



City of Blaine
Anoka County, Minnesota
Minutes
City Council

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

*Public comment options prior to the meeting must be received
by noon on Monday, May 18. Email comments to:
PublicComment@BlaineMN.gov or phone 763-717-2782.*

*Zoom is for members of the public who want to comment
during the meeting on an agenda item. Join Zoom Webinar at
<https://blainemn.zoom.us/j/97951894637>*

*Ways to watch if not commenting on an agenda item:
BlaineMN.gov/Video or North Metro TV on Comcast, Apple TV,
or Roku*

Questions? Email - Communications@BlaineMN.gov

Wednesday, February 19, 2020

7:30 PM

Council Chambers

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: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; City Planner Lori Johnson; Public Works Director Jon Haukaas; Police Chief/Safety Services Manager Brian Podany; Finance Director Joe Huss; Public Services Manager/Assistant City Manager Bob Therres; Community Standards Director Robert Fiske; City Attorney Patrick Sweeney; City Engineer Dan Schluender; Senior Engineering Technician Jason Sundeen; Communications Technician Roark Haver; Communications Coordinator Ben Hayle; and City Clerk Catherine Sorensen, Adjunct Member Drew Brown.

Present: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

4. APPROVAL OF MINUTES

4.-1 RECENTLY HELD MEETINGS

Attachments: [01-13-20 Workshop Minutes](#)
[01-22-20 Workshop Minutes](#)
[01-22-20 Council Minutes](#)
[1-27, 1-28-20 Board Commission Interviews](#)

Moved by Councilmember Hovland, seconded by Councilmember Paul, that the Minutes of Workshop Meeting of January 13, 2020, the Minutes of Workshop Meeting of January 22, 2020, the Minutes of the Regular Meeting of January 22, 2020, and the Minutes of the Board Commission Interviews of January 27 and 28, 2020 be approved.

Motion adopted. Councilmember Hovland abstained on the January 13, 2020 Workshop meeting and both meetings from January 22, 2020 due to his absence. Councilmember Jeppson abstained on the January 28, 2020 Board Commission Interviews due to her absence.

Aye: 5 - Mayor Ryan, Councilmember Swanson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

Abstain: 2 - Councilmember Hovland and Councilmember Jeppson

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

None.

6. COMMUNICATIONS

Mayor Ryan announced there would be an Open House at the Mary Ann Young Center on February 20.

7. OPEN FORUM

Mayor Ryan opened the Open Forum at 7:41 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:41 p.m.

8. ADOPTION OF AGENDA

The agenda was adopted as presented.

9. APPROVAL OF CONSENT AGENDA:

Councilmember Jeppson requested the removal of agenda item 9.5.

Moved by Councilmember Hovland, seconded by Councilmember Swanson, that the following be approved: Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

9.-1

SCHEDULE OF BILLS PAID

- Attachments:** [January 2020 Payroll Checks and Wire Transfers](#)
[01/31/20 Bills Paid](#)
[02/07/20 Bills Paid](#)
[02/07/20 Subset of Bills Paid](#)

Approved

9.-2

APPROVE A TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE FOR CHAIN OF LAKES ROTARY TO BE HELD AT INFINITE CAMPUS, 4321 109TH AVENUE NE

Approved

9.-3

APPROVE TEMPORARY NURSERY SALES LICENSES

Approved

9.-4

SECOND READING

AN ORDINANCE AMENDING THE BUILDING INSPECTION SECTION OF ORDINANCE NO. 19-2441 ADOPTED ON DECEMBER 16, 2019, AND TITLED “APPENDIX D - FEE SCHEDULE OF THE MUNICIPAL CODE OF THE CITY OF BLAINE”

Adopted

9.-5

AMEND THE CONTRACT WITH GREAT RIVER

GREENING FOR BLAINE WETLAND SANCTUARY RESTORATION WORK

Attachments: [Agreement](#)

Councilmember Jeppson requested information from staff on the amendment along with the cost to the City. City Engineer Schluender stated this project would be done at no cost to the City. He explained Great River Greening was able to obtain an extra grant for this work. He indicated staff would be providing the Council with an update on the work that was completed this winter at a future workshop meeting.

Moved by Councilmember Jeppson, seconded by Councilmember Garvais, that Motion 20-31, "Amend the Contract with Great River Greening for Blaine Wetland Sanctuary Restoration Work," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

10. 7:30 P.M. - PUBLIC HEARING AND ITEMS PUBLISHED FOR A CERTAIN TIME

10.-1

ORDER IMPROVEMENT AND ORDER PREPARATION OF PLANS AND SPECIFICATIONS FOR RECONSTRUCTION OF UNIVERSITY AVENUE FROM 125TH LANE TO BENGAL DRIVE, IMPROVEMENT PROJECT NO. 19-22

Attachments: [Location Map](#)

Mayor Ryan opened the public hearing at 7:45 p.m.

Mr. Schluender stated proposed improvements will include reclaiming the existing bituminous pavement, removal of all existing concrete curb and gutter, minor storm sewer improvements, aggregate base, installation of new concrete curb and gutter and bituminous pavement and appurtenant construction. The estimated cost of the improvements is \$447,400. The estimated cost split is 43.3% of the costs to the City of Blaine and 56.7% of the costs to the City of Coon Rapids. The estimated City of Blaine portion of the cost of improvements is \$193,750 with \$67,812.50 proposed to be assessed over a 15-year period. The remaining portion of \$125,937.50 is proposed to be paid from the City's Pavement Management Program Funds.

There being no additional public input, Mayor Ryan closed the public hearing at 7:47 p.m.

Moved by Councilmember Jeppson, seconded by Councilmember Garvais, that Resolution 20-25, "Order Improvement and Order Preparation of Plans and Specifications for Reconstruction of University Avenue from 125th Lane to Bengal Drive," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

10.-2

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A PHYSICAL THERAPY AND FITNESS BUSINESS IN AN I-2 (HEAVY INDUSTRIAL) ZONING DISTRICT LOCATED AT 10661 NASSAU STREET NE. OPTIMIZE PHYSICAL THERAPY (CASE FILE NO. 20-0004/EES)

Attachments: [Attachments](#)

City Planner Johnson stated there is an existing multi-tenant industrial building at 10661 Nassau Street that is currently home to a variety of industrial and warehouse uses. At this time the applicant is requesting the approval of a conditional use permit to allow for a physical therapy and fitness business in a heavy industrial zone. Health care and recreation are conditional uses in the I-2 zoning district and must not generate measurably more traffic than is typical of I-2 uses.

Ms. Johnson explained Optimize Physical Therapy will include adult fitness classes in the morning, physical therapy and massage services during the day, and youth athletic training in the evening. There will be no site changes associated with this use. The building has been remodeled and expanded several times and is currently meeting site standards. A former tenant had significant outside storage resulting in code enforcement action over the years, however that tenant has vacated the premises and the applicant is proposing to occupy that space. The prohibition on outdoor storage is reiterated in the recommended conditions of approval.

Mayor Ryan opened the public hearing at 7:49 p.m.

There being no additional public input, Mayor Ryan closed the public hearing at 7:49 p.m.

Moved by Councilmember Jeppson, seconded by Councilmember Garvais, that Resolution 20-26, "Granting a Conditional Use Permit to Allow for a Physical Therapy and Fitness Business in an I-2 (Heavy Industrial) Zoning District located at 10661 Nassau Street NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

10.-3

SOBER LIVING HOME APPLICATION

Attachments: [Application-Floor Plan-Site Plan-House Rules](#)
[Correction Notice](#)
[Crime Free-Drug Free Housing Lease Addendums](#)
[MASH Membership Certificate](#)
[Property Aerial](#)

Community Standards Director Fiske stated Meraki Recovery Housing submitted a Sober Living Home application on December 13, 2019 for a single family residential home located at 913 121st Avenue NE, Blaine, MN to be operated as a Sober Living Home as defined by Blaine Code of Ordinances (BCO) Section 18-511(b). The property owner is Grant Johnson, 732 129th Avenue NE Blaine. The home is a typical one story rambler with a full basement, 1043 square feet and built in 1970. This item was discussed at the February 3 workshop as this was the first request of its type under the new Reasonable Accommodation Ordinance and staff thought it best to allow for more discussion prior to the public hearing.

Mr. Fiske explained specifically, the request for reasonable accommodations pertains to the number of non-related persons which may live in the home. The applicant is requesting the approval to allow up to nine unrelated persons to live in the single family home. Blaine Code of Ordinance requires an application be submitted for any sober living home requesting occupancy of more than 4 unrelated persons. He reviewed the standards within BCO Section 18-511(c) and (d).

Mr. Fiske reported the applicant has requested to be allowed to have up to nine persons living in the home to provide a “strong support group in a residential environment”. However, as mentioned above, no supporting documentation or standards supporting the need for nine persons to create a “strong support group” have been submitted. Using this statute as a recognized and established standard allowing an increase from four persons to six persons would be consistent with state licensed residential programs.

Mayor Ryan opened the public hearing at 7:54 p.m.

Doug Anderson, 913 121st Avenue NE, stated he lived in the Blaine sober house and supported the request before the Council.

Rochelle Springer, 4257 124th Avenue, thanked Mr. Anderson for getting up and speaking to the City Council.

Samuel Merritt, attorney for Meraki Recovery Housing, commented on the need for having more than four or six people living in the sober house environment and

how this environment provides community, support and accountability. He explained how most people coming out of treatment do not have vehicles and rely on public transportation and anticipated the property would not have more than four or five vehicles at any one time. He discussed the differences between a group home and a sober house and indicated a sober house was essentially a group of people coming together and living as a family.

Krista Johnson, owner/manager of the Meraki Recovery Housing, shared her thanks for the support and discussed the importance of helping those in recovery. She noted she has an 83% recovery rate for her Blaine residents. She described the great work she does in the community with her residents, which included park clean ups and explained no police calls have occurred at her home. She commented further on the therapeutic value of having nine residents living in the sober house. She asked that the Council allow her to continue to help as many people as she can and that her request for nine residents be approved.

Jeremy Hover, business manager for Meraki Recovery Housing, explained he has been in recovery for the past five years. He indicated he joined the staff at Meraki to help build the system of recovery housing. He discussed the importance of community when trying to recover and how important it was for those trying to recover to not isolate themselves. He stated there was great value for those in recovery in having roommates for accountability purposes. He reported it was also important for there to be sober houses outside of Minneapolis and St. Paul. He stated the sober house in Blaine allowed residents of Anoka County to recover in Anoka County.

Richard Petick, 12339 Gladiola Street NW in Coon Rapids, indicated he supported the sober house having nine residents. He explained how Meraki has given him a second chance at life and stated there was strength in numbers.

Darrell Callahan, 910 121st Avenue NE, explained he was a neighbor to the sober house. He stated he opposed the request based on the size of the home and discussed the potential conflicts that will occur with having too many residents in the home. He commented the home was not built to have nine adults. He understood that there was money to be made in this industry and the more people in the home meant more money. However, he recommended the request be denied and that the home be turned back into a single family home.

Chase Kvistad, 12129 Oak Park Boulevard, explained he was against the request based on concerns he had for children in the neighborhood, the additional traffic that would be generated by the house, the number of cars being parked at the home and that the organization was already not following City Code requirements. He reported the property owner has been out of compliance with City Code for the past 16 months. He believed this showed the City and the people of the

neighborhood poor faith. He indicated there was no empirical evidence that proved nine people in the home was beneficial and for this reason recommended the request be denied.

Peggy Sasik, daughter of Mary Lou Anderson at 914 121st Avenue, stated she and her mother were against the proposed request based on the increased activity and traffic levels at the home. She explained having nine individuals living in this home on a cul-de-sac simply did not work.

Frank Maixner, 122 Duke Drive NE, explained he was an occupational therapist. He questioned how Meraki selected its residents and noted he had safety concerns for the neighborhood.

Ms. Johnson described the vetting and criminal background process that she followed for her residents noting most came to her home after completing in-patient treatment. She explained she does not allow individuals who had violent felonies on record then addressed parking concerns at the home and noted no more than six cars are allowed on the driveway.

Mayor Ryan referred to the emails the City Council received from Jim Sandvold at 12176 Duke Drive, Angela Kvistad at 12129 Oak Park Boulevard noting these individuals were against the request. He reported the Council also received an email from Stephanie Devich and Kimberly Berroa in support of the request.

There being no additional public input, Mayor Ryan closed the public hearing at 8:22 p.m.

Mayor Ryan commented on the size of the sober house noting the home had 2,200 square feet. He indicated his main concern with the situation was that the applicant was currently breaking the rules and had too many residents living in the home. He stated that with nine residents receiving visitors on the weekends, this then became a burden for the driveway and neighbors. He understood there was a need for group homes and sober living houses, but explained he could support six people living in the sober house.

Councilmember Hovland stated it would have been helpful to have the emails from the public prior to the meeting. Mr. Fiske commented staff received the additional correspondence just prior to this evening's meeting.

Councilmember Hovland indicated he agreed with the Mayor and explained nine people in the house with only two bathrooms was too much. He stated he could support the sober house having six residents then asked if this home was only for men. Ms. Johnson reported the sober house in Blaine was just for men.

Councilmember Robertson reported all of the Councilmembers were very compassionate people who loved the City of Blaine. She commented how she was challenged by the fact the sober house was up and running prior to receiving City approval and stated she took staff's recommendations very seriously. She indicated she valued the services being provided by Meraki, however, would only support six residents in the sober house.

Councilmember Jeppson thanked everyone who got up and spoke. She stated it was difficult to hear some of the comments being made by the public against the facility as she operated a homeless shelter. She reported there was a lot of misinformation regarding community congregate living and reported the shelter where she worked had 24 women and 24 men who shared two bathrooms. She commented while this was challenging, it can be done and anticipated if this sober house was approved for six or nine residents the neighbors would be focused on this house and more police calls would occur. She hoped that Ms. Johnson would work diligently to be a good neighbor to ensure no conflicts in the neighborhood and stated she did not have a concern with nine residents in the home. She explained having a support group was essential for mental health and if this was taken away the individuals would suffer. She indicated the people working through recovery were human beings who needed help and was grateful such a program was available. She stated the cars and any police calls would be dealt with then commented evidence for this population was completely subjective and that an 83% success rate as reported by Ms. Johnson was very astounding and commended Ms. Johnson for her success rate. She stated the support given to those living in a sober house environment was essential and reported she would be supporting the six person request and even the nine person request.

Councilmember Paul thanked all of the residents in attendance. He explained he could support the sober house having six residents at this time. He commented his first concern was for security, but he appreciated the information provided by Ms. Johnson in order to understand how she vetted the residents.

Councilmember Garvais asked what rights the City had to inspect the site to ensure only six people were living in the sober house. Mr. Fiske explained the City could inspect as often as need be. He reported if there was a violation the Council could review and revoke the license.

Councilmember Garvais stated he felt passionate about these populations. He explained he saw the points being made by the public but noted he could support six or nine residents in the sober house. He commented if the Council were to approve nine, he would not want any more than nine individuals living in the home.

Councilmember Hovland indicated one of his concerns with the sober house was with the code violations and the use of extension cords. He requested this be remedied immediately because this was a safety issue given the number of people in the house.

Amended motion moved by Councilmember Jeppson, seconded by Councilmember Paul, to allow for up to nine (9) residents.

- Councilmember Garvais - aye
- Councilmember Hovland - nay
- Councilmember Jeppson - aye
- Councilmember Paul - aye
- Councilmember Robertson - nay
- Councilmember Swanson - nay
- Mayor Ryan - nay

Amended motion failed 3-4.

Mayor Ryan commented the original motion was on the floor. He stated for the record the staff report was included with findings.

Moved by Councilmember Swanson, seconded by Mayor Ryan, that Motion 20-32, "Sober Living Home Application," be approved to allow for six (6) residents.

- Councilmember Garvais – aye**
- Councilmember Hovland – aye**
- Councilmember Jeppson – aye**
- Councilmember Paul – aye**
- Councilmember Robertson – aye**
- Councilmember Swanson – aye**
- Mayor Ryan – aye**

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

11. DEVELOPMENT BUSINESS

11.-1

SECOND READING

**GRANTING A CODE AMENDMENT TO THE PBD
(PLANNED BUSINESS DISTRICT) ZONING DISTRICT
TO ADD MEETING/ASSEMBLY HALLS UNDER 6,000
SQUARE FEET AS A USE ALLOWED BY A**

**CONDITIONAL USE PERMIT. (CASE FILE NO.
19-0050/SLK)**

Attachments: [Code Amendment](#)

Community Development Director Thorvig stated the PBD (Planned Business District) was created as a higher standard zoning district for commercial and industrial uses in the 1990's. In general there are various commercial areas (Victory Village, National Market Center, 117th and Ulysses Street) and industrial parks (Blaine Preserve and Lexington Preserve) that are zoned PBD. Since the establishment of the district a number of amendments have been made to either modify some of the standards or add to the list of allowed uses within the district. The last amendment was in August 2019 to add ground mounted solar as an accessory use. He provided the Council with the historic zoning, access and land use information for the subject property. Staff also commented on the planned access for the overall area.

Ms. Johnson discussed the history of this request. She explained the city was presented with an application by Exquisite Receptions, for an event center to be located in the Royal Lakes Retail Center at the corner of Lexington Avenue and Main Street. Currently, the zoning ordinance does not support such use in the PBD zoning district. It was noted at the December 2, 2019 workshop the proposal for Exquisite Receptions was heard by the city council. Staff presented two options to allow the use. The first option is to rezone the property to B-2 Community Commercial or amend the PBD ordinance to allow event centers. Staff is proposing a code amendment that would allow meeting/assembly halls under 6,000 square feet as a conditional use in the PBD (Planned Business District). This is the zoning district in which Royal Lakes Retail Center is located. Staff and council's main concern with a code amendment to the PBD district was it could potentially allow the use in various industrial parks that are zoned PBD. By limiting the use to no more than 6,000 sf. it would prevent large spaces in industrial parks zoned PBD from being used as an event center. In addition, allowing this use as a conditional use, the planning commission and city council will be able to more closely review parking related issues associated with this type of business, and it allows the city to notify adjacent neighborhoods of such use. If the property were to be rezoned to B-2 Community Commercial it would eliminate the conditional use permit review for many of the uses that could go in the building.

Mayor Ryan opened the meeting for public comments.

Roger Meyer, 12311 Ghia Street, stated the neighbors were concerned with the fact they have not been communicated with in a fair manner. He believed the City should have communicated with the entire association in order to allow for all members to study the proposed plans. He indicated the plans have changed a

number of times over the past six months. He stated he would like to have a letter sent to the association should any future development occur in this area. He commented the neighbors feel like they have been blindsided and kept from participating in the planning and decision process.

Mayor Ryan reported the City followed the 350-foot notification radius as outlined in State Statute.

Mr. Meyer stated in the future he would like the City to communicate with the association on any developments that touch the association property in the future.

Councilmember Garvais commented he understood this concern. He explained it was not feasible for the City to know what neighborhoods have associations or master associations in place. He encouraged the association to work organically and internally to communicate with each other if a notification is sent to a member or members.

Mr. Meyer indicated he was speaking on behalf of the association that the City needs to do better with its communication and he would like the City to make an exception for this association.

Mayor Ryan reported the City does the best it can and explained staff follows all notification requirements.

Mr. Meyer stated it would be simple for the City to send one notification to the association for any and all future development that occurs at this corner.

Mr. Thorvig explained State law requires the City to notify all property owners living within 350 feet of the subject property. He commented City staff works to be very consistent with what State Statute requires.

Rochelle Springer, 4257 124th Avenue, stated she believed City Ordinances mattered, specifically Ordinance 31.33. She read several statements from this Ordinance in full for the record and explained the proposed use was supposed to be compatible and complimentary to the adjacent land uses. In addition, the proposed land uses must not create any internal or external traffic congestion or traffic flow problems. She questioned how the City was getting around this with the proposed development.

Mr. Schluender commented further on the traffic that would be generated from this development. He reported Frazier Street was built to a collector street standard and was 34 feet wide to accommodate the extra commercial and residential traffic along this corridor. He stated the streets in the Ghia Street neighborhood were

private and were only 24 feet wide. He reported Frazier Street was designed to handle the traffic that would be generated by the proposed development.

Councilmember Garvais stated the street width was one factor and there were other contributing factors when consider traffic concerns. He explained the proposed development was adjacent to Lexington Avenue and would not be in the center of a neighborhood. He indicated there were things the City could do with the exit on Frazier Street to assist with reducing the congestion on 124th Lane.

Ms. Springer reminded the Council of what was said by the Council earlier, which was that there are rules and Ordinances that exist for a reason. She encouraged the Council to follow this advice.

Larry Hudy, 4326 124th Lane, asked if the Council could table action on this item to allow the residents within his association to speak with the Council and staff further regarding the proposed event center. He commented on how his neighborhood would be impacted by the event center noting there were would be a dramatic increase in traffic.

Nathan Willer, 12405 Lever Street NE, stated he was on the board for the single-family HOA. He explained Lever Street has seen additional traffic with the stop light at 125th Avenue. He reported his main concern was the incongruity an event center brings to the neighborhood. He commented the event center brings no added value to the neighborhood and recommended the Council not support the rezoning request.

David Lund, 12419 Lever Street, discussed how traffic going in and out of the event center parking lot would impact his neighborhood because there was not an access point onto Lexington Avenue. He stated this was a concern to him. He indicated with an event center people would be coming to and from the site at the same time period, which would adversely impact the neighborhood. He reported he did not object to the use on the site but recommended the City reconsider access to this development in order to drive traffic away from the residential neighborhood.

Lenny Leezer, owner of the development, commented on what he has learned about restaurants in the past few months. He indicated restaurants were struggling severely these days. He noted the site had limited parking and for this reason a restaurant was not recommended for this property. He explained he recently lost a business he had owned for 20 years to Kwik Trip. He requested the Council approve his rezoning request in order for him to get his business back. He thanked staff for providing the Council and public with a thorough report from the City.

Councilmember Hovland asked if the owner of the Green Mill was in attendance.

Mr. Leezer reported he was in attendance.

Jason Lohre introduced himself to the Council and reported Exquisite Receptions was a completely separate entity from Green Mill Blaine. He noted there would be five restaurants available to cater at the proposed event center. He reported the event center was proposing to only be open until 12:00 midnight.

Councilmember Hovland explained if a bar/restaurant were to locate in this space it could be open until 2:00 a.m. every night of the week. He anticipated the events that would be held at the event center would not all require alcohol and would not occur every day of the week. Mr. Lohre reported 95 events were projected for the first year, 132 for the second year and 164 events projected for the third year. He estimated the event center would have 80% fewer cars than a restaurant for the first three years.

Mayor Ryan closed the meeting to further public comments.

Councilmember Garvais commented the City Council needs to decide what type of community it wants to be and as decisions were made the Council had to be both strategic and forward-thinking. He stated in this situation an event center was not permitted and the request was to rezone the property. He explained event centers were one time value adds and he believed the City Council was working to add overall value to its residents lives. He stated he was willing to work with the property owner to contact additional restaurateurs in order to find the right restaurant for this property. He commented he did not support the proposed rezoning as the proposed event center was not the right fit for this neighborhood.

Councilmember Robertson explained she agreed with Councilmember Garvais. She indicated she was a rule follower but stated she was also pro-business. However, with this request she believed the applicant was asking for too much by rezoning the PBD Zoning District throughout the entire City of Blaine for one event center. She feared this change could lead to meeting spaces or event centers all over the City. She commented the Council has heard the concerns from the public and apologized if residents felt blindsided by this issue. She encouraged the neighboring residents to keep in mind that if an event center does not go into this space another use will.

Councilmember Hovland stated the City Council cannot always pick and choose what businesses want to come into the community. He indicated this came down to the property owner and the market. He explained the Council can only control the zoning. He commented on the service provided by an event center and noted a wide range of people would benefit from the proposed use. He stated there was a need for event space in Blaine. He recommended the Council discuss the City's

notification process at the spring retreat. He discussed how there would be growing conflicts and traffic concerns between residential properties and neighborhoods as the City continues to develop.

Mayor Ryan explained the property owner has the right to develop this site. He indicated the applicant was a resident of Blaine and he had the right to make a request of the City. He understood it was difficult to find meeting space for weddings in the City of Blaine and reported there would be less traffic and less trouble at an event center than there would be at a bar/restaurant. He commented the Council was trying to provide services that the entire City would benefit from.

Councilmember Jeppson indicated it was never the Council's intent to blindsides its residents. She stated the Council works diligently to keep the public informed through mail, email, social media and website to communicate. She apologized to the residents for feeling blindsided and explained she appreciated all of the feedback she received regarding this request. She reported she would not be supporting the event center because the neighbors simply do not want it, adding it was her understanding the neighbors would rather have a restaurant or coffee shop.

Councilmember Paul stated he was not against business but stated this was not the right site for an event center. He noted the site had no entrance or exit onto Lexington Avenue which was detrimental to the neighborhood. He suggested the applicant speak with Anoka County regarding this matter. He commented further on the traffic concerns and stated because of these issues he would not be able to support the request.

Councilmember Swanson indicated he was disappointed. He was of the opinion the proposed rezoning would benefit other areas of the City and noted there was a need for event space. He believed the property owner should have the option of putting in an event center. He explained a bar or restaurant would have a much greater impact on the neighborhood than an event center would.

With no further discussion, Mayor Ryan requested a roll call vote.

Moved by Councilmember Hovland, seconded by Mayor Ryan, that this Ordinance be Postponedfailedunanimously.

Aye: 3 - Mayor Ryan, Councilmember Swanson and Councilmember Hovland

Nay: 4 - Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

11.-2

**GRANTING A CONDITIONAL USE PERMIT TO
OPERATE A 5,500 SQUARE FOOT EVENT CENTER
AND OUTDOOR DINING ASSOCIATED WITH AN
EVENT CENTER/RESTAURANT IN A PBD (PLANNED
BUSINESS DISTRICT) ZONING DISTRICT, LOCATED**

**AT 12475 LEXINGTON AVENUE NE. PLL PROPERTIES
LLC (EXQUISITE RECEPTIONS EVENT CENTER)
(CASE FILE NO. 19-0051/SLK)**

Attachments: [Attachments](#)
 [Presentation](#)

Ms. Johnson stated the owner of the proposed Royal Lakes Retail Center is having difficulty finding a restaurant tenant to occupy the proposed building that received conditional use permit approval in September 2019. The proposed building is located on the southeast corner of Lexington Avenue and 125th Avenue NE. The owner of Green Mill Blaine is interested in opening Exquisite Receptions, an event center. The current zoning Planned Business District (PBD) does not allow an event center, so a code amendment to the PBD zoning district would be required to allow the event center as a conditional use. A code amendment has been drafted as a companion item to this report. The other primary commercial zoning districts (B-2 and B-3) allow meeting/assembly halls (event center) as a conditional use. In the past, the City Council has recognized the need to amend the PBD ordinance based on proposed uses that made sense. Since 2000, there have been nine amendments to the PBD zoning district to add various uses as a conditional use.

Moved by Councilmember Garvais, seconded by Councilmember Paul, that Resolution No. 20-27, "Granting a Conditional Use Permit to Operate a 5,500 Square Foot Event Center and Outdoor Dining Associated with an Event Center/Restaurant in a PBD (Planned Business District) Zoning District located at 12475 Lexington Avenue NE," be denied.

**Councilmember Garvais – aye
Councilmember Hovland – aye
Councilmember Jeppson – aye
Councilmember Paul – aye
Councilmember Robertson – aye
Councilmember Swanson – nay
Mayor Ryan – nay**

Motion to deny the resolution adopted 5-2 (Councilmember Swanson and Mayor Ryan opposed).

Aye: 5 - Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

Nay: 2 - Mayor Ryan and Councilmember Swanson

Mayor Ryan recessed the City Council meeting at 9:55 p.m.

Mayor Ryan reconvened the City Council meeting at 10:02 p.m.

12. ADMINISTRATION

12.-1

RECEIVE FEASIBILITY REPORT AND ORDER PUBLIC

**HEARING FOR THE 2020 STREET
RECONSTRUCTIONS - AREA 2, IMPROVEMENT
PROJECT NO. 19-18**

Attachments: [Location Map](#)
 [Feasibility Report](#)

Mr. Schluender reviewed the streets included in the 2020 Street Reconstruction project. He stated proposed improvements include reclaiming existing bituminous pavement and reconstructing all curb and gutter, hydrant replacements, minor storm sewer additions, asphalt surface replacement, traffic control signage, and appurtenant construction. The estimated cost of improvements is \$3,241,086.00 with \$950,012.00 proposed to be assessed over a 15-year period. Replacement of existing sanitary sewer castings/rings and several water service repairs at an estimated cost of \$276,684.00 is proposed to be paid for by City Public Utility Funds. The remaining portion of \$2,014,390 is proposed to be paid from the City's Pavement Management Program Fund. The project is necessary, cost-effective, and feasible and will result in a benefit to the properties proposed to be assessed.

Mayor Ryan asked if this entire project would be able to be completed in 2020. Mr. Schluender stated this was staff's hope.

Moved by Councilmember Hovland, seconded by Councilmember Paul, that Resolution 20-28, "Receive Feasibility Report and Order Public Hearing for the 2020 Street Reconstructions – Area 2," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

12.-2

**APPROVE PLANS AND SPECIFICATIONS AND ORDER
ADVERTISEMENT FOR BIDS FOR 2020 JEFFERSON
STREET AREA RECONSTRUCTIONS, IMPROVEMENT
PROJECT NO. 18-17**

Attachments: [2020 Location Map](#)

Mr. Schluender stated the Public Hearing for the proposed improvement project was held on March 7, 2019, and the City Council ordered the preparation of plans and specifications. The Jefferson Street Area Reconstruction project which reconstructs several city streets is to be constructed over two years (2019 and 2020). The construction project for 2020, with plans and specifications titled 105th Avenue Reconstruction and 115th Avenue Area Pavement Rehabilitation, will reconstruct 105th Avenue from University Avenue to Jefferson Street, 115th Avenue from Jefferson Street to Tyler Street, Quincy Street from 113th Avenue to 115th Avenue, Van Buren Court from 115th Avenue to the cul de sac, and Tyler

Street from 113th Avenue to 115th Lane. Proposed improvements include installation of concrete curb and gutter where not present, spot replacement existing curb and gutter, storm drainage improvements, spot sanitary service repair, spot water main repair, asphalt surface replacement, traffic control signage, and appurtenant construction. Plans and specifications have been prepared as directed and are available for Council review in the Engineering Department.

Moved by Councilmember Jeppson, seconded by Councilmember Hovland, that Resolution 20-29, "Approve Plans and Specifications and Order Advertisement for Bids for 2020 Jefferson Street Area Reconstructions," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

12.-3

ADOPT THE 2020 - 2024 CAPITAL IMPROVEMENT PLAN FOR PARK DEVELOPMENT FUNDS

Attachments: [CIP for Park Development Funds 2020-2024](#)

Public Services Manager/Assistant City Manager Therres stated the City maintains a five-year capital improvement plan for park development funds. The capital improvement plan is a flexible plan based upon long-range physical planning and financial projections. Flexibility is achieved through an annual review, and revisions are made as necessary. All improvements listed in the plan are proposed and must come back to the Park Board for review and recommendation to the city council. The City Council then makes all final decisions on capital improvements.

Mr. Therres explained revenue for the capital improvement plan comes from park dedication fees required of all new residential (\$4,449/unit), commercial (\$8,704/acre), and industrial (\$6,702/acre) development. The residential fee is split with 65% of the allocation to parks development and 35% to the Open Space and Trails Development Fund. Park dedication fees collected from commercial and industrial development are not split, with 100% of those fees allocated to parks development. Revenue from park dedication fees can only be used for development of new parks and trails, or significant redevelopment of existing parks. Park dedication fees cannot be used for park maintenance. It was noted the plan was reviewed by the Park Board and is recommended for approval.

Councilmember Robertson stated she would like to have more discussion on this item prior to recommending approval. She was of the opinion there were too many unresolved issues to move this item forward.

Councilmember Jeppson asked why the City was proposing to purchase land five

years prior to a development being built. Mr. Therres commented staff was projecting an option. He explained the City does not have a purchase agreement in place but would like to identify a park location and price at an undeveloped rate versus a platted rate.

Councilmember Garvais indicated all of this land would develop at some point in the future and staff was proposing the City identify a parcel of land for a park before development occurs.

Councilmember Jeppson stated to her this seemed a bit premature and it was a great deal of money.

Councilmember Hovland questioned how soon the Council had to approve the Parks CIP. Mr. Therres stated action could be postponed if the Council needed additional time to review this matter.

Councilmember Robertson asked why this item was being presented by the Parks Department instead of the Finance Department. Mr. Therres explained this has been past practice. City Manager Wolfe understood this was long-standing practice and noted staff was discussing how to streamline this process.

Moved by Councilmember Swanson, seconded by Councilmember Garvais, that Resolution 20-31, "Adopt the 2020-2024 Capital Improvement Plan for Park Development Funds," be approved.

Motion adopted 5-2 (Councilmembers Hovland and Robertson opposed).

Aye: 5 - Mayor Ryan, Councilmember Swanson, Councilmember Jeppson, Councilmember Garvais and Councilmember Paul

Nay: 2 - Councilmember Hovland and Councilmember Robertson

12.-4

ADOPT THE 2020 - 2024 PARKS AND TRAILS CAPITAL IMPROVEMENT FUND BUDGET

Attachments: [Park and Trail Capital Improvement Fund 2020 - 2024](#)

Mr. Therres stated the Parks and Trails Capital Improvement Fund is used for ongoing improvements and replacement of existing capital assets related to the City's parks and trails. The primary funding source for this fund is a general tax levy (\$350,000 for 2020). Additional revenue comes from billboard property leases (\$150,000) which the City Council approved as a funding source in December 2019. The 2020 Budget and five-year plan was reviewed by the City Council at the February 10, 2020 Workshop. The Park Board reviewed the budget and five-year plan at their February meeting, found it to be consistent with the draft Parks Master Plan, and has recommended it for approval.

Moved by Councilmember Robertson, seconded by Councilmember Garvais,

that Resolution 20-30, "Adopt the 2020-2024 Parks and Trails Capital Improvement Fund Budget," be approved.

Motion adopted 5-2 (Councilmembers Hovland and Robertson opposed).

Aye: 5 - Mayor Ryan, Councilmember Swanson, Councilmember Jeppson, Councilmember Garvais and Councilmember Paul

Nay: 2 - Councilmember Hovland and Councilmember Robertson

12.-5

2020 BOARDS AND COMMISSIONS MAYORAL APPOINTMENTS

City Clerk Sorensen stated the Board and Commission appointments process was amended in 2020 by removing the process from City Code and establishing a policy to allow more flexibility with appointments in the future. On January 27 and 28 Council interviewed 23 very qualified applicants and after consideration at the February 10 workshop the Mayor announced the appointments. She reported the Council discussed having a one-step appointment process versus a two-step process earlier during the worksession.

Mayor Ryan reviewed the Board and Commission appointments in full for the record.

Moved by Councilmember Jeppson, seconded by Councilmember Robertson, to amend the Appointment Policy to be Council Appointment rather than Mayoral Appointment/Council Confirmation.

Amended motion moved by Councilmember Jeppson, seconded by Councilmember Robertson, to have the Mayoral Appointment remain for Board and Commission Appointments but have the Council Confirmation occur at the same meeting and not within 10 days.

Amended motion adopted unanimously.

Moved by Councilmember Jeppson, seconded by Councilmember Robertson, that Motion 20-34, "2020 Boards and Commissions Mayoral Appointments," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

13. OTHER BUSINESS

None.

14. ADJOURNMENT

Moved by Councilmember Garvais, seconded by Councilmember Robertson, to adjourn the meeting at 10:23 p.m.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul