

**UNAPPROVED**

CITY OF BLAINE  
ANOKA COUNTY, MINNESOTA  
CITY COUNCIL MEETING  
Thursday, June 15, 2017

7:30 P.M.  
Council Chambers  
10801 Town Square Drive

**CALL TO ORDER BY MAYOR RYAN**

The meeting was called to order at 7:36 p.m. by Mayor Ryan followed by the Pledge of Allegiance and the Roll Call.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**ROLL CALL**

**PRESENT:** Mayor Tom Ryan, Councilmembers Dave Clark, Andy Garvais, Wes Hovland, and Julie Jeppson.

**ABSENT:** Councilmember Jason King and Dick Swanson.

Quorum Present.

**ALSO PRESENT:** City Manager Clark Arneson; Planning and Community Development Director Bryan Schafer; Finance Director Joe Huss; Police Chief/Safety Services Manager Chris Olson; Economic Development Coordinator Erik Thorvig; Public Services Manager/Assistant City Manager Bob Therres; City Attorney Patrick Sweeney; Communications Technician Roark Haver; Senior Engineering Technician Jason Sundeen; and City Clerk Catherine Sorensen.

**APPROVAL OF MINUTES**

Workshop Meeting – June 1, 2017

Regular Meeting – June 1, 2017

SBM Workshop Meeting – June 6, 2017

Moved by Councilmember Hovland, seconded by Councilmember Garvais, that the Minutes of the Workshop Meeting of June 1, 2017, the Minutes of the Regular Meeting of June 1, 2017, and the Minutes of the SBM Workshop Meeting of June 6, 2017 be approved.

Motion adopted. Councilmember Clark abstained on the June 1, 2017 Workshop meeting and June 6, 2017 SBM Workshop meeting minutes due to his absence.

**AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS**

5.1 Proclamation Recognizing Police Chief Christopher Olson

Captain Szykulski shared some thoughts on the privilege it has been to work with Police Chief Chris Olson and thanked him for his exemplary service to the community.

Mayor Ryan read a proclamation in full for the record recognizing Chief Olson for his 27 years of distinguished service to the City of Blaine and wished him a long and health retirement. A standing ovation and round of applause was offered by all in attendance.

Safety Services Manager/Police Chief Olson thanked the City Council for this recognition and encouraged young people to continue to serve in this honorable profession. He thanked his wife and sons for their continued support over the years and thanked his great staff members for doing their job so well.

Councilmember Clark stated Safety Services Manager/Police Chief Olson far exceeded his expectations as Police Chief and thanked him for his strong leadership and professionalism.

## **COMMUNICATIONS**

Mayor Ryan congratulated Cricket Wireless for opening a new location near Northtown and reported Twin Cities Orthopedics held a ground breaking ceremony last week for their new facility in Blaine.

Councilmember Hovland encouraged residents to be cautious when hiring a contractor to assist with cleanup and repair after the recent storm.

Mayor Ryan thanked the Public Works staff for their assistance with the storm damage and cleanup after last week's storm.

Councilmember Clark thanked Mayor Ryan for taking an active role in the management of the storm cleanup.

## **OPEN FORUM FOR CITIZEN INPUT**

Mayor Ryan opened the Open Forum at 7:49 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:49 p.m.

## **ADOPTION OF AGENDA**

The agenda was adopted as presented.

## **7:30 P.M. - PUBLIC HEARINGS AND ITEMS SET FOR A CERTAIN TIME**

### **9.1 Comment 17-23, Public Comment for Body Worn Cameras Policy/Phase II**

Safety Services Manager/Police Chief Olson stated the Council was being asked to hold a Public Comment Hearing to allow the public to comment on the City's policy for body worn cameras. He discussed the State legislation that had to be followed for this matter and noted the City had purchased body worn cameras.

Mayor Ryan opened the public comment hearing at 7:52 p.m.

There being no public input, Mayor Ryan closed the public comment hearing at 7:53 p.m.

9.2 Motion 17-76, On-Sale Wine, 3.2% Malt Liquor On-Sale and Sunday On-Sale Licenses for John Fehrman, Dixie Blue, Inc. DBA Dixie Blue BBQ & Catering, 2330 Cloud Drive, #101, Blaine, Minnesota.

City Clerk Sorensen requested the Council approve an On-Sale Wine, 3.2% Malt Liquor On-Sale and Sunday On-Sale license for John Fehrman as new owner of Dixie Blue BBQ and Catering at 2330 Cloud Drive in Blaine.

Mayor Ryan opened the public hearing at 7:56 p.m.

There being no public input, Mayor Ryan closed the public hearing at 7:56 p.m.

Moved by Councilmember Clark, seconded by Councilmember Jeppson, that Motion 17-76, "On-Sale Wine, 3.2% Malt Liquor On-Sale and Sunday On-Sale Licenses for John Fehrman, Dixie Blue, Inc. DBA Dixie Blue BBQ & Catering, 2330 Cloud Drive, #101, Blaine, Minnesota," be approved.

Motion adopted unanimously.

**APPROVAL OF CONSENT AGENDA:**

Moved by Councilmember Clark, seconded by Councilmember Garvais, that the following be approved:

10.1 Motion 17-77, Schedule of Bills Paid.

10.2 Motion 17-78, Approve 2017-18 Liquor License Renewals.

10.3 Motion 17-79, Approve a Vending Truck License for Jennifer's Traveling Treats, Jennifer Bolte, Owner/Operator, 4735 South Linwood Drive NE, Wyoming, MN 55092.

10.4 Motion 17-80, Approve a Temporary On-Sale Intoxicating Liquor License for Sgt. John Rice VFW, 1374 109<sup>th</sup> Avenue NE, Blaine.

10.5 Motion 17-81, Approve a Carnival License for Amusement Attractions at Aquatore Park for the Blaine Festival, June 23 through June 25, 2017.

10.6 Motion 17-82, Notifying the League of Minnesota Cities Insurance Trust that Monetary Limits on Tort Liability is Not Waived.

10.7 Resolution 17-077, Amending the 2017 Compensation Plan Reauthorizing the Commercial Building Inspector Position.

10.8 Resolution 17-080, Authorize Installation of Regulatory Signs for Parking Restrictions on Edison Street, 124<sup>th</sup> Circle and 123<sup>rd</sup> Circle West of North Marina Circle.

Motion adopted unanimously.

**DEVELOPMENT BUSINESS**

None.

## ADMINISTRATION

### 12.1 Motion 17-83, Approve a Special Events License for a 5K Fun Run/Walk located at the National Sports Center, 1700 105<sup>th</sup> Avenue NE.

Moved by Councilmember Hovland, seconded by Councilmember Jeppson, that Motion 17-83, “Approve a Special Events License for a 5K Fun Run/Walk located at the National Sports Center, 1700 105<sup>th</sup> Avenue NE,” be approved.

City Clerk Sorensen stated Lauren Bennett, applicant for Cool Events LLC/Bubble Run, has filed an application for a 5K Fun Run/Walk located at the National Sports Center on Sunday, July 30, 2017 from 8:00 a.m. to 1:00 p.m. This event will have amplified music from 7:30 a.m. to 1:00 p.m. She reported all necessary fees and permits have been submitted to the City. She explained the background check for this individual was complete and satisfactory. Staff recommended approval of the Special Events License.

Motion Amendment moved by Councilmember Garvais, seconded by Councilmember Clark, to require the applicant to refund those individuals who purchased tickets for the first race originally scheduled for June 4 postponed due to the applicant not getting the application in time for Council consideration.

Lauren Bennett, Cool Events LLC, explained her company would be offering full refunds to those individuals that were impacted by the date change for the 5K.

Councilmember Garvais withdrew his motion and Councilmember Clark withdrew his second.

Motion adopted unanimously.

### 12.2 Resolution 17-078, Approving a Letter of Intent for the Sale of 1.58 Acres of Property Generally located at the Corner of 108<sup>th</sup> Lane and Town Square Drive.

Moved by Councilmember Hovland, seconded by Mayor Ryan, that Resolution 17-078, “Approving a Letter of Intent for the Sale of 1.58 Acres of Property Generally located at the Corner of 108<sup>th</sup> Lane and Town Square Drive,” be approved.

Economic Development Coordinator Thorvig stated staff has been working with a dentist (Imagine Smiles) currently located in the office building at corner of Radisson Road and Town Square Drive about expanding his business to a new location. Ideally, he’d like to construct and own a new building in Blaine. Several sites were reviewed however he has strong interest in the City owned land next to his current building. The 7.39-acre site was identified as the preferred community center site; however, the referendum did not pass last fall. At the May 11<sup>th</sup> workshop, direction was given to staff to continue to work towards a sale of the 1.58 acres for the proposed development.

Economic Development Coordinator Thorvig explained a development proposal is included that would create a 1.58-acre parcel next to the existing office building. Site development would include 16,500 sf. of office space with 89 parking stalls. The building is designed to have mezzanine space over main level offices giving the building a more vertical appearance. The exterior material would match that of other buildings in the area. The dentist would take a portion of the building and lease the remaining to other local businesses.

Economic Development Coordinator Thorvig reported the first step in the process is for the City Council to approve a letter of intent to sell property. The property is owned by the City of Blaine, not the Blaine EDA (the property was transferred from the EDA to the City in 2014). Approval of the letter of intent provides the developer assurance that there is interest by the city to move forward and allows him to prepare plans for Planning Commission and City Council approval sometime this fall/winter with construction beginning in the spring of 2018. The general terms of the real estate transaction are as follows:

- Purchase Price: \$6.50/sf. based on final property survey (approximately \$447,361).
- Closing Date: On or before May 31, 2018.
- Developer will construct a 16,500-sf. office building consistent with approved plans.
- The city will subdivide the property to create a lot to sell. Park dedication has already been addressed though the EDA's participation in developing Town Square Park.
- If approvals and an executed purchase agreement are not completed by December 31, 2017 the Letter of Intent is no longer valid.

Councilmember Clark stated he would not be supporting this property sale. He explained while he supported the current business he was not comfortable with this sale now as he needed more time to learn about the community's space needs for a potential community use at this site.

Councilmember Garvais agreed and said he wanted to see the City Council discuss the plan for this property in further detail.

Councilmember Clark questioned the timeline for this item. Economic Development Coordinator Thorvig reported the land sale was not on a tight deadline and noted this item had a companion item which was a first reading for an ordinance which would not be brought back to the Council until later this fall. He anticipated the applicant would begin to spend money if the Council supported the letter of intent.

Councilmember Clark asked if this item would prevail on a 3-2 vote. City Attorney Sweeney reported that per Charter the resolution would fail.

Mayor Ryan explained he supported the land sale because the remaining five acres was too small for a Community Center. He stated he supported selling this land to a Blaine resident in order to allow a Blaine business to expand in the community and place this property back on the tax rolls.

Councilmember Garvais agreed with all of these points but stated he wanted to discuss the future of this land further.

Councilmember Jeppson commented she supported the land sale and supported this local business.

Councilmember Hovland stated he supported the proposed land sale as well. He explained the public had made it quite clear that it would not support the construction of a Community Center and saw no reason to delay this project as he wanted to see this property back on the tax rolls.

Moved by Councilmember Hovland, seconded by Councilmember Jeppson, to postpone action on Resolution 17-078 to the July 13, 2017 City Council meeting.

Motion adopted unanimously.

12.3 First Reading – Ordinance No. 17-2378, Approving the Sale of 1.58 Acres of Property Generally Located at the Corner of 108<sup>th</sup> Lane and Town Square Drive.

City Attorney Sweeney recommended this item be postponed to the July 13, 2017 City Council meeting where the Letter of Intent will also be addressed.

Moved by Councilmember Garvais, seconded by Councilmember Jeppson, to postpone action on Ordinance 17-2378 to the July 13, 2017 City Council meeting.

Motion adopted unanimously.

12.4 Resolution 17-079, Accept Bid from Allarea Contractors, Inc. in the Amount of \$107,101.75 for the Construction of Police Fencing, Improvement Project No. 17-11

Moved by Mayor Ryan, seconded by Councilmember Clark, that Resolution 17-079, “Accept Bid from Allarea Contractors, Inc. in the Amount of \$107,101.75 for the Construction of Police Fencing,” be approved.

Public Services Manager/Assistant City Manager stated bids were received at 10:00 AM, June 6, 2017, for Project No. 17-11. A total of three bids were received ranging from \$107,101.75 to \$160,644.00. The three lowest bidders are as follows:

Allarea Contractors, Inc.	\$107,101.75
Sunram Construction, Inc.	\$127,795.00
Century Fence Company	\$160,644.00

Public Services Manager/Assistant City Manager explained bids have been checked and tabulated, and it has been determined that Allarea Contractors, Inc. of Spring Lake Park, Minnesota is the lowest bidder. This contractor has performed similar work on projects for the VA Medical Center, the City of St. Paul and the University of Minnesota. Staff recommended the low bid be accepted and a contract be entered into with Allarea Contractors, Inc. City Council is also asked to approve a 10% contingency to bring the total project budget to \$117,811.93. The funding source for this project is the General Fund and there are sufficient funds to cover these costs.

Motion adopted unanimously.

12.5 Second Reading - Ordinance 17-2373, Amending Chapter 6 – Alcohol Beverages, Article II – Intoxicating Liquor and 3.2 Percent Malt Liquor, Sec. 6-38 – Kinds of Liquor Licenses.

Moved by Mayor Ryan, seconded by Councilmember Jeppson, that Ordinance 17-2373, “Amending Chapter 6 – Alcohol Beverages, Article II – Intoxicating Liquor and 3.2 Percent Malt Liquor, Sec. 6-38 – Kinds of Liquor Licenses,” be approved.

City Clerk Sorensen stated at the May 11, 2017, Council workshop, staff shared that with the increasing popularity of craft beer, staff is seeing requests from brewers to serve their craft beer at special events. This amendment, if approved, would allow a brewery the ability to obtain a temporary on-sale liquor license to

serve malt liquor in connection with a social event sponsored by the brewery. It was noted the first reading was held at the June 1 Council meeting.

City Clerk Sorensen explained currently City Code only allows temporary on-sale liquor licenses to be issued to clubs or charitable, religious or nonprofit organizations. In 2016 City Council approved an amendment to expand the definition of a temporary on-sale license to include intoxicating liquor as well as 3.2 malt liquor and no concerns have occurred as a result of that addition. State Statute does allow a municipality the ability to issue a temporary on-sale malt liquor license to a brewer who manufactures fewer than 3,500 barrels of malt liquor in a year in connection with a social event. In anticipation of Invictus and possibly other brewers who may wish to hold special events and serve their beer, staff is proposing that temporary on-sale liquor licenses include small brewers. Staff is also clarifying language to include wine as a temporary license as originally intended.

Motion adopted unanimously.

### **OTHER BUSINESS**

None.

### **ADJOURNMENT**

Moved by Councilmember Hovland, seconded by Councilmember Garvais, to adjourn the meeting at 8:25 p.m.

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Tom Ryan, Mayor

ATTEST:

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Catherine Sorensen, CMC, City Clerk  
*Submitted by TimeSaver Off Site Secretarial, Inc.*