RELATED TRAILERS. All in favor.**

**10. CONSULTING ENGINEER**

City Council date

A. Resolution 22-118 Final Acceptance Sadies Cove  
Engineer Schwartz provided an update on the Sadies Cove development.

**MOTION MADE BY COUNCIL MEMBER ROLF, SECOND BY COUNCIL MEMBER WYLIE TO ADOPT RESOLUTION 22-118 APPROVING FINAL ACCEPTANCE OF SADIES COVE. All in favor.**

B. Resolution 22-119 Final Acceptance Cedar Creek Hills

Engineer Schwartz provided an update on the Cedar Creek Hills development.

**MOTION MADE BY COUNCIL MEMBER WYLIE, SECOND BY COUNCIL MEMBER ROLF TO ADOPT RESOLUTION 22-119 APPROVING FINAL ACCEPTANCE OF CEDAR CREEK HILLS. All in favor.**

C. Resolution 22-120 207<sup>th</sup> Avenue NW and 217<sup>th</sup> Avenue NW Change Order #1

Steve Anderson with MSA provided an update on the 207<sup>th</sup> Avenue NW and 217<sup>th</sup> Avenue NW paving project.

**MOTION MADE BY COUNCIL MEMBER WEST, SECOND BY COUNCIL MEMBER ROLF TO ADOPT RESOLUTION 22-120 APPROVING 207<sup>TH</sup> AVENUE NW AND 217<sup>TH</sup> AVENUE NW CHANGE ORDER #1. All in favor.**

D. Resolution 22-121 207<sup>th</sup> Avenue NW and 217<sup>th</sup> Avenue NW Pay Request #2

Steve Anderson presented the pay request for 207<sup>th</sup> Avenue NW and 217<sup>th</sup> Avenue NW pay request.

**MOTION MADE BY COUNCIL MEMBER ROLF, SECOND BY COUNCIL MEMBER WEST TO ADOPT RESOLUTION 22-121 APPROVING 207<sup>TH</sup> AVENUE NW AND 217<sup>TH</sup> AVENUE NW PAY REQUEST #2. All in favor.**

E. Resolution 22-122 2022 Street Improvements Change Order #3

Steve Anderson provided an update on the 2022 Street Improvements.

**MOTION MADE BY COUNCIL MEMBER WYLIE, SECOND BY COUNCIL MEMBER ROLF TO ADOPT RESOLUTION 22-122 APPROVING 2022 STREET IMPROVEMENTS CHANGE ORDER #3. All in favor.**

F. Resolution 22-123 2022 Street Improvements Pay Request #2

Steve Anderson presented the 2022 Street Improvements Pay Request.

**MOTION MADE BY COUNCIL MEMBER WEST, SECOND BY COUNCIL MEMBER WYLIE TO ADOPT RESOLUTION 22-123 APPROVING 2022 STREET IMPROVEMENTS PAY REQUEST #2. All in favor.**

G. Engineer Updates

Engineer Schwartz mentioned that he and Administrator Wickham and Director Anderson met with the administrator of East Bethel to discuss the paving project scheduled for University Avenue. He noted that University Avenue is a border road that is half owned by East Bethel and Oak Grove. The segment between Sims and 221<sup>st</sup> is scheduled to be the next state aid road project for the cities. He added that he will be bringing forward a joint powers agreement to an upcoming meeting for the council to consider.

Council Member Wylie inquired if East Bethel or Oak Grove is doing the engineering work. Engineer Schwartz replied that Oak Grove will be doing the work and the cost will be split with East Bethel.

## **11. FIRE DEPARTMENT**

Chief Engler presented the calls for service year-to-date and year-over-year.

City Council date

Council Member Wylie asked for the original list of deficiencies that were identified for the fire station. Administrator Wickham replied that all of those were outlined in the facility needs study that was recently completed. He added that the list will be provided to the full council.

A. Fire Truck Discussion

Council Member Rolf mentioned that he would like to use the ARPA funds to purchase a fire truck. The council agreed to use the ARPA funds to purchase the fire truck. Administrator Wickham advised the council to not make a motion until Staff brings forward a proposal.

Mayor Denno requested that the cost of the truck be removed from the CIP.

**12. PUBLIC WORKS DEPARTMENT**

**13. PARKS**

**14. PLANNING DEPARTMENT**

A. Ordinance 22-05 Regulating Accessory Dwelling Units

Administrator Wickham provided an overview of the steps Staff has taken to develop a draft ordinance for Accessory Dwelling Units (ADU).

Mayor Denno inquired why the ordinance does not state that both units must be occupied by family members.

Brad Johnson 3865 193<sup>rd</sup> Ln NW Planning Commission Chair, replied that the planning commission did not want to define who a family member is. He added that having owner-occupancy required for the primary dwelling is easier to determine and regulate.

Matt Anderson address unknwn voiced concern about requiring the ADU to be 50' from the primary dwelling.

Mayor Denno noted that he would feel comfortable moving forward with the ordinance as it is presented. The council is in favor of having a work session before moving forward.

**MOTION MADE BY COUNCIL MEMBER WYLIE, SECOND BY COUNCIL MEMBER WEST TO TABLE ORDINANCE 22-05 REGULATING ACCESSORY DWELLING UNITS. Motion carried 4-1. Mayor Denno opposed.**

Administrator Wickham mentioned that he would schedule a work session before the October 10<sup>th</sup> meeting.

**15. CITY ADMINISTRATOR UPDATES & DISCUSSION ITEMS**

A. Administrator Updates

Administrator Wickham mentioned that the fall newsletter will be dedicated to candidate bios for those that are running for a city or county office in the general election. He noted that the hearing for the assessment projects is scheduled for September 26<sup>th</sup>. Administrator Wickham mentioned that the next budget work session will be on September 12<sup>th</sup> at 6:00 and the council will have to adopt the preliminary budget and levy at that meeting. He noted that historically the city has adopted the final levy at the last meeting in November, however this year it will be adopted at the December 12<sup>th</sup> meeting. December 12<sup>th</sup> will also be the final meeting of the year. He added that the Sheriff's contract will be on the next meeting agenda.

**16. MAYOR/COUNCIL REQUESTS/UPDATES**

Council Member Rolf voiced concern about the traffic study that Anoka County keeps suggesting for the planning applications off Tamarack Street NW and Viking Blvd NW.

Mayor Denno inquired if the requirement is coming from Anoka County or the planning commission.

Brad Johnson 3865 193<sup>rd</sup> Ln NW Planning Commission Chair replied that it is coming from Anoka County, and he believes it would be a great topic to have the new county commissioner address with the county engineer.

Council Member Tradewell inquired if the city has the ability to assess all of the properties off Tamarack if the county requires a traffic study and turn lanes on Viking Blvd NW.

Administrator Wickham replied that the process is more complicated than the one used to assess residents for roads projects but you have to prove benefit to properties that don't abut it.

***The next Regular Meeting is scheduled for Monday, September 12, 2022, at 7:00 p.m.***

## **17. ADJOURNMENT**

**MOTION MADE BY COUNCIL MEMBER ROLF, SECOND BY COUNCIL MEMBER WEST TO ADJOURN. Motion carried 4-1. Council Member Tradewell opposed. The meeting was adjourned at 9:56 p.m.**

Respectfully Submitted,

Jessica Rieland  
City Clerk