



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

10801 Town Square Dr.
Blaine MN 55449

Thursday, November 1, 2012

7:30 PM

Council Chambers

Meeting Number 12-62

1. CALL TO ORDER BY THE MAYOR

The meeting was called to order at 7:30 p.m. by Mayor Pro Tem Kolb followed by the Pledge of Allegiance and the Roll Call.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Quorum present.

ALSO PRESENT: Bryan Schafer, Planning Director; Bob Therres, Public Services Manager; Joe Huss, Finance Director; Jean Keely, City Engineer; Chris Olson, Safety Service Manager/Police Chief; Roark Haver, Communications Technician; Al Thorp, Senior Engineering Technician; Jane Cross, City Clerk; and Recording Secretary Linda Dahlquist.

Present: 5 - Councilmember Swanson, Councilmember Clark, Councilmember Bourke, Mayor Pro Tem Kolb and Councilmember Herbst

Absent: 2 - Mayor Ryan and Councilmember Hovland

4. APPROVAL OF MINUTES

4.-1 [MIN 12-35](#)

WORKSHOP MEETING - 10/11/2012
WORKSHOP MEETING - 10/18/2012
REGULAR MEETING - 10/18/2012

Sponsors: Cross

Attachments: [Workshop Meeting 10/11/12](#)
[Workshop Meeting 10/18/2012](#)
[Regular Meeting 10/18/2012](#)

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that this Minutes be Approved. Motion adopted 4-0-1 (Mayor Pro Tem Kolb abstained from the Meeting Minutes of October 11, 2012, due to her absence).

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS**5.-1 [PROC 12-07](#)****PROCLAIMING NOVEMBER HOMELESSNESS
AWARENESS MONTH**

Sponsors: City Council

Mayor Pro Tem Kolb declared the month of November as Homelessness Awareness Month.

Informational: no action required

6. COMMUNICATIONS

Mayor Pro Tem Kolb welcomed the Boy Scouts and the visitors in the audience.

Mayor Pro Tem Kolb encourages all residents to vote next Tuesday.

Councilmember Bourke stated residents are concerned about the proposed 2013 budget. Councilmember Herbst stated the levy is set for 2013 and there will be no increase. Finance Director Huss noted the levy has decreased in the past years. Councilmember Clark asked for the proposed tax rate. Finance Director Huss stated the tax rate is going up from 33% to 36%.

City Manager Arneson stated the City Council is being broadcasted live on Cable TV, but is not available live stream on the web due to technical difficulties. He noted that the meeting will be uploaded onto the City's website next week.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Pro Tem Kolb opened the Open Forum at 7:44 p.m.

There being no input, Mayor Pro Tem Kolb closed the Open Forum at 7:45 p.m.

8. ADOPTION OF AGENDA

City Manager Arneson requested postponement of agenda items 12.3A and 12.3B.

Moved by Mayor Pro Tem Kolb, second by Councilmember Herbst that the agenda be revised and consideration of agenda item 12.3A, Resolution 12-147,

and agenda item 12.3B, Motion 12-138, be postponed.

10. APPROVAL OF CONSENT AGENDA:

Approval of the Consent Agenda

Moved by Councilmember Clark, seconded by Councilmember Swanson that the following items be Approved by Consent Vote. Motion adopted unanimously.

10.-1 [MO 12-134](#)

SCHEDULE OF BILLS PAID

Sponsors: Huss

Attachments: [10/12/12 Bills Paid](#)

[10/19/12 Bills Paid](#)

Approved unanimously by Consent Vote.

10.-2 [MO 12-135](#)

ACCEPTING DONATION FROM BLAINE YOUTH HOCKEY ASSOCIATION IN THE AMOUNT OF \$3,000 FOR REPLACEMENT PARTS ON THE HAPPY ACRES PARK ICE RESURFACING MACHINE (ZAMBONI).

Sponsors: Kappelhoff

Approved unanimously by Consent Vote.

10.-3 [MO 12-136](#)

ACCEPTING A DONATION IN THE AMOUNT OF \$500 FROM TRUCK WRITERS

Sponsors: Safety Services Manager / Police Chief Olson

Attachments: [Truck writers donation](#)

Approved unanimously by Consent Vote.

10.-4 [MO 12-137](#)

ACCEPT A DONATION IN THE AMOUNT OF \$100 FROM ALERUS MORTGAGE

Sponsors: Safety Services Manager / Police Chief Olson

Attachments: [Alerus Mortgage donation](#)

Approved unanimously by Consent Vote.

11. DEVELOPMENT BUSINESS

11.-1 [RES 12-141](#)

GRANTING A CONDITIONAL USE PERMIT TO OPERATE

**A RETAIL CONSIGNMENT STORE IN A B-1
(NEIGHBORHOOD BUSINESS) ZONING DISTRICT AT
9846 POLK STREET YOUR STORE (TRAVIS MAJZNER).
(CASE FILE NO. 12-0034/SLK)**

Sponsors: Schafer

Attachments: [Attachments.pdf](#)
[Public Comment.pdf](#)

Planning and Community Development Director Schafer stated the applicant is proposing to operate a consignment type store for selling new and pre-owned merchandise. He stated the space is zoned B-1 which does not allow general retail, but does permit specialty shops as a Conditional Use Permit (CUP). He noted the property owner will be required to install a fire sprinkler system and the property owner is requesting additional time to install the sprinkler system. Director Schafer stated the City received one written notice in opposition due to concerns with increased traffic and noise.

Councilmember Bourke asked if the entire building needed sprinkler system or just this store. Director Schafer replied the entire building needs the sprinkler system.

Councilmember Swanson asked if the owner could qualify for a loan. Director Schafer replied yes.

Councilmember Herbst asked why the applicant needed more time to install a fire suppression system. Travis Majzner, 181 93rd Avenue NE, stated he had spoken to the building owner and was told that he has gotten a couple of quotes for the fire suppression system which were close to \$60,000. Mr. Majzner stated his store is 1,600 square feet and the total square footage of the building is 4,687 square feet. He noted the property owner will pay for the installation of the fire suppression system and is asking for the extension. He stated the property owner is not changing the building, but agreed to put in the fire suppression system and needs time to gather the funds.

Community Development Director Schafer stated B-1 zoning is not for general retail, so a Conditional Use Permit is required.

Mayor Pro Tem Kolb asked if the store is large enough so outside storage is not needed. Mr. Majzner replied no outside storage is needed.

Councilmember Bourke left at 7:55 p.m. and returned at 8:01 p.m

Moved by Councilmember Swanson, seconded by Councilmember Herbst, that Resolution 12-141, "Granting a Conditional Use Permit to Operate a Retail Consignment Store in a B-1 (Neighborhood Business) Zoning District at 9846 Polk Street Your Store (Travis Majzner)," be amended to extend the time for the

installation of the fire suppression system for two years from the date on the certificate of occupancy.

Amendment adopted unanimously.

Moved by Councilmember Swanson, seconded by Councilmember Clark, that this Resolution be Adopted As Amended. The Motion was adopted unanimously.

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

9.-1 [RES 12-152](#)

**CLOSE PUBLIC HEARING AND ADOPT ASSESSMENT
FOR INSTALLATION OF A FIRE SUPPRESSION SYSTEM
AT COMPANION VETERINARY HOSPITAL AT 625
COUNTY ROAD 10 NE.
PIN # 31-31-23-43-0045**

Attachments: [Proposed Assessment Roll 625CountyRd10.xls](#)

Planning and Community Development Director Schafer stated the Council granted the applicant a two year extension on required parking lot and landscape improvements and one year extension on the fire suppression with the applicant providing a plan and timetable for completing the fire suppression system within 6 months. He stated the applicant obtained bids for the fire suppression system installation and Council's consensus was to move forward with providing City/EDA assistance of a special assessment paid over 10 years at 5% interest and a matching Fire Suppression Grant.

Mayor Pro Tem Kolb opened the public hearing at 8:00 p.m.

There being no public input, Mayor Pro Tem Kolb closed the public hearing at 8:02 p.m.

Moved by Councilmember Swanson, seconded by Councilmember Herbst, that this Resolution be Adopted. The Motion was adopted unanimously.

11.-2 [RES 12-142](#)

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW
FOR OUTDOOR DINING WITH SEATING FOR 44
PEOPLE AT 1540 109th AVENUE NE. BUFFALO WILD
WINGS. (CASE FILE NO. 12/0032/LSJ)**

Sponsors: Schafer

Attachments: [Attachments.pdf](#)

Planning and Community Development Director Schafer stated the applicant proposes to occupy a tenant space in a proposed multi-tenant building in Building E of Victory Village to be built. He stated the applicant would like

to offer outdoor dining of 44 seats on the premises and has applied for a Conditional Use Permit according to ordinance. He noted the outdoor space will have a canopy and will be surrounded with wrought iron decorative railing. He noted the area under the canopy must have an automatic fire suppression system installed according to fire code requirements. He stated the canopy can only encroach 25% into the 50-foot building setback and must be at least 37 feet from the property line.

Mayor Pro Tem Kolb asked about the architecture of the canopy. Kevin Thodey, RSP Architects, stated the canopy is a trademarked design.

Councilmember Swanson asked if the Buffalo Wild Wings is relocating from the Northtown Mall. Mr. Thodey replied this is a relocation for that store. Sandra Scepurek, Buffalo Wild Wings Regional Manager, stated the new store will be larger.

Moved by Councilmember Herbst, seconded by Councilmember Swanson, that this Resolution be Adopted. The Motion was adopted unanimously.

The Following Two Items are Related 11.3A and 11.3B

11.-3 A [RES 12-143](#)

**GRANTING PRELIMINARY PLAT APPROVAL TO
SUBDIVIDE 37.26 ACRES INTO TWO (2) LOTS TO BE
KNOWN AS GLIMCHER NORTHTOWN MALL FOURTH
ADDITION AT 398 NORTHTOWN DRIVE. GLIMCHER
DEVELOPMENT. (CASE FILE NO. 12-0033)**

Sponsors: Schafer

Attachments: [Attachments.pdf](#)

Planning and Community Development Director Schafer stated the applicant has applied for a Conditional Use Permit (CUP) and proposes to replat part of the Northtown Mall property into two new lots. He noted Lot 1 will be 35.66 acres and lot 2 will be 1.60 acres (Potbelly Sandwich, Chipotle and other tenants). He stated the property lines run through parking areas and access drives, but the two lots will share the access drive that surrounds the mall. He noted the City will require a shared access and parking agreement and this must be submitted before the final plat mylars have been released for recording at Anoka County.

Moved by Councilmember Clark, seconded by Councilmember Herbst, that this Resolution be Adopted. The Motion was adopted unanimously.

11.-3 B [RES 12-144](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW

**FOR SHARED ACCESSES AND ZERO LOT LINES AT 398
NORTHTOWN DRIVE NE. GLIMCHER DEVELOPMENT.
(CASE FILE NO. 12-0033)**

Sponsors: Schafer

Attachments: [Attachments.pdf](#)

Moved by Councilmember Clark, seconded by Councilmember Swanson, that this Resolution be Adopted. The Motion was adopted unanimously.

11.-4 [RES 12-145](#)

**GRANTING A CONDITIONAL USE PERMIT
AMENDMENT TO ALLOW FOR TRANSFER OF
MUNICIPAL SOLID WASTE, YARD WASTE AND SINGLE
STREAM RECYCLING AT 3280 99th COURT NE.
SHAMROCK RECYCLING AND TRANSFER. (CASE FILE
NO. 12-0024/LSJ)**

Sponsors: Schafer

Attachments: [Attachments.pdf](#)

Planning and Community Development Director Schafer stated the applicant would like to modify the operation of the facility to end the construction and demolition debris recycling and create additional capacity to transfer municipal solid waste, yard waste and single stream recycling. He stated a physical change to the site is the addition of an outbound scale near the southeast corner of the building to improve traffic flow.

Bill Keegan, Demcon representative for Shamrock, stated the company will accept yard waste and general single cycle items for recycling from residents.

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that this Resolution be Adopted. The Motion was adopted unanimously.

12. ADMINISTRATION

12.-1 [RES 12-126](#)

**AMENDING RESOLUTION 12-126, AWARDING BIDS FOR
IMPROVEMENTS AT BLAINE COURTS AND
CLOVERLEAF COURTS SENIOR FACILITIES FOR
WHICH BIDS WERE RECEIVED AND AUTHORIZE
STAFF TO SEEK QUOTES FOR REMAINING
IMPROVEMENTS**

Sponsors: Safety Services Manager / Police Chief Olson and Fiske

Community Standards Director Fiske stated the Council approved Resolution 12-126 Awarding bids for improvements at Blaine Courts and Cloverleaf Courts and it was found that sales tax was left off one of the bids resulting with the wrong totals on the Resolution. He stated the sales tax has been added as \$3,075.94 for a total bid of \$146,590.65 the amended resolution will reflect the corrected amounts.

Moved by Councilmember Swanson, seconded by Mayor Pro Tem Kolb, that this Resolution be Adopted. The Motion was adopted unanimously.

12.-2 [MO 12-163](#)

**AWARD CONTRACT TO CAPISTRANT ELECTRIC IN
THE AMOUNT OF \$26,235.72 FOR WORK TO BE
COMPLETED AT BLAINE COURTS SENIOR FACILITIES
AS PART OF THE COMMUNITY DEVELOPMENT BLOCK
GRANT (CDBG) PROGRAM.**

Sponsors: Fiske and Huss

Attachments: [Capistrant Electric Quote](#)

Community Standards Director Fiske stated Council authorized staff to seek quotes for the remaining improvement work which no bids were received. He stated staff solicited quotes from three electrical companies to furnish and install parking lot lighting and new monument sign. He stated Council is asked to authorize the City Manager to enter into a contract with Capistrant Electric in the amount of \$26,235.72 for electrical work at Blaine Courts Senior Facilities.

Councilmember Herbst asked why more quotes were not received for the work. Community Standards Director Fiske replied he believed more quotes were not received due to the short timeframe needed for the work to be completed.

Moved by Councilmember Clark, seconded by Councilmember Swanson, that this Resolution be Adopted. The Motion was adopted unanimously.

The Following Two Items are Related 12.3A and 12.3B

12.-3 A RES 12-147

**AUTHORIZE THE MAYOR AND CITY MANAGER TO
ENTER INTO AN AGREEMENT WITH GERALD AND
MARJORIE RICHEL'S REGARDING BERM REPAIR
WORK**

Sponsors: City Manager Arneson

Attachments: air photo 20 ft wall.pdf

Postponed

12.-3 B MO 12-138

AUTHORIZE CITY MANAGER TO ENTER INTO CONTRACT WITH RLP SERVICES, LLC FOR BERM REPAIR WORK IN ACCORDANCE WITH QUOTE DATED AUGUST 28, 2012

Sponsors: City Manager Arneson

Attachments: air photo 20 ft wall.pdf

Postponed

13. OTHER BUSINESS

[MO 12-139](#)

APPROVE INDIVIDUAL THERAPEUTIC MASSAGE LICENSES

Sponsors: Cross

Attachments: [2012 Massage Individual List 5](#)

City Clerk Cross stated the City received three individual therapeutic massage licenses and one business therapeutic massage license.

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that this Motion be Approved. The Motion was adopted unanimously.

Councilmember Swanson asked if Blaine was in a budgetary issue would the bonding companies reduce the City's rating. Finance Director Huss stated the City's bond rating has increased over the years.

Mayor Pro Tem Kolb announced Clover Leaf Courts is hosting a bake and craft sale on Saturday.

Motion by Councilmember Clark, seconded by Councilmember Herbst, that the City's nepotism policy be discussed at a future Council workshop meeting. Motion adopted unanimously.

14. ADJOURNMENT

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that this meeting be Adjourned. The Motion was adopted unanimously. The meeting adjourned at 8:30 p.m.