



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

10801 Town Square Dr.  
Blaine MN 55449

---

Thursday, August 1, 2013

7:30 PM

Council Chambers

---

**Meeting Number 13-36**

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

The meeting was called to order at 7:30 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:** Clark Arneson, City Manager; Patrick Sweeney, City Attorney; Bryan Schafer, Planning Director; Bob Therres, Public Services Manager; Joe Huss, Finance Director; Jean Keely, City Engineer; Chris Olson, Safety Services Manager/Police Chief; Roark Haver, Communications Technician; Al Thorp, Senior Engineering Technician; Jane Cross, City Clerk; and Recording Secretary Linda Dahlquist.

**Present:** 7 - Mayor Ryan, Mayor Pro Tem Hovland, Councilmember Swanson, Councilmember Clark, Councilmember Bourke, Councilmember Kolb and Councilmember Herbst

**4. APPROVAL OF MINUTES**

**4.-1 [MIN 13-17](#)**

**WORKSHOP MEETING - 07/11/2013**  
**REGULAR MEETING - 07/11/2013**  
**WORKSHOP MEETING - 07/18/2013**

**Sponsors:** Cross

**Attachments:** [Regular Meeting 07/11/13](#)  
[Workshop Meeting 07/11/13](#)  
[Workshop Meeting 07/18/13](#)

Moved by Councilmember Kolb, seconded by Councilmember Herbst, that this Minutes be Approved. The Motion was adopted unanimously. Motion adopted 6-0-1 (Mayor Ryan abstained to the Workshop Meeting Minutes and Regular Meeting Minutes of July 11, 2013 due to absence).

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

None.

**6. COMMUNICATIONS**

Mayor Ryan sends his best wishes to the Fogerty family for Bill Fogerty's recovery from an accident.

Mayor Ryan welcomed new District 12 Superintendant Brian Dietz to the school district and the City.

Mayor Ryan announced A Night to Unit is scheduled for August 6, 2013. Councilmembers will visit as many neighborhoods as possible and there are an estimated 125 neighborhood groups.

Mayor Ryan announced the 3M Senior Classic is happening at the TPC Golf Course all weekend and there is free parking and free admittance.

Mayor Ryan stated more volunteers are needed for the planning of Blaine's 50th Anniversary celebration next year.

**7. OPEN FORUM FOR CITIZEN INPUT**

Mayor Ryan opened the Open Forum at 7:34 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:35 p.m.

**8. ADOPTION OF AGENDA****9. 8:00 P.M. - PUBLIC HEARING AND ITEMS SET FOR A CERTAIN TIME****9.-1 [RES 13-125](#) PROVIDING HOST CITY AUTHORIZATION FOR THE  
ISSUANCE OF REVENUE BONDS ON BEHALF OF  
CRITICAL CARE SERVICES, INC.**

**Sponsors:** Huss

Moved to follow agenda item 12.3.

**10. APPROVAL OF CONSENT AGENDA:**

**Approval of the Consent Agenda**

Moved by Councilmember Herbst, seconded by Mayor Pro Tem Hovland that the following items be Approved by Consent Vote. Motion adopted unanimously.

10.-1 [MO 13-091](#)

**SCHEDULE OF BILLS PAID**

**Sponsors:** Huss

**Attachments:** [07/12/13 BILLS PAID](#)

[07/19/13 BILLS PAID](#)

Adopt the Consent Agenda

10.-3 [MO 13-093](#)

**APPROVE THERAPEUTIC MASSAGE ENTERPRISE  
LICENSES FOR SAPPHIRE MASSAGE, 9140 BALTIMORE  
ST NE, SUITE 140**

**Sponsors:** Cross

Approved unanimously by Consent Vote.

10.-5 [MO 13-095](#)

**APPROVE AN OFF-SALE 3.2 PERCENT MALT  
BEVERAGE LICENSE FOR WAL-MART STORES, INC.,  
11505 ULYSSES STREET NE, BLAINE**

**Sponsors:** Cross

Approved unanimously by Consent Vote.

10.-6 [MO 13-096](#)

**APPROVE A TOBACCO AND TOBACCO PRODUCTS  
LICENSE FOR WAL-MART STORES INC., 11505 ULYSSES  
STREET NE, BLAINE**

**Sponsors:** Cross

Approved unanimously by Consent Vote.

10.-7 [MO 13-098](#)

**APPROVE AN AMUSEMENT DEVICE LICENSE FOR  
WAL-MART,  
11505 ULYSSES STREET NE, BLAINE, MN 55434**

**Sponsors:** Cross

Approved unanimously by Consent Vote.

10.-2 [MO 13-092](#)

**APPROVE A TOBACCO AND TOBACCO PRODUCTS  
LICENSE FOR ELIFE, LLC, 1530 125TH AVENUE NE**

**Sponsors:** Cross

Councilmember Kolb questioned electronic cigarettes being regulated as a tobacco product. City Clerk Cross replied the E-cigarettes have nicotine and is a smoking device and need to be licensed and are state regulated.

Councilmember Kolb requested a workshop for information on new e-cigarette businesses in the City.

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

**10.-4** [MO 13-094](#)

**AUTHORIZING PAYMENT FOR TRAKIT SOFTWARE  
MAINTENANCE AGREEMENT ANNUAL RENEWAL.**

**Sponsors:** Peters

Councilmember Clark asked when the removal of the state sales tax from City purchases will be in effect and if this purchase could wait until that time. City Manager Arneson replied removal of the state tax for the City will go into effect on January 1, 2014 and this purchase is necessary for 2013.

**Moved by Councilmember Clark, seconded by Councilmember Kolb, that this Motion be Approved. The Motion was adopted unanimously.**

**11. DEVELOPMENT BUSINESS**

**11.-1** [RES 13-126](#)

**CONDITIONAL USE PERMIT TO ALLOW FOR A ZERO  
LOT LINE FOR TWO SHARED ACCESSSES IN AN I-1  
(LIGHT INDUSTRIAL) ZONING DISTRICT AT 1580 AND  
1610 94TH LANE NE. ARROW CRYOGENICS. (CASE FILE  
NO. 13-0039/SLK)**

**Sponsors:** Schafer

**Attachments:** [Attachments.pdf](#)

Planning and Community Development Director Schafer stated the applicant Arrow Cryogenics purchased two properties which are connected by two existing shared accesses between the properties and a Conditional Use Permit is needed to allow the drive accesses between the two properties to remain. He noted that the northern access will be relocated and the southern access will remain in its current location with improved concrete curb and gutter.

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

11.-2 [RES 13-127](#)

**CONDITIONAL USE PERMIT TO OPERATE A FITNESS FACILITY IN AN I-1 (LIGHT INDUSTRIAL) ZONING DISTRICT AT 9221 BALTIMORE STREET NE, SUITE 200. CROSSFIT RIGOR. (CASE FILE NO. 13-0040/ELH)**

**Sponsors:** Schafer

**Attachments:** [Attachments.pdf](#)

Planning and Community Development Director Schafer stated Crossfit Rigor is proposing to open a new fitness center at 9221 Baltimore Street NE, Suite 200. He noted the building has two tenants and the site has 33 parking spaces and Crossfit Rigor will occupy 40% of the total building space. He stated Crossfit Rigor is a class based fitness training facility and all classes are pre-registered at specific time slots.

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

11.-3 [RES 13-132](#)

**CONDITIONAL USE PERMIT TO OPERATE AS A WINE MANUFACTURER IN A SEPARATE ROOM FROM THE HOME AT 4432 ST. ANDREWS DRIVE. KYLE ROGGENBUCK (CASE FILE NO. 13-0021/LSJ)**

**Sponsors:** Schafer

**Attachments:** [Roggenbuck Winery - Attachments.pdf](#)

Planning and Community Development Director Schafer stated Mr. Roggenbuck received a conditional use permit on May 2, 2013 that allowed him to operate a farm winery out of his home. He stated the City has had discussions with the State Alcohol Licensing Department and determined that State requirements does not allow farm wineries to be located within urban residential districts. He noted that the State suggested language to be included on the conditional use permit and the City will due an annual review.

Councilmember Bourke asked about the 200-gallon maximum. Planning and Community Development Director Schafer replied 200-gallons was listed on the application by the applicant.

Councilmember Swanson asked if the 200 gallons is production or bottled and leaving the premises. Planning and Community Development Director Schafer replied the 200-gallon maximum is for wine bottled and leaving the premises.

Councilmember Hovland asked about inspections by the Department of Health for sanitation. Planning and Community Development Director Schafer replied that is part of the State's licensing.

Councilmember Clark asked about fire safety of the property. Planning and Community Development Director Schafer replied the Fire Department did a walkthrough of the property.

Councilmember Kolb requested a workshop on wineries and breweries.

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

11.-4 [RES 13-128](#)

**CONDITIONAL USE PERMIT AMENDMENT TO ALLOW  
FOR A SHARED ACCESS DRIVE AND PARKING AT 1250  
126TH AVENUE/12530 ULYSSES STREET NE. COREY  
BURSTAD/JOHN HARTINGER. (CASE FILE NO.  
13-0018/LSJ)**

**Sponsors:** Schafer

**Attachments:** [Blucys Shared Access - Attachments.pdf](#)

Planning and Community Development Director Schafer stated Blucy's Roadside received a conditional use permit for outdoor dining, outdoor bocce ball court, and indoor live entertainment. He stated the applicant has reached an agreement with the owner of the adjacent property to create a shared access between the two sites and this share access requires a conditional use permit amendment.

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

11.-5 [RES 13-129](#)

**CONDITIONAL USE PERMIT AMENDMENT TO ALLOW  
FOR A 4,659 SQUARE FOOT ADDITION AT 8950  
ELDORADO STREET NE. TEC REPAIR. (CASE FILE NO.  
13-0045/ELH)**

**Sponsors:** Schafer

**Attachments:** [TEC Repair - Attachments.pdf](#)

Planning and Community Development Director Schafer stated T.E.C. Repair is proposing to construct a building addition at 8950 Eldorado Street NE, which is zoned I-2 (Heavy Industrial). He stated the property currently has a conditional use permit for truck repair and outdoor storage, and requires a conditional use permit amendment to accommodate the business expansion.

Mr. Olson, property owner, stated he has owned the property for a long time and TEC Repair is a good tenant.

Councilmember Bourke asked if TEC is allowed to sell trucks at this location. Planning and Community Development Director Schafer replied yes, but the trucks are not allowed to be displayed outside of the yard.

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

### **The Following Item is Scheduled for First Reading**

11.-6 [ORD 13-2271](#)

#### **FIRST READING**

#### **CODE AMENDMENT TO SECTION 34.07 (A)(2)(BB) TO INCREASE THE SIZE ALLOWANCE FOR THE SECOND MONUMENT SIGN CURRENTLY ALLOWED ON COMMERCIAL SITES WITH MORE THAN 400 FEET OF LINEAL FRONTAGE ON A STREET THAT IS, AT LEAST, AN ARTERIAL ROADWAY. CITY OF BLAINE. (CASE FILE NO. 13-0041/LSJ)**

Planning and Community Development Director Schafer stated staff reviewed the sign code with respect to multi-tenant building sign for different commercial/industrial sites. He stated staff determined it is reasonable to allow larger second monument signage for sites that have at least 400 feet of lineal frontage and abut a street that is at least an arterial. He noted that larger sites are allowed two signs but the current ordinance limits the second sign to not more than 75 square feet.

**Declared by Mayor Ryan that Ordinance 13-2271, "Code Amendment to Section 34.07 (A) (2) (BB) to Increase the Size Allowance for the Second Monument Sign Currently Allowed on Commercial Sites with More Than 400 Feet of Lineal Frontage on a Street that is, at least, an Arterial Roadway. City of Blaine," be introduced and placed on file for second reading at the August 15, 2013, Council meeting.**

### **12. ADMINISTRATION**

12.-1 [RES 13-130](#)

#### **APPROVE PARKING RESTRICTIONS ON JEFFERSON STREET, MADISON STREET AND QUINCY BOULEVARD NORTH OF TERRITORIAL ROAD**

**Sponsors:** Keely

**Attachments:**    [Location Map.pdf](#)  
                              [Petitions & Petitioners Map.pdf](#)

Planning and Community Development Director Schafer stated the City has received three petitions for traffic management strategy implementation regarding parking on Jefferson Street between Territorial Road and 104th; Madison Street north of Territorial Boulevard; and Quincy Boulevard between Territorial and 106th Avenue. He noted the no parking signs will be posted with designated hours on school days.

Councilmember Hovland asked if the parking restrictions will be more work for City staff and the Police Department. Chief Olson replied no, the Police Department will visit with the school officials and the neighbors.

Councilmember Herbst asked how the no parking worked during the Little League season. Public Services Manager Therres replied the no parking worked well and no phone calls were received.

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

**12.-2**    [RES 13-131](#)

**ACCEPT BID FROM NORTH METRO ASPHALT LLC IN  
THE AMOUNT OF \$510,378.22 FOR THE PARTIAL  
RECONSTRUCTION OF PAUL PARKWAY FROM OAK  
PARK BOULEVARD TO ULYSSES STREET,  
IMPROVEMENT PROJECT NO. 12-17**

**Sponsors:**        Keely

**Attachments:**    [Bid Tabulation.pdf](#)

Planning and Community Development Director Schafer stated five bids were received and it has been determined that North Metro Asphalt LLC of Ham Lake, Minnesota is the lowest bidder. The Engineering Department has not worked with North Metro Asphalt LLC on previous contracts, so references have been requested and will be verified. Upon verification of references, staff recommends the low bid be accepted and a contract entered into with North Metro Asphalt LLC. The Council is also asked to approve a 10% contingency to bring the total project budget to \$561,416.00. She noted that approximately \$254,469 is proposed to be assessed and additional funding sources are the City's Public Utility funds, Pavement Management Program funds, and Municipal State Aid Street funds.

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

**The Following Item is Scheduled for Second Reading**



12.-3 [ORD 13-2270](#)

**SECOND READING**  
**AN ORDINANCE AMENDING CHAPTER 6, ARTICLE II,**  
**SEC 6-47, SUBD. (b) RESTRICTIONS ON ISSUANCE OF**  
**LICENSE, OF THE MUNICIPAL CODE OF THE CITY OF**  
**BLAINE**

**Sponsors:** Cross

City Clerk Cross stated the ordinance amendment is to clear up ambiguity in the alcohol ordinance pertaining to the number of intoxicating liquor licenses issued to any one person and is related to off-sale intoxicating liquor only.

**Moved by Councilmember Swanson, seconded by Councilmember Bourke, that this Ordinance be Adopted. The Motion was adopted unanimously.**

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

[RES 13-125](#)

**PROVIDING HOST CITY AUTHORIZATION FOR THE**  
**ISSUANCE OF REVENUE BONDS ON BEHALF OF**  
**CRITICAL CARE SERVICES, INC.**

**Sponsors:** Huss

Finance Director Huss stated Critical Care Services, Inc., DBA, Life Line III, is a nine-member non-profit health consortium providing critical care transportation services for critically ill patients. He stated the consortium will be issuing conduit revenue bonds to fund the purchase of six helicopters to be used for medical purposes; one will be housed at the Life Link III facility located at the Anoka County-Blaine Airport. He noted that while the conduit funding will be provided by the Wisconsin-based Public Finance Authority, because a portion of the proceeds will be used to fund improvements or equipment located in Blaine, the City is required by statutes and IRS regulations to provide what is known as "Host City Approval." He stated the bonds, or any other obligations issued for this project, will not be obligations of the City; will not constitute a charge, lien or encumbrance upon any property of the City; and will not be a charge against the City's general credit or taxing powers.

Mayor Ryan opened the public hearing at 8:06 p.m.

Mr. Bob Sannerud stated Critical Care Services will purchase six helicopters and four helicopters will be located in Minnesota. He noted that one helicopter will be located in Blaine.

Mayor Ryan closed the public hearing at 8:10 p.m.

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

### **13. OTHER BUSINESS**

City Manager Arneson stated the Council Retreat is scheduled for August 9 and 10, 2013, at the TPC. He noted that Councilmember Bourke will be unable to attend. He stated the preliminary levy needs to be set at the Council meeting on September 5, 2013. Council discussion on meeting alternatives.

Councilmember Clark requested a workshop on City codes and ordinances on property lines.

### **14. ADJOURNMENT**

**Moved by Councilmember Bourke, seconded by Councilmember Clark, that this meeting be Adjourned. The Motion was adopted unanimously. The meeting adjourned at 8:20 p.m.**