



**City of Blaine**  
**Anoka County, Minnesota**  
**Minutes - Final**

10801 Town Square Dr.  
Blaine MN 55449

**City Council**

*Mayor Tom Ryan,*  
*Councilmember Wes Hovland,*  
*Councilmember Dick Swanson,*  
*Councilmember Dave Clark,*  
*Mayor Pro Tem Mike Bourke,*  
*Councilmember Katherine Kolb,*  
*Councilmember Russ Herbst*

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Thursday, December 4, 2014

7:30 PM

Council Chambers

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**Meeting Number 14-66**

**1. CALL TO ORDER BY THE MAYOR**

The meeting was called to order at 7:35 p.m. by Mayor Ryan followed by the Pledge of Allegiance and the Roll Call.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

Quorum present.

**ALSO PRESENT:** Bryan Schafer, Planning and Community Development Director; Bob Therres, Public Services Manager; Joe Huss, Finance Director; Jean Keely, City Engineer; Jim Hafner, Stormwater Manager; Chris Olson, Police Chief/Safety Services Manager; Roark Haver, Communications Technician; Al Thorp, Senior Engineering Technician; Catherine Sorensen, City Clerk; and Recording Secretary Linda Dahlquist.

**Present:** 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember Kolb and Councilmember Herbst

**Absent:** 2 - Councilmember Hovland and Mayor Pro Tem Bourke

**4. APPROVAL OF MINUTES**

4.-1 [MIN 14-38](#)

**WORKSHOP MEETING - 11/06/14**  
**REGULAR MEETING - 11/06/14**  
**WORKSHOP MEETING - 11/13/14**

**Sponsors:** Sorensen

**Attachments:** [Workshop Minutes 11/06/14](#)  
[Regular Minutes 11/06/14](#)  
[Workshop Minutes 11/13/14](#)

**Approved**

**Aye:** 4 - Mayor Ryan, Councilmember Swanson, Councilmember Clark and Councilmember Kolb

**Abstain:** 1 - Councilmember Herbst

**5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS**

Mayor Ryan welcomed to the Council Chambers some students from Centennial High School.

**6. COMMUNICATIONS**

Mayor Ryan thanked the participants and volunteers involved with the City's 50th Birthday Celebration Kick-off.

Mayor Ryan asked the City's veterans to contact him if they or their families are in need of help this holiday season.

Councilmember Clark stated an International Curling Tournament is being held at the Curling Arena this weekend.

**7. OPEN FORUM FOR CITIZEN INPUT**

Mayor Ryan opened the Open Forum at 7:40 p.m.

Bob Erck, 9180 Xylite Street, asked the Council for an update on the weight restrictions for Xylite. Mayor Ryan stated Xylite will be posted with 5-ton weight restrictions in the spring. Mr. Erck stated there are roll off trucks driving down the street. Mayor Ryan stated the street will be posted and trucks will be weighed. Councilmember Swanson stated the City is looking at street alternatives for detouring trucks.

There being no further input, Mayor Ryan closed the Open Forum at 7:45 p.m.

**8. ADOPTION OF AGENDA**

**9. 8:00 P.M. - PUBLIC HEARING AND ITEMS SET FOR A CERTAIN TIME**

Moved on the agenda to follow agenda item 11.2.

**10. APPROVAL OF CONSENT AGENDA:**

**10.-1 [MO 14-157](#)**

**SCHEDULE OF BILLS PAID**

**Sponsors:** Huss

**Attachments:** [11/14/14 Bills Paid](#)  
[11/21/14 Bills Paid](#)

**Approved**

10.-2 [MO 14-158](#)

**APPROVE NAME AND ADDRESS CHANGE FOR  
ON-SALE AND SUNDAY LIQUOR LICENSE FROM  
BRICKS AMERICAN PUB, 10340 BALTIMORE  
STREET NE, #100, TO BRICKS KITCHEN AND PUB,  
10673 BALTIMORE STREET NE, BLAINE**

**Sponsors:** Sorensen

Approved

10.-3 [MO 14-159](#)

**AWARD BID FOR 2015 WATER TREATMENT  
CHEMICALS TO BE CHARGED TO THE WATER  
UTILITY FUND**

**Sponsors:** Ulrich

Approved

10.-4 [MO 14-162](#)

**2015 COUNCIL WORKSHOP AND REGULAR MEETING  
CALENDAR**

**Sponsors:** Sorensen

**Attachments:** [2015 Council Calendar](#)

Approved

11. DEVELOPMENT BUSINESS

11.-1 [RES 14-233](#)

**RESOLUTION GRANTING A CONDITIONAL USE  
PERMIT TO ALLOW FOR CONSTRUCTION OF A 1,196  
SQUARE FOOT DETACHED GARAGE IN AN R-1  
(SINGLE FAMILY) ZONING DISTRICT AT 8504  
COTTAGEWOOD TERRACE. KENNETH SNYDER. (CASE  
FILE NO. 14-0060/SLK)**

**Sponsors:** Schafer

**Attachments:** [8504 Cottagewood Terrace - Attachments](#)  
[8504 Cottagewood Terrace - House Photo](#)  
[8504 Cottagewood Terrace - Location of garage Photo](#)  
[8504 Cottagewood Terrace- Public Comment](#)

Planning and Community Development Director Schafer stated the applicant wants to construct a detached accessory building in the side yard of a 0.69 acre parcel in an R-1 Zone. He stated the detached garage would be 26' x 30' with a 26' x 16' carport on the front. He stated a conditional use permit is required to build over 1,000 square feet of garage space. He noted the new garage is replacing a former garage that had collapsed.

**Adopted**

**Aye:** 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark,  
Councilmember Kolb and Councilmember Herbst

11.-2 [ORD 14-2301](#)**FIRST READING****GRANTING A REZONING FROM FR (FARM RESIDENTIAL) AND B-1 (NEIGHBORHOOD BUSINESS) TO DF (DEVELOPMENT FLEX) AND PBD (PLANNED BUSINESS DISTRICT FOR PARKSIDE NORTH DEVELOPMENT AT 125TH AVENUE/LEXINGTON AVENUE NE. PAXMAR. (CASE FILE NO. 14-0034/SLK)****Sponsors:** Schafer

Planning and Community Development Director Schafer stated the property is comprised of several 20-40 acre parcels at the southeast corner of 125th Avenue and Lexington Avenue equaling 137 acres that was formally known as Finn Farm. He stated the current owner Paxmar purchased the land and began planning development in 2013. He noted an Environmental Assessment Worksheet declared a Negative Need for an EIS. He stated the proposed project has a mix land use that is consistent with the adopted land use with minor amendments and will be developed in phases.

Councilmember Swanson stated he is concerned about the park traffic and he would want the road completed up to Lever Street right away and not wait for it to be done in phases.

Councilmember Clark questioned Councilmember Swanson's concern about park traffic. Councilmember Swanson stated there is only one way in and out of the park from Lexington.

Councilmember Clark requested traffic patterns for the park. He asked if there is a way for the City to participate in the cost and if the road will be an MSA route.

Don Jensen, Paxmar, stated Lever is an MSA route, but it would not be a dominant connection. He noted that people will go where there are signals. He stated he will work with staff to embellish the outline for second reading.

Councilmember Clark confirmed that the sewer utilities have to be installed up to 125th before the road can go through.

**Introduced, Read, and Placed on File for Second Reading****8:00 P.M. - PUBLIC HEARING AND ITEMS SET FOR A CERTAIN TIME**

9.-1 [MO 14-156](#)

**APPROVE A PRIVATE ON-SALE AND SUNDAY  
LIQUOR LICENSE FOR PCL INC., DBA KINTARO  
SUSHI & HIBACHI, LOCATED AT 10340  
BALTIMORE STREET NE, SUITE #100, BLAINE,  
MINNESOTA**

**Sponsors:** Sorensen

**Attachments:** [Public Hearing Notice.doc](#)

Mayor Ryan opened the Public Hearing at 8:06 p.m.

Lanxian Jiang, Kintaro Sushi & Hibachi restaurant, thanked the Council for their support.

Mayor Ryan closed the Public Hearing at 8:07 p.m.

**Approved**

**Aye:** 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember Kolb and Councilmember Herbst

**DEVELOPMENT BUSINESS**

11.-3 [RES 14-225A](#)

**GRANTING A COMPREHENSIVE LAND USE  
AMENDMENT FOR A PORTION OF THE EMBERWOOD  
APARTMENT PROJECT FROM CC (COMMUNITY  
COMMERCIAL) TO HDR (HIGH DENSITY  
RESIDENTIAL) AT 126TH AVENUE/CENTRAL AVENUE  
NE. KASON, INC. (CASE FILE NO. 14-0002/LSJ)**

**Sponsors:** Schafer

**Attachments:** [Emberwood - Attachments](#)  
[Emberwood - Narrative and Phasing](#)

Planning and Community Development Director Schafer stated the applicant is requesting approval of a comprehensive land use amendment, rezoning, preliminary plat and conditional use permit to allow Kason, Inc. to construct three apartment buildings on three separate lots in a new development called Emberwood Apartments. He stated discussions were held about eliminating the south driveway.

Councilmembers Kolb, Herbst and Clark commented they are not in support of this project.

Councilmember Clark stated the zoning needs to be changed on this property. He stated he is not comfortable with the density.

Councilmember Kolb stated she is concerned about the frontage road traffic and she noted that a school bus does not have enough room to turn without going into the oncoming traffic lane.

Councilmember Clark asked if this resolution should be postponed. City Attorney Sweeney replied State Law requires five Council votes and the timing needs to be reviewed.

Councilmember Clark asked if the Council can act on the zoning and CUP before the Comp Plan Amendment. City Attorney Sweeney replied yes, but a Comp Plan Amendment is necessary to move forward.

Mayor Ryan stated the purchaser bought the land with the correct zoning on the one property and need to rezone of the other.

Councilmember Herbst asked about rezoning the one property. He asked if the developer could build on the other property. City Attorney Sweeney replied yes.

Mayor Ryan confirmed the developer can go ahead with the two building site.



Planning and Community Development Director Schafer replied the builder has grading approval for their stormwater plans for three buildings and they will have to set aside their plans for the development to do just the north site. He noted that the developer would need new plans and staff would not be able to review the plans in time.

Councilmember Herbst asked if the rezoning can be changed. City Attorney Sweeney stated it would take four Council votes for rezoning.

City Manager Arneson suggested postponing agenda items 11.3, 11.4 and 11.5 for staff to return with resolutions.

**Tabled to Date Specific**

**Aye:** 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember Kolb and Councilmember Herbst

**Postponed**

**Aye:** 4 - Councilmember Swanson, Councilmember Clark, Councilmember Kolb and Councilmember Herbst

**Nay:** 1 - Mayor Ryan

11.-4 [ORD 14-2290](#)

**SECOND READING**

**GRANTING A REZONING FOR A PORTION OF THE  
EMBERWOOD APARTMENT PROJECT FROM B-2  
(COMMUNITY COMMERCIAL) TO DF (DEVELOPMENT  
FLEX) AT 126th AVENUE/CENTRAL AVENUE NE. (CASE  
FILE NO. 14-0002/LSJ)**

**Sponsors:** Schafer

**Tabled to Date Specific**

**Aye:** 4 - Councilmember Swanson, Councilmember Clark, Councilmember Kolb and Councilmember Herbst

**Nay:** 1 - Mayor Ryan

11.-5 [RES 14-226](#)

**GRANTING PRELIMINARY PLAT APPROVAL TO  
SUBDIVIDE 6.97 ACRES INTO THREE (3) LOTS TO BE  
KNOWN AS EMBERWOOD APARTMENTS ADDITION AT  
126TH AVENUE/CENTRAL AVENUE NE. KASON, INC.  
(CASE FILE NO. 14-0002/LSJ)**

**Sponsors:** Schafer

**Tabled to Date Specific**

**Aye:** 4 - Councilmember Swanson, Councilmember Clark, Councilmember Kolb and Councilmember Herbst

**Nay:** 1 - Mayor Ryan

11.-6 [RES 14-227](#)

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW  
FOR CONSTRUCTION OF THREE (3) APARTMENT  
BUILDINGS WITH UP TO 147 UNITS AS PART OF A  
PHASED DEVELOPMENT IN THE DF  
( DEVELOPMENT FLEX) ZONING DISTRICT AND TO  
ALLOW SHARED ACCESSES BETWEEN LOTS AT 126TH  
AVENUE/CENTRAL AVENUE NE. KASON, INC. (CASE  
FILE NO. 14-0002/LSJ)**

**Sponsors:** Schafer

**Tabled to Date Specific**

**Aye:** 4 - Councilmember Swanson, Councilmember Clark, Councilmember Kolb  
and Councilmember Herbst

**Nay:** 1 - Mayor Ryan

11.-7 [ORD 14-2299](#)

**SECOND READING**

**AN ORDINANCE AMENDING CHAPTER 34, ARTICLE  
VII. INDIVIDUAL SEWAGE TREATMENT SYSTEMS**

**Sponsors:** Schafer

Planning and Community Development Director Schafer stated the State of Minnesota has made law and rule changes to individual sewage treatment systems that require an update of the City's private on-site septic ordinance. He noted the entire ordinance is being replaced with a new ordinance.

**Adopted**

**Aye:** 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark,  
Councilmember Kolb and Councilmember Herbst

11.-8 [RES 14-228](#)

**RESOLUTION PROVIDING FOR PUBLICATION OF THE  
TITLE AND SUMMARY OF ORDINANCE NO. 14-2299  
GRANTING A CODE AMENDMENT TO CHAPTER 34,  
ARTICLE VII. INDIVIDUAL SEWAGE TREATMENT  
SYSTEMS**

**Sponsors:** Schafer

**Attachments:** [Septic Ord Publication - EXHIBIT A](#)

Planning and Community Development Director Schafer stated the Council is asked to amend the City's ordinance on individual private septic systems. He noted the resolution allows the City to approve a summary of the ordinance to be published.

**Adopted**

**Aye:** 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember Kolb and Councilmember Herbst

## 12. ADMINISTRATION

### 12.-1 [MO 14-160](#)

**AUTHORIZE CITY MANAGER TO ENTER INTO  
CONTRACT WITH STANTEC CONSULTING SERVICES,  
INC. IN THE AMOUNT OF \$402,578 FOR FINAL DESIGN  
OF OPEN SPACE IMPROVEMENTS FOR THE BLAINE  
WETLAND SANCTUARY, IMPROVEMENT PROJECT NO.  
14-09**

**Sponsors:** Hafner

Stormwater Manager Hafner stated staff circulated a Request for Proposal for final design to five firms and three responded. He stated the proposals were reviewed and tabulated and staff recommends the Council award the project to Stantec Consulting Services, Inc. and authorize the City Manager to enter into a contract with Stantec for \$365,980 with a 10% contingency for a total of \$402,578. He noted the project will be funded by the Open Space Fund.

Councilmember Swanson stated the Council has not seen a revised plan. Stormwater Manager Hafner replied the plan is posted in the City Hall's lobby.

Councilmember Herbst asked for the open water acres. Stormwater Manager Hafner replied there is a little over nine acres of open water. He stated the final concept design will be emailed to the Council.

**Approved**

**Aye:** 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember Kolb and Councilmember Herbst

12.-2 [RES 14-229](#)**AUTHORIZE PARTICIPATION IN COST SHARE GRANT  
FROM THE MINNESOTA DEPARTMENT OF HEALTH  
FOR WELLHEAD PROTECTION IMPLEMENTATION**

**Sponsors:** Hafner

Councilmember Herbst left the meeting at 8:35 p.m. and returned at 8:37 p.m.

Stormwater Manager Hafner stated the Minnesota Department of Health (MDH) administers grant programs making Clean Water Legacy funds available for wellhead protection implementation projects. He stated the City has obtained and completed two grants over the past three years. He stated the Anoka County Environmental Services on behalf of the JPA group has obtained approval for a new cost share grant from the MDH. He noted four cities are grantees: Blaine, Circle Pines, Lexington and Lino Lakes. He stated the cities 50% match comes from the share of the well sealing paid by work approved homeowners.

**Adopted**

**Aye:** 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember Kolb and Councilmember Herbst

12.-3 [RES 14-230](#)**AUTHORIZE SUBMITTAL OF APPLICATION TO THE  
MINNESOTA DEPARTMENT OF TRANSPORTATION  
(MNDOT) FOR LOCAL ROAD IMPROVEMENT  
PROGRAM FUNDS**

**Sponsors:** Keely

**Attachments:** [105th Ave Location Map.pdf](#)

City Engineer Keely stated Anoka County is turning back 105th Avenue (CR 87) from TH 65 to Radisson Road (CSAH 52) to the City on May 1, 2015. She noted the City will be submitting a request to MNDOT for designation of 105th Avenue as a Municipal State Aid (MSA) route. She noted funding sources for the reconstruction include MSA, TIF, County turnback and Water Utility. She noted that the National Sports Center will write the City a letter of support to be submitted to MNDOT.

Councilmember Swanson suggested adding to the resolution the amount of traffic using the two State properties.

**Adopted**

**Aye:** 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember Kolb and Councilmember Herbst

12.-4 [MO 14-161](#)**AUTHORIZE PURCHASE OF 2015 CAPITAL EQUIPMENT  
IN THE AMOUNT OF \$612,919.00**

**Sponsors:** Ulrich

Public Works Director Ulrich stated staff is requesting Council approval for the purchase of capital equipment. He noted that all vehicles and equipment will be purchased from approved vendors through the State Cooperative Purchasing Program or by a competitive quote process.

**Approved**

**Aye:** 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember Kolb and Councilmember Herbst

12.-5 [RES 14-231](#)**ADOPT THE 2015 WATER AND SEWER UTILITY  
ENTERPRISE FUND BUDGETS**

**Sponsors:** Huss

**Attachments:** [2015 Water Fund Budget](#)  
[2015 Sewer Fund Budget](#)

Finance Director Huss stated the Council has reviewed the proposed budgets at a Workshop.

**Adopted**

**Aye:** 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember Kolb and Councilmember Herbst

12.-6 [RES 14-232](#)**2014 BUDGET AMENDMENTS**

**Sponsors:** Huss

Finance Director Huss stated appropriations were made to accommodate the management of resources for snow and ice events, including employee overtime and chemical supplies.

**Adopted**

**Aye:** 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember Kolb and Councilmember Herbst

12.-7 [RES 14-234](#)**OFFICE OF TRAFFIC SAFETY GRANT OFFICER**

**Sponsors:** Olson

Police Chief/Safety Services Manager Olson stated the Minnesota Department of Public Safety, Office of Traffic Safety is seeking proposals from law enforcement agencies for a full time DWI officer. He stated the DWI Officer is a four year position and will work peak nights and times when drinking and driving occurs. He stated the federal grant will be written one fiscal year at a time and will cover a full-time sworn officer, fringe benefits and a fully equipped squad car. He stated items not covered are squad operating costs per mile, maintenance, uniforms and weapons. He noted that eight counties that are eligible for grant funds: Anoka, Dakota, Hennepin, Olmsted, Otter Tail, Ramsey, St. Louis and Stearns.

Councilmember Swanson commented the City would keep the squad car and equipment after four years, and have an extra officer for four years.

Councilmember Kolb commented an additional DWI officer would free up a patrol officer.

Councilmember Herbst commented the Federal grant comes with strings attached. He noted that patrol cars are worn out in two years. He commented he is not in favor of this resolution.

Mayor Ryan stated the City has good DWI law enforcement. He stated he is not in favor of this resolution.

Councilmember Clark stated there are a lot of hidden restrictions that go along with Federal money.

**Failed**

**Aye:** 1 - Councilmember Swanson

**Nay:** 4 - Mayor Ryan, Councilmember Clark, Councilmember Kolb and Councilmember Herbst

**13. OTHER BUSINESS**

None.

**14. ADJOURNMENT**

**Adjourned**

**Aye:** 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember Kolb and Councilmember Herbst