

UNAPPROVED

**CITY OF BLAINE
ANOKA COUNTY, MINNESOTA
CITY COUNCIL MEETING
Monday, August 19, 2019**

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

CALL TO ORDER BY MAYOR RYAN

The meeting was called to order at 7:38 p.m. by Mayor Ryan followed by the Pledge of Allegiance and the Roll Call.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mayor Tom Ryan, Councilmembers Andy Garvais, Wes Hovland, Richard Paul, Jess Robertson, and Dick Swanson.

ABSENT: Councilmember Julie Jeppson.

Quorum Present.

ALSO PRESENT: Acting City Manager Joe Huss; Community Development Director Erik Thorvig; Public Works Director Jon Haukaas; Police Chief/Safety Services Manager Brian Podany; Public Services Manager/Assistant City Manager Bob Therres; City Attorney Patrick Sweeney; Senior Engineering Technician Jason Sundeen; Communications Technician Roark Haver; Communications Coordinator Ben Hayle; Associate Planner Lori Johnson; and City Clerk Catherine Sorensen.

APPROVAL OF MINUTES

Manager Interview Workshop Minutes – June 25 and June 26, 2019

Closed Workshop Meeting Pending Litigation – August 5, 2019

Workshop Meeting – August 5, 2019

Regular Meeting – August 5, 2019

Moved by Councilmember Garvais, seconded by Councilmember Hovland, that the Manager Interview Workshop Minutes from June 25 and June 26, 2019, the Closed Workshop Meeting Pending Litigation Minutes of August 5, 2019, the Minutes of Workshop Meeting of August 5, 2019, and the Minutes of the Regular Meeting of August 5, 2019 be approved.

Motion adopted.

AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

Mike Hanson, Director for the Office of Traffic Safety for the Department of Public Safety, thanked the Council for their time. He introduced several of his staff members to the Council and commended Police Chief Podany for his outstanding work and commitment to traffic safety. He described how the efforts of Police Chief Podany and the entire Blaine Police Department were reducing the number of accidents and fatalities in the community.

Department of Public Safety Commissioner John Harrington presented Police Chief/Safety Services Manager Podany with the 2019 Challenge Coin for Blaine's work in traffic safety. He explained Police Chief Podany's work was not going unnoticed and congratulated Chief Podany for his tremendous leadership. A round of applause was offered by all in attendance.

Police Chief/Safety Services Manager Podany shared how unexpected this was then gave all the credit to his officers. He thanked the City Council for their continued support of the Blaine Police Department and stated he was very humbled and gave all the credit for this award to his officers.

Mayor Ryan congratulated the Chief for receiving this recognition and thanked him for his great leadership of the Blaine Police Department.

COMMUNICATIONS

Mayor Ryan thanked the Police, Fire and Public Works Departments for their hard work and assistance during Night to Unite.

OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:51 p.m.

Cindy Hansen introduced herself to the City Council stated she was running for Anoka County Commissioner for District 6. She shared that she was a resident of Spring Lake Park and now recently Lino Lake and that she was a long-time advocate for Anoka County. She discussed the positive impacts she made on the City of Spring Lake Park while she served as Mayor and stated she hoped to earn the support from the residents of Blaine.

There being no input, Mayor Ryan closed the Open Forum at 7:55 p.m.

ADOPTION OF AGENDA

The agenda was adopted as presented.

APPROVAL OF CONSENT AGENDA

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

9.1 Motion 19-144, Schedule of Bills Paid.

9.2 Motion 19-145, Approve a Special Events License for the SBM Fire Department Community Celebration/Festival located at the National Sports Center, 1700 105th Avenue NE.

9.3 Motion 19-146, Approve a Special Events License for the Kris Lindahl Team Great Pumpkin Giveaway located at the National Sports Center, 1700 105th Avenue NE.

9.4 Motion 19-147, Approve a Temporary On-Sale Intoxicating Liquor License for Chain of Lakes Rotary to be held at Infinite Campus, 4321 109th Avenue NE.

9.5 Motion 19-148, Approve Temporary Road Closure for Worldfest.

9.6 Motion 19-149, Accept the Proposal from WSB & Associates, Inc. for Construction Services for the Hidden Ponds Park Pickleball and Tennis Court Project No. 19-04.

9.7 Motion 19-150, Approve Payment of \$31,836.43 to Valley-Rich Co, Inc. for Emergency Repairs to Sanitary Sewer.

9.8 Motion 19-151, Authorize the Mayor and Acting City Manager to Enter into a Contract with Northern Technologies, LLC for Construction Materials Testing and Special Inspection Services for Jefferson Street Area Reconstruction, Improvement Project No. 18-17.

9.9 Resolution 19-127, Receive Petition and Order Public Hearing for Vacation of Drainage and Utility Easement in Lexington Meadows, Vacation No. V19-07.

9.10 Motion 19-152, Authorize Distribution of Bicycles.

Motion adopted unanimously.

SBM Firefighter Zikmund discussed the 75th Anniversary Celebration the SBM Fire Department would be hosting at the National Sports Center on September 14.

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

10.1 Motion 19-153, Approve On-Sale and Sunday Liquor Licenses for Brinker Restaurant Corporation DBA Chili's Grill & Bar, located at 1430 109th Avenue NE, Blaine, Minnesota.

City Clerk Sorensen stated Brinker Restaurant Corporation, LLC, purchased Chili's Grill & Bar from EJR Dining IV, LLC effective August 8, 2019, and has submitted an application for a new On-Sale and Sunday liquor licenses for the facility located at 1430 109th Avenue NE, Blaine, Minnesota. The applicant has submitted a completed license application, the license fee of \$6,000, \$200 Sunday license fee, \$500 background fee, the required certificate of insurance for liquor liability and all required forms and documents have been received and are on file in our office. The Police Department background investigation is currently in process for two owners and the operating manager. The license, if approved, would be valid until June 30, 2020 and eligible for renewal July 1, 2020. The license application is also being presented at this time for approval. As completion of the background and final approval will not be completed by August 8 a management agreement has been signed between the two parties ensuring compliance by the responsible party with regard to liquor liability insurance and adherence to City code.

Mayor Ryan opened the public hearing at 8:04 p.m.

There being no public input, Mayor Ryan closed the public hearing at 8:04 p.m.

Moved by Councilmember Hovland, seconded by Councilmember Robertson, that Motion 19-153, “Approve On-Sale and Sunday Liquor Licenses for Brinker Restaurant Corporation DBA Chili’s Grill & Bar, located at 1430 109th Avenue NE, Blaine, Minnesota,” be approved.

Motion adopted unanimously.

DEVELOPMENT BUSINESS

11.1 First Reading – Ordinance No. 19-2434, Granting a Rezoning from B-1 (Neighborhood Business) and DF (Development Flex) to PBD (Planned Business District) for approximately 2.32 Acres located at 12475 Lexington Avenue NE. Royal Lakes Retail Center (Classic Construction, Inc.) (Case File No. 19-0032/SLK).

Community Development Director Thorvig requested the Council introduce an ordinance that would grant a rezoning for the property at the southeast corner of 125th and Main Street. He reported this property would be rezoned from B-1 (Neighborhood Business) and DF (Development Flex) to PBD (Planned Business District). He explained the Planning Commission reviewed this matter and recommended approval.

Declared by Mayor Ryan that Ordinance No. 19-2434, “Granting a Rezoning from B-1 (Neighborhood Business) and DF (Development Flex) to PBD (Planned Business District) for approximately 2.32 Acres located at 12475 Lexington Avenue NE,” be introduced and placed on file for second reading at the September 4, 2019 Council meeting.

11.2 Second Reading – Ordinance No. 19-2432, Granting a Code Amendment to the PBD (Planned Business District) Zoning District to Add Ground Mounted Solar as an Accessory Use. (Case File No. 19-0033/LSJ).

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that Ordinance No. 19-2432, “Granting a Code Amendment to the PBD (Planned Business District) Zoning District to Add Ground Mounted Solar as an Accessory Use,” be approved.

Mr. Thorvig stated the City has been presented with an application by Aveda Corporation that involves a ground mounted solar array for vacant land near the corporate headquarters. Currently, the zoning ordinance does not support such use. The city council has directed staff to initiate a code amendment that would allow ground mounted solar arrays as a conditional use in the PBD (Planned Business District). This is the zoning district in which Aveda resides. Additionally, the solar array must be an accessory use to a principal structure, which is stated in the code amendment. This means that a solar array cannot be the sole or only use on a property and that a principal building must be present. This is one of the ways the city is supporting the comprehensive plan, which states that the city will look at ways to support alternative energy sources.

Motion adopted unanimously.

11.3 Resolution No. 19-128, Granting a Preliminary Plat to Replat Several Parcels Currently Occupied by the Aveda Corporation into One (1) Lot located at 4900 Pheasant Ridge Drive. Aveda Corporation. (Case File No. 19-0005/LSJ).

Moved by Mayor Ryan, seconded by Councilmember Hovland, that Resolution No. 19-128, "Granting a Preliminary Plat to Replat Several Parcels Currently Occupied by the Aveda Corporation into One (1) Lot located at 4900 Pheasant Ridge Drive," be approved.

Mr. Thorvig stated over the years Aveda has done many expansions of its building and parking areas and several parcels of land make up the Aveda campus. In order to clean up legal descriptions moving forward for Aveda, a preliminary plat is being proposed that creates one lot for the entire Aveda campus. This is mainly a housekeeping item to remedy the legal description complication. The plat will be known as Aveda Campus Addition. Park dedication has been paid for all of this development so that will not be required with the plat.

Motion adopted unanimously.

11.4 Resolution No. 19-129, Granting a Conditional Use Permit for a Freestanding Solar Installation in a PBD (Planned Business District) located on the Aveda Campus at the Southwest Corner of 4000 Pheasant Ridge Drive NE and Lexington Avenue. Aveda Corporation. (Case File No. 19-0005/LSJ).

Moved by Councilmember Paul, seconded by Councilmember Hovland, that Resolution No. 19-129, "Granting a Conditional Use Permit for a Freestanding Solar Installation in a PBD (Planned Business District) located on the Aveda Campus at the Southwest Corner of 4000 Pheasant Ridge Drive NE and Lexington Avenue," be approved.

Mr. Thorvig stated Aveda has had a large piece of open land immediately east of its main campus building that has been vacant up until this point. Given its dedication to the environment and clean energy, Aveda has decided to pursue the installation of a ground mount solar array on this land. This solar array is expected to operate over 20 years and provide the onsite manufacturing facility with more than 50% of its annual electrical needs. This means that Aveda will take an additional load off the grid during the hot days when the sun is shining. If there is any excess energy that is not consumed by the building during weekends or downtimes the energy will be sent back to the electrical grid.

Dan Berry, Aveda representative, discussed the proposed solar array with the Council and noted the panels would sit higher off the ground than other arrays in order to allow for a pollinator garden below. He stated he would be working with the State of Minnesota on this project and thanked the City for maintaining a great partnership with Aveda.

Councilmember Hovland confirmed the solar panels would be angled to face south.

Motion adopted unanimously.

ADMINISTRATION

12.1 Motion 19-154, Consider Special Events License for the 2019 Tent Revival and Church Service for Corner Fringe Ministries located at the National Sports Center, 1700 107th Avenue NE.

Moved by Councilmember Hovland, seconded by Councilmember Paul, that Motion 19-154, "Consider Special Events License for the 2019 Tent Revival and Church Service for Corner Fringe Ministries located at the National Sports Center, 1700 107th Avenue NE," be approved.

Ms. Sorensen stated Daniel Tousignant, applicant for Corner Fringe Ministries, has filed an application for a Special Events License to hold a week-long outdoor tent revival and church service at the National Sports Center, 1700 105th Avenue NE from Monday, October 14 to Monday, October 21, 2019. On October 14, 19 and 21 church services with some music to be held intermittently between 10:00 a.m. to 5:00 p.m. with revival services consistently of mostly music held October 15 to October 20 from 6:00 p.m. to 9:00 p.m. Mr. Tousignant has deposited with the City a \$100 license fee, a \$200 deposit and provided a current certificate of insurance with the City as additional insured prior to the event. All catering will be through the Welcome Center at the National Sports Center with refreshment items such as water, coffee, and hot chocolate only. A background check for Mr. Tousignant has been completed by the Police Department and no problems or complaints are on file. Approximately 400 to 500 are expected at the event. Staff recommendations and conditions were reviewed with the Council.

Daniel Tousignant, Corner Fringe Ministries, discussed the proposed event with the City Council. He explained his church leased space in Coon Rapids at this time and was proposing to hold a gospel and worship festival in a large outdoor tent at the National Sports Center. He reported this was the first event of its kind for his church.

Mayor Ryan shared comments about how this would be a good event for the community but noted he would not be in favor of these events occurring frequently at the National Sports Center. He said he hoped this event would draw people from all over the community and not just from one denomination. Mr. Tousignant stated this event would be open to all residents in the community.

Motion adopted unanimously.

12.2 Motion 19-155, Authorize the Mayor and Acting City Manager to Enter into a Contract with WSB for Professional Services and Planning Services to Create a City ADA Transportation Plan for Public Right-of-Way.

Moved by Councilmember Hovland, seconded by Mayor Ryan, that Motion 19-155, "Authorize the Mayor and Acting City Manager to Enter into a Contract with WSB for Professional Services and Planning Services to Create a City ADA Transportation Plan for Public Right-of-Way," be approved.

Public Works Director Haukaas stated the Americans with Disabilities Act (ADA) was enacted in 1990. This law ensured that those with disabilities could not be a discriminated class of individuals. As such, public agencies are required to create a plan that identifies barriers and when these barriers will be corrected. Our representatives from the Minnesota Department of Transportation, Office of State Aid for Local Transportation have identified the City of Blaine as not having a plan in place. The City needs to have an ADA transition plan in place by September 2020, or at least demonstrate that we are in the process of creating a plan, or the city will not be eligible to receive federal funding for roadway projects. The Engineering Department requested proposals for professional services to create an ADA transition plan for the City of Blaine. Staff reviewed the proposals received and recommends acceptance of the proposal from WSB & Associates, Inc. in the not-to-exceed amount of \$53,108.

Councilmember Hovland asked if this grant would take into consideration winter conditions. Mr. Haukaas reported this plan was focused on the infrastructure itself and not the operations.

Motion adopted unanimously.

12.3 Resolution 19-130, Special Assessment Adjustment for 10136 Sunset Avenue NE.

Moved by Councilmember Paul, seconded by Councilmember Garvais, that Resolution 19-130, "Special Assessment Adjustment for 10136 Sunset Avenue NE," be approved.

Mr. Thorvig stated on September 3, 2018 the City Council approved a special assessment for fire suppression work at 10136 Sunset Avenue NE for Blaine Lock and Safe. The assessment amount was \$44,143.00. The work has been completed and the project cost was less than anticipated. The amount of the special assessment therefore needs to be adjusted to reflect the actual cost. The adjusted proposed amount is \$35,783.00 with a 10-year term at 4.5% interest.

Motion adopted unanimously.

12.4 Second Reading – Ordinance 19-2433, Chapter 82 – Traffic and Vehicle of the Code of Ordinances of the City of Blaine.

Moved by Mayor Ryan, seconded by Councilmember Hovland, that Ordinance 19-2433, "Chapter 82 – Traffic and Vehicle of the Code of Ordinances of the City of Blaine," be approved.

Police Chief/Safety Services Manager Podany stated Chapter 82 of the Blaine City Code is the traffic ordinance covering various items, including parking, snowmobile/recreational motor vehicle usage, etc. It has not been updated in a considerable amount of time. Recommendations for updates were presented at Council Workshop on July 8. Council consensus was to move forward with First Reading at August 5 City Council Meeting. Staff reviewed new placement for Sec 82-7. Placement of vehicles as it was proposed to be removed from Chapter 82 and included in another section of City code more directed to items left on property and not on streets. The consensus was this was a larger discussion as other items should be included such as storage pods, icehouses, etc. Staff will be doing a larger City code review this winter and research what other cities do for these items and will bring forwarded proposed amendments for Council consideration at that time. In the meantime, should issues arise they could be enforced under 34-322 Storage of junk and junk vehicles.

Motion adopted unanimously.

12.5 Resolution 19-132, Publication of the Title and Summary of Ordinance 19-2433 Amending Chapter 82 – Traffic and Vehicles of the Code of Ordinances of the City of Blaine.

Moved by Councilmember Hovland, seconded by Councilmember Robertson, that Resolution 19-132, "Publication of the Title and Summary of Ordinance 19-2433 Amending Chapter 82 – Traffic and Vehicles of the Code of Ordinances of the City of Blaine," be approved.

Ms. Sorensen stated Minnesota Statute 412.191, Subd. 4, provides for publication of the title and summary of an ordinance in the case it is lengthy, if the City Council determines that publication of the title and a summary would clearly inform the public of the intent and effect of the ordinance. As Ordinance 19-2433 is lengthy staff is recommending adoption of the proposed summary resolution. The entire ordinance is available for inspection during regular office hours at City Hall and can be forwarded upon request.

Motion adopted unanimously.

12.6 Resolution 19-131, Resolution Dissolving I-35W Coalition.

Moved by Councilmember Swanson, seconded by Mayor Ryan, that Resolution 19-131, "Resolution Dissolving I-35W Coalition," be approved.

Acting City Manager Huss stated in 1996 Blaine and five other cities, along with Ramsey and Anoka County formed the North Metro I-35W Coalition. The purpose of the coalition was to provide joint regional planning and marketing efforts for improvements on the 35W corridor. With construction of the MN-Pass lanes and other improvements underway the goals and purpose of the Coalition have been achieved. On July 18, 2019 the JPA Board of Directors met and adopted a motion to dissolve the coalition. Remaining assets will be distributed based on the percentage of contributions from each group since its inception.

Councilmember Swanson discussed the great work that was completed by the I-35W Coalition in order to get a MN-Pass lane from Blaine to Roseville. He reported this group went to Washington DC worked to gain legislative support in order to receive approval from MnDOT for this project.

Motion adopted unanimously.

OTHER BUSINESS

Mayor Ryan recognized Adjunct Commissioner Drew Brown and thanked him for his dedicated service to the City of Blaine.

Mr. Brown explained he would be attending the University of Minnesota in Duluth this fall and would be pursuing a degree in Political Science with a Pre-Law Minor.

Mr. Huss reported the first City Council meeting in September would be held on Wednesday, September 4.

ADJOURNMENT

Moved by Councilmember Hovland, seconded by Councilmember Garvais, to adjourn the meeting at 8:39 p.m.

Tom Ryan, Mayor

ATTEST:

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