

CITY OF MAPLE PLAIN
COUNTY OF HENNEPIN
STATE OF MINNESOTA

RESOLUTION 2025-1124-02

A RESOLUTION ADOPTING THE CITY COUNCIL APPEALS HEARING POLICY

WHEREAS, the City of Maple Plain has established procedures for enforcement of City Code and administrative decisions, including provisions allowing residents to appeal certain determinations to the City Council; and

WHEREAS, the City Council recognizes the importance of ensuring that all appeals are handled in a consistent, transparent, and fair manner that provides due process to all parties involved; and

WHEREAS, the Council desires to formalize a standardized procedure outlining the steps, expectations, and sequence of actions for appeal hearings conducted before the City Council; and

WHEREAS, the City Council Appeals Hearing Policy provides a clear roadmap for both the Council and appellants by establishing guidelines for pre-hearing publication, presentation order, Council deliberation, and decision-making; and

WHEREAS, the policy also provides for temporary suspension of enforcement actions during the appeal process, except in cases where the violation presents an immediate health, safety, or environmental hazard;

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

1. The City Council hereby adopts the City Council Appeals Hearing Policy as presented and attached hereto as Exhibit A.
2. City staff are directed to implement and adhere to the procedures outlined in the policy when processing and conducting appeal hearings before the City Council.
3. The adopted policy shall be published and made available on the City's website.
4. This resolution and the accompanying policy shall take effect immediately upon adoption.

Adopted by the City Council of the City of Maple Plain, Hennepin County, Minnesota, this 24th day of November 2025.

CITY OF MAPLE PLAIN

BY:

ATTEST:

Julie Maas-Kusske, Mayor

Jacob Schillander, City Administrator

EXHIBIT A

City Council Appeals Hearing Policy

The purpose of this policy is to establish a clear, consistent, and transparent process for handling appeals heard before the City Council. This policy provides a structured roadmap for both the Council and the appellant, ensuring due process, fairness, and clarity in decision-making.

1. Applicability

This policy applies to all appeals submitted to the City Council in accordance with applicable sections of the City Code, including but not limited to nuisance determinations, code enforcement actions, and administrative decisions.

2. Pre-Hearing Procedures

- **Notice and Publication:** All appeal-related materials, including the appellant's written statement, evidence, and the City's staff report, must be submitted to the City Clerk no later than seven (7) calendar days prior to the scheduled hearing. These materials will then be included in the official Council agenda packet and published prior to the meeting to allow for public review.
- **Scheduling:** The appeal hearing will be scheduled during a regular or special City Council meeting and publicly notified in accordance with open meeting laws.
- **Temporary Pause of Enforcement:** During the appeals process, enforcement of the violation or decision under appeal will be paused unless the violation is determined by staff to pose an immediate health, safety, or environmental hazard.

3. Hearing Process - The following sequence will guide the Council's conduct of the appeal hearing:

- **Call to Order and Introduction:** The Mayor or Presiding Officer will open the appeal hearing, explain the process, and outline expectations for decorum and time limits.
- **Staff Presentation:** City staff will summarize the City's findings, provide background information, applicable code references, and outline the rationale for the original decision or enforcement action.
- **Appellant Presentation:** The appellant (resident or property owner) will present their evidence, testimony, and any supporting documentation relevant to their appeal. The appellant may be asked clarifying questions by the Council following their presentation.
- **Council Questions:** Councilmembers may direct questions to both staff and the appellant to ensure understanding of the facts, context, and applicable standards.
- **Conclusion of Appellant Presentation:** Once questions are complete, the appellant's portion of the hearing is closed. The appellant will return to their seat and may not offer further comment unless requested by the Council for clarification.
- **Council Deliberation and Discussion:** The City Council will deliberate openly, debate the matter as necessary, and discuss the situation among themselves. Staff may be called upon to clarify factual or procedural questions.
- **Council Determination: After discussion, the Council will make a ruling by motion.**
 - **The ruling may:** Affirm the City's findings, modify the findings or required actions, or overturn the City's findings in whole or in part.
 - **Council Guidance:** The Council will also provide guidance on the next course of action, including timelines for compliance, corrective steps, or further review if applicable.

4. Post-Hearing Actions

- **Notification of Decision:** The Council will make a ruling at the hearing and provide a written summary of the Council's decision to the appellant following the meeting.

- **Resumption of Enforcement:** If the violation is upheld, enforcement actions will resume in accordance with the decision timeline established by the Council.

5. Policy Intent

This policy is intended to promote fairness, transparency, and consistency in the City Council's handling of appeal hearings while maintaining public confidence in the City's administrative and enforcement processes.