



City of Blaine
Anoka County, Minnesota
Minutes
City Council

Blaine City Hall
10801 Town Sq Dr NE
Blaine, MN 55449

Thursday, May 3, 2018

7:30 PM

Council Chambers

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: City Manager Clark Arneson; Planning and Community Development Director Bryan Schafer; Public Works Director Jon Haukaas; Police Chief/Safety Services Manager Brian Podany; Finance Director Joe Huss; Public Services Manager/Assistant City Manager Bob Therres; City Attorney Patrick Sweeney; City Engineer Jean Keely; Communications Technician Roark Haver; and City Clerk Catherine Sorensen.

Present: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

4. APPROVAL OF MINUTES

4.-1 RECENTLY HELD MEETINGS

Attachments: [04-12-18 Closed Workshop Pending Litigation](#)
[04-19-18 Closed Workshop Pending Litigation](#)
[04-12-18 Workshop Minutes](#)
[04-19-18 Workshop Minutes](#)
[04-19-18 Council Minutes](#)

Moved by Councilmember Clark, seconded by Councilmember Jeppson, that the Minutes of the Closed Workshop Pending Litigation Meeting of April 12, 2018, Minutes of the Closed Workshop Pending Litigation Meeting of April 19, 2018, Minutes of the Workshop Meeting of April 12, 2018, Minutes of the Workshop Meeting of April 19, 2018, and the Minutes of the Regular Meeting of April 19, 2018 be approved.

Motion adopted. Councilmember King abstained on the April 12, 2018 Closed

Workshop Pending Litigation meeting minutes and the April 12, 2018 Workshop meeting minutes due to his absence. Councilmember Swanson abstained from voting on any of the minutes due to his absence at these meetings.

Aye: 5 - Mayor Ryan, Councilmember Clark, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

Abstain: 2 - Councilmember Swanson and Councilmember King

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

None.

None.

6. COMMUNICATIONS

None.

None.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:35 p.m.

Rick Glubke, 11451 Polk Street, expressed concerns with the City's notification process for large development projects. He encouraged the City to notify more residents than just those living within 350 feet. He suggested all those within line of sight be notified.

Councilmember Garvais requested the City's notification policy be reviewed by the City Council at a future workshop meeting.

There being no further input, Mayor Ryan closed the Open Forum at 7:38 p.m.

Informational; no action required.

8. ADOPTION OF AGENDA

The agenda was adopted as amended moving items 11.11 and 11.12 up on the agenda to be addressed after the Consent Agenda.

Approved as amended.

9. 7:30 P.M. - PUBLIC HEARING AND ITEMS PUBLISHED FOR A CERTAIN TIME

9.-1

**VACATION OF DRAINAGE AND UTILITY EASEMENT
AT OUTLOTS E, F AND G, SPRINGBROOK ADDITION,
VACATION NO. V18-02**

Attachments: [Petition_3-1-18](#)
 [Location Map](#)

City Engineer Keely stated a petition dated March 1, 2018, was submitted to the City by Heather Lorch, representing Springbrook Land, LLC, requesting vacation of drainage and utility easement for re-platting into single family lots. The applicants represent 100% of the affected property abutting this easement. The Engineering Department has reviewed this request and concurs with the vacation.

Mayor Ryan opened the public hearing at 7:40 p.m.

There being no public input, Mayor Ryan closed the public hearing at 7:40 p.m.

Moved by Councilmember Garvais, seconded by Councilmember Clark, that Resolution 18-67, "Vacation of Drainage and Utility Easement at Outlots E, F and G, Springbrook Addition," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

9.-2

AUTHORIZE USE OF CAPITAL IMPROVEMENT FUND PRINCIPAL TO PROVIDE FUNDING FOR A SENIOR ACTIVITY CENTER

Finance Director Huss stated the City Council will be conducting a public hearing to consider the adoption of a resolution authorizing the use of up to \$5.4 million of principal from the City's Capital Improvement Fund (CIF) to provide funding for the construction of a 12,000 to 14,000 square-foot Senior Center. It was noted the current senior facility, the Mary Ann Young Senior Center, is located in Aquatore Park just off Cloverleaf Parkway and Highway 65. The Center's staff and volunteers offer a variety of programs and social events throughout the year. The Center also serves as the home of the Senior Dining Program, which is run by Volunteers of America, and offers noon meals Monday through Friday. Because the project will be funded with funds currently on hand, the construction of the facility will not affect property taxes.

Mr. Huss reported per Chapter 2, Article IV of the City Code, the use of CIF principal is permissible so long as a public hearing considering the matter is conducted and a resolution is adopted by the affirmative vote of at least six (6) Council members. The public does have the opportunity to bring this item forward as a referendum for a vote at the next general election if a petition, signed by a number of voters equal to or greater than 10% of the votes cast in the last general election, is filed with the city clerk within 30 days of the public hearing. In order to use the CIF, the City Council must find that the project provides sufficient

community-wide benefit and is consistent with City goals, programs and policies.

Mayor Ryan opened the public hearing at 7:42 p.m.

Mayor Ryan discussed the history of the Senior Center and stated this space has become quite aged. He indicated the seniors in Blaine were looking forward to having a new space that would function as a Senior Center and community meeting space. He provided further comment on the numerous events that could be held in the new space.

There being no additional public input, Mayor Ryan closed the public hearing at 7:46 p.m.

Councilmember Swanson requested information from staff on how the CIF fund was created. Mr. Huss reported this fund was created in the early 1980s through remaining construction funds and has received transfers from reserves on a yearly basis. He noted this fund exceeded \$12 million at one point and noted the balance could not drop below \$5 million. He described how the City Council could use CIF funds for a broad public use.

Councilmember King commented on how the new facility will be programmed primarily for senior center activities but available for broad public use as well.

Moved by Mayor Ryan, seconded by Councilmember Swanson, that Resolution 18-68, "Authorize Use of Capital Improvement Fund Principal to Provide Funding for a Senior Activity Center," be approved.

Amended motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

Mayor Ryan reported the Senior Advisory Board supported community use of this space.

Motion by Councilmember King, seconded by Councilmember Hovland, to amend the Resolution to read: the City will be constructing a facility that will serve primarily as a Senior Center with additional use for recreation programs and community space.

Amendment adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

10. APPROVAL OF CONSENT AGENDA:

Councilmember King requested the removal of agenda item 10.3.

Councilmember Hovland requested the removal of agenda item 10.5.

Moved by Councilmember Clark, seconded by Councilmember Jeppson, that the following be approved:

Motion adopted unanimously.

10.-1

SCHEDULE OF BILLS PAID

Attachments: [04/13/18 Bills Paid](#)
 [04/20/18 Bills Paid](#)

Approved

10.-2

**PROHIBIT PARKING ON PHEASANT RIDGE
DRIVE FROM LEXINGTON AVENUE TO
APPROXIMATELY 4500 FEET WEST OF
LEXINGTON AVENUE**

Attachments: [Pheasant Ridge No Parking](#)

Adopted

10.-4

**APPROVE TEMPORARY ROAD CLOSURE FOR
WORLD FEST**

Attachments: [World Fest Street Closure 2018.pdf](#)

Adopted

10.-3

**APPROVE TEMPORARY ROAD CLOSURE FOR BLAINE
FESTIVAL PARADE**

Attachments: [Blaine Festival Parade Street Closure Vertical 2018.pdf](#)

Councilmember King asked when Jefferson Street would be receiving some repairs, noting this roadway would be used for the Blaine Festival Parade. Ms. Keely reported the Council initiated a project for Jefferson Street and staff was working on the plans and it was her hope that staff would get this project started yet this summer.

Moved by Councilmember King, seconded by Councilmember Jeppson, that Resolution 18-70, "Approve Temporary Road Closure for Blaine Festival Parade," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

10.-5

**APPROVE PREMISES PERMIT FOR CHARITABLE
GAMBLING FOR BLAINE YOUTH HOCKEY
ASSOCIATION AT CLIVES ROADHOUSE BLAINE, INC.,
10400 BALTIMORE STREET NE #200, BLAINE**

Attachments: [LG214](#)
 [LG215](#)

Councilmember Hovland asked how many locations the Blaine Youth Hockey Association was allowed for charitable gambling. City Clerk Sorensen reported if approved that this organization would be at the maximum of four locations.

Moved by Councilmember Hovland, seconded by Councilmember King, that Resolution 18-85, "Approve Premises Permit for Charitable Gambling for Blaine Youth Hockey Association at Clives Roadhouse Blaine, Inc., 10400 Baltimore Street NE #200, Blaine," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

11. DEVELOPMENT BUSINESS

11.
-11

**GRANTING A COMPREHENSIVE LAND USE PLAN
AMENDMENT FROM MDR (MEDIUM DENSITY
RESIDENTIAL)/LDR (LOW DENSITY RESIDENTIAL) TO**

**HDR (HIGH DENSITY RESIDENTIAL), LOCATED AT
117TH AVENUE/ULYSSES STREET NE. TYR
DEVELOPMENT, LLC. (CASE FILE NO. 18-0006/LSJ)**

Attachments: [Cedar Point Apts - Attachments.pdf](#)
 [Public Comment - Cedar Point Apts.pdf](#)
 [041018 PC Draft - Cedar Point Apts.pdf](#)

Planning and Community Development Director Schafer stated Tyr Development, LLC is proposing to develop two apartment sites on the southwest corner of 117th Avenue and Ulysses Street. There are five separate parcels in this area that will be combined into two lots for the development, for a total development site of 12.86 acres. In order to construct these apartments, the applicant needs the approval of a comprehensive plan amendment, a rezoning, a preliminary plat and a conditional use permit. The proposed comprehensive plan amendment would change the land use of the 12.86 acres to HDR (High Density Residential). The current land use of the property is split, with the three existing parcels on the north having a land use of MDR (Medium Density Residential) and the two southern parcels having a land use of LDR (Low Density Residential). This land use amendment was discussed with the City Council in the fall of 2017 and the Council indicated their support for an amendment. He addressed the traffic concerns along 117th Avenue and noted this roadway was a major collector. Staff provided further comment on the proposed development, project timeline and recommended approval of the requested Comprehensive Land Use Plan Amendment.

Claire Walter-Marchetti, 11761 Able Street NE, explained she had concerns with the traffic, proposed density and how this development would impact the school district. She provided further comment on how traffic counts over the last decade have increased along Highway 65. In addition, she was concerned with how crime within the neighborhood would increase due to the high density. She reported she was not opposed to increased density but recommended the City investigate how to increase density without increasing crime in the community. She suggested twin homes or townhomes be pursued.

Joe Peterson, property owner, discussed the history of development in the City of Blaine and stated he has been trying to sell his property for the past 10 years. He reported the proposed development would create a buffer between the commercial development and the adjacent residential neighborhood. He stated the proposed apartments would help the City meet their affordable housing requirements.

Janice Bergstrom, President of the Coon Creek Meadows Association, expressed concerns with traffic and pedestrian safety and feared how her neighborhood would be impacted by the density being proposed within this development. She requested a lower density development be considered for this property, such as townhomes

or twinhomes.

Dick Haluptzok, 11773 Van Buren Street, noted he has lived in his home for the past 30 years. He stated this was a complex development and noted he supported the high-quality building being proposed. He discussed the building materials that would be used and noted there would be buffers on all sides of the development. He thanked Ms. Keely for her efforts on behalf of the City and praised her for being named City Engineer of the Year by the State of Minnesota's Association of Engineers.

Nancy Haluptzok, 11773 Van Buren Street, indicated she believed the traffic concerns were being blown out of proportion. She understood that some residents opposed this building being five stories but noted this had to be done to meet the City's greenspace requirements. She reported the City already had two four-story apartment buildings. She stated she supported the proposed project and commented on how the park dedication fees would positively benefit the City of Blaine.

Diane Bisila, 11740 Taylor Street NE, expressed concerns with traffic and how emergency response times to this neighborhood would be impacted by the increased density. She had concerns with how wildlife in this area would be impacted and how the neighborhood would be impacted by the increased density, traffic, and crime levels. She feared the apartment complex would have increased domestic abuse situations, sex offenders and drug use.

Brent Vetvik, 1040 117th Avenue, expressed concern regarding his children's safety with the increased amount of traffic in his neighborhood. He discussed the number of police stops he sees along 117th Avenue. He noted there have been serious accidents and fatalities along this roadway and he did not want to see this becoming worse. He encouraged the City to pursue another type of development for this property.

Susan Wall, 11749 Able Street NE, expressed concerns regarding traffic and how the schools will be impacted. She encouraged the developer to provide a great deal of buffering for the noise and light that will be generated by the apartment complex. She reported she was not opposed to development but was opposed to high density at this location. She recommended the Council deny the request.

Julie Nash-Smith, Remax Agent representing the property owner, noted Wal-Mart and Lowe's was once zoned residential and this changed. She reported townhomes and single-family homes would not sell on this property. She explained the proposed development meets the Metropolitan Council's affordable housing requirements and suggested the City pursue traffic calming measures and not let

traffic concerns impede the sale of this property.

Peter Stalland, TYR Development, LLC, commented this project will generate less traffic than the surrounding commercial/retail developments and noted the higher rental rates would address the crime concerns. He reported a low-density project will not work on this property due to the park dedication, SAC/WAC and infrastructure fees.

Mayor Ryan reported the City meets with the school district on a regular basis and they were preparing for new developments throughout the community. He explained the City Council was aware of the traffic concerns along 117th Avenue and had requested the Police Department make extra stops along this roadway to assist in controlling speed in this area of the City. He stated at this time he could not support the proposed comprehensive plan amendment.

Councilmember King apologized if he had not responded to all of the residents that contacted him personally regarding this project but explained he had read all the emails and listened to all the voicemails. He commented this development was not about revenue but rather was about what was right for the City. He stated he lives in this area and understood traffic was a concern. He anticipated that traffic in this area would only continue to grow. He stated he respected the decision of the Planning Commission and noted he watched the entire April meeting. He commented on the proposed density and noted he could not support the project as requested.

Councilmember Garvais commented he too received a number of emails regarding this issue. He indicated a large number of concerns have been raised regarding traffic and agreed traffic in this area would continue to increase. He anticipated there were actions the City could take to assist in mitigating traffic along 117th Avenue to push traffic towards Highway 65 and away from the neighborhoods. He stated if this was a medium density property, he may be able to support this project, but at this time he would not be able to offer his support to the proposed development.

Councilmember Clark indicated the Council would not have five votes for the Comprehensive Plan Amendment and requested the Mayor call the question.

Councilmember King requested this be a roll call vote.

Councilmember Swanson cautioned the Council about the potential for a reputation of giving developers direction and then changing direction when a project is before them for consideration and approval.

Moved by Councilmember King, seconded by Councilmember Garvais, that Resolution No. 18-81, "Granting a Comprehensive Land Use Plan Amendment

from MDR (Medium Density Residential)/LDR (Low Density Residential) to HDR (High Density Residential), located at 117th Avenue/Ulysses Street NE," be approved.

- Councilmember Clark - no
- Councilmember Garvais - no
- Councilmember Hovland - no
- Councilmember King - no
- Councilmember Jeppson - no
- Councilmember Swanson – aye
- Mayor Ryan - no

Motion failed 1-6 (Councilmembers Clark, King, Hovland, Garvais, Jeppson and Mayor Ryan opposed).

Aye: 1 - Councilmember Swanson

Nay: 6 - Mayor Ryan, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

Mayor Ryan recommended this property be brought back to the City Council at an upcoming workshop meeting for further discussion.

11.
-12

FIRST READING

GRANTING A REZONING FROM FR (FARM RESIDENTIAL) TO DF (DEVELOPMENT FLEX) AT 117TH AVENUE/ULYSSES STREET NE. TYR DEVELOPMENT, LLC. (CASE FILE NO. 18-0006/LSJ)

City Manager Arneson reported that because the Comprehensive Plan Amendment failed no action on this item was required.

Removed Prior to Meeting

Recess and Reconvene

Mayor Ryan recessed the City Council meeting at 9:14 p.m.

Mayor Ryan reconvened the City Council meeting at 9:19 p.m.

11.-1

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR THREE (3) ACCESSORY STRUCTURES IN AN R-1 (SINGLE FAMILY) ZONING DISTRICT AT 12017 WASHINGTON STREET NE. DAVID SPALDING. (CASE FILE NO. 18-0014/NBL)

Attachments: [Spalding - Attachments.pdf](#)
 [Public Comments.pdf](#)

Mr. Schafer stated the R-1 (Single Family) zoning district requires a conditional use permit for more than two (2) accessory structures. The applicant currently has an attached garage and a detached shed. The applicant is requesting to build a third accessory structure on the property. The existing attached garage is approximately 462 square feet and the existing shed is approximately 70 square feet. The proposed new shed will be 196 square feet. The R-1 (Single Family) zoning district allows up to 1,000 square feet of garage space without a conditional use permit. If the conditional use permit for a third accessory structure is approved the total accessory garage space on the property will be 728 square feet. This is still well under the maximum requirement, in this zoning district, of 1,000 square feet.

Moved by Mayor Ryan, seconded by Councilmember Swanson, that Resolution No. 18-72, "Granting a Conditional Use Permit to Allow for Three (3) Accessory Structures in an R-1 (Single Family) Zoning District at 12017 Washington Street NE," be approved.

Motion adopted 6-0-1 (Councilmember King was absent for the vote).

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

Abstain: 1 - Councilmember King

11.-2

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A 2,000 SQUARE FOOT DETACHED GARAGE RESULTING IN A TOTAL OF 2,950 SQUARE FEET OF ACCESSORY GARAGE SPACE, AND TO ALLOW AN ACCESSORY BUILDING TO BE LOCATED IN THE FRONT YARD, IN AN FR (FARM RESIDENTIAL) ZONING DISTRICT AT 4851 114TH LANE NE. JOSEPH AND AMANDA PROSEK. (CASE FILE NO. 18-0017/NBL)

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

Mr. Schafer stated in the FR (Farm Residential) zoning district a conditional use permit is required for accessory building space over 1,200 square feet and up to 3,000 square feet for parcels located inside the MUSA (Metropolitan Urban Service Area). It was noted this parcel is located inside the MUSA. The applicants are requesting a conditional use permit to allow for a 2,000 square foot detached garage and a total of 2,950 square feet of accessory garage space. There is currently an attached garage that totals 529 square feet and there is currently a detached shed that totals 421 square feet.

Councilmember Hovland asked what the other structures were on the aerial photo of the property. Mr. Schafer reported these were items that would be stored within the new accessory structure.

Moved by Councilmember Clark, seconded by Mayor Ryan, that Resolution No. 18-73, "Granting a Conditional Use Permit to Allow for a 2,000 Square Foot Detached Garage Resulting in a Total of 2,950 Square Feet of Accessory Garage Space, and to Allow an Accessory Building to be Located in the Front Yard, in an FR (Farm Residential) Zoning District at 4851 114th Lane NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

11.-3

GRANTING APPROVAL OF A RLS (REGISTERED LAND SURVEY) TO CREATE A NEW LOT IN BALTIMORE 2ND ADDITION, LOCATED AT 10611 & 10673 BALTIMORE STREET NE. ELEVAGE DEVELOPMENT GROUP. (CASE FILE NO. 16-0035/LSJ)

Attachments: [Elevage RLS - Attachments.pdf](#)

Mr. Schafer stated in September 2016, the City Council approved a conditional use permit for the Elevage Development Group that would allow for the construction of a five-story hotel on the southwest corner of Baltimore Street and 107th Avenue. One of the conditions of approval at that time required the applicant to move a lot line because the drawings presented for approval indicated that part of the hotel would need to be constructed over a lot line. As you know, the City cannot issue a building permit for a building that sits over a property line. Staff stated initially the hotel was going to be constructed on the same lot as the multi-tenant retail building that houses the US Post Office. Because of ownership rules and requirements on these parcels the applicant has chosen to create three new parcels so the multi-tenant retail building would be on one lot, the hotel on one lot, and Bricks restaurant on one lot, essentially making three lots out of two existing lots. With this proposal, no part of any building will be constructed over a lot line. Normally the staff would call this action a waiver of platting, or more simply, a lot split. Because this is Torrens property and because of the needs of the ownership group, the approval of a registered land survey is what is required to facilitate the creation of the new lot lines and what is required by Anoka County. This action acts like a waiver of platting but is called a registered land survey.

Councilmember King asked if staff had any concerns with the shared parking within this development. Mr. Schafer stated staff had no concerns with the shared parking.

Corey Burstad, applicant, shared the hotel will be a Marriott/Fairfield Suites with construction to begin soon.

Moved by Councilmember King, seconded by Councilmember Hovland, that Resolution No. 18-74, "Granting Approval of an RLS (Registered Land Survey) to Create a New Lot in Baltimore 2nd Addition, located at 10611 & 10673 Baltimore Street NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

11.-4

**GRANTING PRELIMINARY PLAT APPROVAL TO
SUBDIVIDE 7.4 ACRES INTO ONE (1) LOT AND ONE (1)
OUTLOT IN ORDER TO CONSTRUCT A
MULTI-TENANT OFFICE BUILDING ON LOT 1 TO BE
KNOWN AS TOWN SQUARE VILLAGE 2ND ADDITION,
LOCATED AT 10729 TOWN SQUARE DRIVE NE. CITY
OF BLAINE. (CASE FILE NO. 18-0019/SLK)**

Attachments: [Town Sq Village 2nd - Attachments.pdf](#)

Mr. Schafer stated the 7.4-acre parcel is located on Town Square Drive just west of City Hall. The City of Blaine is proposing to plat the property into one lot and one outlot. The proposed Lot 1 is 1.73 acres, and the proposed Outlot is 5.66 acres. There are no current plans for proposed Outlot A, but a 17,577 square foot multi-tenant office building is proposing to locate on proposed Lot 1. The proposed Lot 1 will be accessed from 108th Lane NE. The Imagine Center (multi-tenant building) owner will need to present a development plan and Conditional Use Permit for Lot 1, and all other details of the site plan will be addressed at that time.

Moved by Councilmember Hovland, seconded by Mayor Ryan, that Resolution No. 18-75, "Granting Preliminary Plat Approval to Subdivide 7.4 Acres into One (1) Lot and One (1) Outlot in Order to Construct a Multi-Tenant Office Building on Lot 1 to be Known as Town Square Village 2nd Addition, located at 10729 Town Square Drive NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

11.-5

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW
FOR CONSTRUCTION OF A 17,577 SQUARE FOOT
OFFICE/MEDICAL BUILDING IN A DF
(DEVELOPMENT FLEX) ZONING DISTRICT, LOCATED
AT 10729 TOWN SQUARE DRIVE NE. GREENSPACES,**

LLC. (CASE FILE NO. 18-0020/SLK)

Attachments: [The Imagine Center - Attachments.pdf](#)

Mr. Schafer stated this item is a request to allow the construction of a multi-tenant office/medical building to be located on proposed Lot 1 Town Square Village 2nd Addition. All uses in the DF (Development Flex) zoning district require the approval of a conditional use permit. Staff reviewed the proposed architecture for the building and recommended approval of the request.

Moved by Councilmember Hovland, seconded by Councilmember King, that Resolution No. 18-76, "Granting a Conditional Use Permit to Allow for Construction of a 17,577 Square Foot Office/Medical Building in a DF (Development Flex) Zoning District, located at 10729 Town Square Drive NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

Councilmember Hovland requested the Council discuss overflow parking for Aquatore Park and Blaine Festival at a future workshop meeting. Mr. Arneson reported he would bring this item back to the Council at a future workshop meeting.

11.-6

**GRANTING PRELIMINARY PLAT APPROVAL TO
SUBDIVIDE 80 ACRES INTO 10 LOTS AND 1 (ONE)
OUTLOT TO BE KNOWN AS LEXINGTON MEADOWS,
LOCATED AT 10840 LEXINGTON AVENUE NE.
WELLINGTON MANAGEMENT, INC. (CASE FILE NO.
17-0026/LSJ)**

Attachments: [Lexington Meadows - PC Attachments 040218.pdf](#)
[Master Plan.pdf](#)

Mr. Schafer stated in August of 2017, the City Council approved the Comprehensive Plan Amendment and master plan for the proposed development on the southwest corner of Lexington Avenue and 109th Avenue. The development will be known as Lexington Meadows and Wellington Management is the developer of the project. At this time, Wellington Management is proposing a preliminary plat for the property that creates 10 new lots and an outlot. The proposed preliminary plat creates 10 new lots on the 80-acre parcel. Lot 2 of the proposed plat will be the site of the Dominion housing project, while the other 9 lots will be used for commercial/industrial uses that fit within the current zoning of the property, which is PBD (Planned Business District). Other than Dominion's project, there are no known tenants at this time. Outlot A is the only outlot within

the preliminary plat and it will be used for storm drainage purposes and wetlands. Staff provided further information regarding the proposed plat and recommended approval.

Councilmember Hovland shared concerns about density in this area and said he would not be supporting the project.

Moved by Councilmember Garvais, seconded by Councilmember Jeppson, that Resolution No. 18-77, "Granting Preliminary Plat Approval to Subdivide 80 Acres into 10 Lots and One (1) Outlot to be known as Lexington Meadows, located at 10840 Lexington Avenue NE," be approved.

Motion adopted 6-1 (Councilmember Hovland opposed).

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Garvais and Councilmember Jeppson

Nay: 1 - Councilmember Hovland

11.-7

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF A 192 UNIT SENIOR, INDEPENDENT LIVING, AFFORDABLE HOUSING PROJECT IN A PBD (PLANNED BUSINESS DISTRICT) ZONING DISTRICT, LOCATED AT 10840 LEXINGTON AVENUE NE. DOMINIUM. (CASE FILE NO. 18-0011/LSJ)

Attachments: [Legends of Blaine - Attachments.pdf](#)

Mr. Schafer stated in 2017, the City Council approved a concept plan for this site, and the overall development on the southwest corner of Lexington Avenue and 109th Avenue called Lexington Meadows. Also approved in 2017 by the City Council and the Met Council was a land use amendment for this site, so the current land use for this lot is HDR (High Density Residential). When the land use amendment was reviewed by the Planning Commission and City Council, it was revealed that Dominion was proposing a 192 unit senior housing project for this lot in Lexington Meadows. Since that time, Dominion has secured its financing and is ready to move forward with this project to be known as Legends of Blaine. The site's zoning of PBD (Planned Business District) allows the senior housing project with the approval of a conditional use permit.

Councilmember Jeppson questioned how long it would take to develop the remaining lots. Mr. Schafer stated this could be a 10- to 15-year time period.

Todd Kaufman, Wellington Management, the developer, anticipated it would take some time for these lots to develop.

Moved by Councilmember Clark, seconded by Councilmember Swanson, that

Resolution No. 18-78, "Granting a Conditional Use Permit to Allow for the Construction of a 192 Unit Senior, Independent Living, Affordable Housing Project in a PBD (Planned Business District) Zoning District, located at 10840 Lexington Avenue NE," be approved.

Motion adopted 6-1 (Councilmember Hovland opposed).

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Garvais and Councilmember Jeppson

Nay: 1 - Councilmember Hovland

11.-8

FIRST READING

GRANTING A REZONING FROM FR (FARM RESIDENTIAL) TO DF (DEVELOPMENT FLEX) AT 3500 131ST AVENUE NE. COTTAGEWOOD COVE, LLC. (CASE FILE NO. 18-0018/NBL)

Attachments: [Cottagewood Cove - Attachments.pdf](#)
 [Public Comment - Cottagewood Cove.pdf](#)

Mr. Schafer stated the property currently has an existing zoning designation of FR (Farm Residential) and is guided in the Comprehensive Plan as LDR (Low Density Residential). The project zoning is proposed to be DF (Development Flex) to cover all of the residential uses. With the DF zoning, housing products and neighborhood design issues will require and be regulated by a Conditional Use Permit (CUP). The proposed DF zoning is consistent with the surrounding area.

Councilmember Garvais requested the trail be moved as far as possible from Lot 16. Mr. Schafer noted the trail will be installed before the house on Lot 16, so this homeowner will be aware of the trails location.

Declared by Mayor Ryan that Ordinance No. 18-2405, "Granting a Rezoning from FR (Farm Residential) to DF (Development Flex) at 3500 131st Avenue NE," be introduced and placed on file for second reading at the May 17, 2018 Council meeting.

11.-9

GRANTING A COMPREHENSIVE PLAN AMENDMENT THAT WILL ALLOW FOR THE CITY'S SEWER BOUNDARY CHANGE IN THE AREA OF 131ST AVENUE AND LEGACY CREEK PARKWAY TO INCLUDE APPROXIMATELY 140 ACRES IN SEWER DISTRICT 6. CITY OF BLAINE. (CASE FILE NO. 18-0024/LSJ)

Attachments: [Comp Plan Amend - Sewer Boundary - Attachments.pdf](#)

Mr. Schafer stated as part of the City's 2040 Comprehensive Plan Update that is being drafted at this time, the City Council has indicated they would support a

sewer boundary change that will lead to sewer access for an additional 140 acres in Sewer District 7 (serving the Lexington Avenue area) moving to Sewer District 6 (serving the Harpers Street/Lakes area). This impacts several property owners as they have been told prior to this change that their properties would be the last to obtain sewer access in the City because the sewer line would come from a different direction. The existing and new sewer boundary lines were reviewed with the Council and staff recommended approval of the change.

Councilmember King questioned if the valuation of the impacted properties would change in the future. Mr. Schafer commented these properties would be allowed to get City sewer now versus having to wait five to seven years.

Moved by Councilmember King, seconded by Councilmember Hovland, that Resolution No. 18-79, "Granting a Comprehensive Plan Amendment that will allow for the City's Sewer Boundary Change in the Area of 131st Avenue and Legacy Creek Parkway to Include Approximately 140 Acres in Sewer District 6," be approved.

Motion adopted unanimously.

11.
-10

**GRANTING A COMPREHENSIVE LAND USE PLAN
AMENDMENT TO CHANGE THE CURRENT LAND USE
OF 40 ACRES FROM HDR (HIGH DENSITY
RESIDENTIAL)/MDR (MEDIUM DENSITY
RESIDENTIAL)/CC (COMMUNITY COMMERCIAL) TO
HDR/PC (HIGH DENSITY RESIDENTIAL/PLANNED
COMMERCIAL) ON THE SOUTHWEST CORNER OF
125TH AVENUE NE/JEFFERSON STREET. CITY OF
BLAINE. (CASE FILE NO. 18-0025/LSJ)**

Attachments: [Comp Plan Amend 125th-Jefferson - Attachments.pdf](#)
[Public Comment 041118.pdf](#)

Mr. Schafer reported staff has been presented with preliminary site plans for the southwest corner of Jefferson Street and 125th Avenue. The developer/property owner is not ready to come forward with a proposed development at this time due to some wetland-related work that needs to be done this spring before a formal application can be made. The proposed development would include commercial uses including a possible grocery user, other retail or office and a possible senior or multi-family housing facility. In order to provide land use flexibility to support those uses, staff is recommending that the land use for this property have a blanket land use of HDR (High Density Residential)/CC (Community Commercial). This has been used successfully at several other sites. The proposed land use change is not very different from the land use currently on the property which already includes high density residential as well as commercial uses. The only thing being removed

from this property is a land use designation of MDR (Medium Density Residential).

Councilmember Hovland asked why staff was proposing High Density Residential and not Low Density Residential. Mr. Schafer stated all of the plans the City has had for this property was High Density Residential. He reported Walker had 250 units approved for this site and the current developer wants to maintain that flexibility.

Councilmember Hovland commented he believed medium density residential would be the better option for this property.

Councilmember Garvais indicated this development differed from the one previously discussed by the Council as a portion of this property was already zoned High Density Residential.

Councilmember King stated he was not opposed to this change. He noted this project had a lot of moving parts and would have access issues. He inquired if the Council should proceed with the Comprehensive Plan land use amendment without any specific plans in place. Mr. Schafer commented the reason this was before the Council was because the property owner was working through their wetland delineation plans and have their borings complete. He explained that the project would have to be put on hold for a year if action was not taken at this time.

Councilmember Hovland asked if staff had any idea what the developer was proposing for this property. Mr. Schafer stated mixed use retail was being proposed with a grocery store, convenience and an apartment site.

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that Resolution No. 18-80, "Granting a Comprehensive Land Use Plan Amendment to Change the Current Land Use of 40 Acres HDR (High Density Residential)/MDR (Medium Density Residential)/CC (Community Commercial) to HDR/PC (High Density Residential/Planned Commercial) on the Southwest Corner of 125th Avenue NE/Jefferson Street," be approved.

Motion adopted 6-1 (Councilmember King opposed).

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

Nay: 1 - Councilmember King

12. ADMINISTRATION

12.-1

**AWARD CONTRACT FOR INSPECTION AND REPAIR
OF WELL NO. 4 TO BERGERSON CASSWELL INC. IN
AN AMOUNT OF \$38,052.00**

Public Works Director Haukaas stated in December 2017, staff detected a failure in the level sensors and pump of Well #3 which is located near Water Treatment Plant #1 and Well #4 in Aquatore Park. Investigation of the well showed significant cathodic corrosion and a need for emergency repair, which was approved at the April 5, 2018 City council meeting. Staff suspects that Well No. 4 is experiencing the same problems due to its close proximity to Well No. 3. Bids for inspection and repair were requested to perform inspection of Well No. 4 and for any components that may need repair or replacement. Quotes were received and the low bidder for this project was Bergerson Caswell.

Moved by Councilmember Jeppson, seconded by Councilmember Hovland, that Motion 18-72, "Award Contract for Inspection and Repair of Well No. 4 to Bergerson Caswell, Inc. in an Amount of \$38,052.00," be approved.

Motion adopted unanimously.

12.-2

**AWARD CONTRACT FOR UPGRADES TO LIFT
STATION NO. 10 TO ELECTRIC PUMP IN THE
AMOUNT OF \$63,135.00**

Mr. Haukaas stated staff has been in the process of upgrading the City's older lift stations as the pumps and motors wear out. Staff has been looking for a new style of pump that is better able to handle flushables that have caused a lot of clogging and other problems in recent years. After researching all manufacturers' newest products, we determined that only the Flygt N style submersible pump provided the combination of material cutting and clog free operation that we are looking for. This pump includes a hard iron impeller and the company provides a two-year clog free guarantee on their products. No other manufacturers were able to provide a competitive bid that met the equivalent specifications. The local distributor for this product is Electric Pump. They have provided bids for replacement of the submersible pumps at a cost of \$36,885.00 and a separate bid of \$26,250.00 for the replacement of the associated piping and guide rail assemblies. Applicable taxes would need to be added to these bid prices.

Moved by Councilmember King, seconded by Mayor Ryan, that Motion 18-73, "Award Contract for Upgrades to Lift Station No. 10 to Electric Pump in the Amount of \$63,135.00," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

12.-3

**AUTHORIZE THE MAYOR AND CITY MANAGER TO
ENTER INTO A ONE YEAR CONTRACT WITH THE
STATE OF MINNESOTA FOR A TWO DAY PER WEEK**

**INSTITUTION COMMUNITY WORK CREW IN THE
AMOUNT OF \$44,500.00**

Attachments: [ICWC backgrounder](#)
 [ICWC work and projects](#)
 [ICWC Contract - 2 day 1 year](#)

Mr. Haukaas stated the State of Minnesota, acting through its Commissioner of Correction offers Institution Community Work Crews (ICWC) to cities to provide labor for local efforts at the purchaser's discretion. The ICWC Program's structure and philosophy were modeled after the Minnesota Department of Corrections' (DOC) Sentencing to Service (STS) program, which had already established an excellent track record of working in the community. Carefully selected, non-dangerous, minimum-security inmates work on crews under the supervision of a qualified DOC crew leader. The program goal is to teach social and work skills while communities accomplish projects. Staff reported the proposed contract provides the City of Blaine with an ICWC crew on Mondays and Wednesday (two days per week) for 52 weeks. The total expense to the City for all compensation and reimbursements to the State under this contract is \$44,500.00 as our share of the cost of providing a crew leader and placing the work crews into service on the ICWC Program during the term of this agreement.

Mayor Ryan requested the City stay away from overtime pay.

Councilmember Swanson expressed frustration that this item was not brought forward to the Council at a workshop for discussion prior to this meeting. He stated he philosophically opposed this request until further discussion could be held by the Council.

Councilmember Hovland agreed and asked who would be paid by the City. Mr. Haukaas reported the funds would be paid to the State of Minnesota Department of Corrections to cover the costs of the crew leader, who was a corrections officer. He noted the inmates would be paid \$1.50 per hour.

Councilmember King questioned if the Council could delay action on this item to a future meeting to allow the Council to discuss this item further. Mr. Haukaas stated this item was not tied to a specific deadline, but rather the State was proposing a 52-week contract. He noted if this item were delayed, the City would have to pursue a new contract with the State with a different crew and the availability may differ. He provided further comment on how this program would assist inmates in job training and noted the City had work available to keep this two-day a week crew busy.

Councilmember Garvais asked what other cities utilize a DOC crew. Mr. Haukaas

indicated he spoke with the cities of Plymouth and Minnetonka specifically and noted he could create a longer list for the Council to review.

Moved by Councilmember Clark, seconded by Councilmember Swanson, that Motion 18-74, "Authorize the Mayor and City Manager to Enter into a One Year Contract with the State of Minnesota for a Two Day Per Week Institution Community Work Crew in the Amount of \$44,500.00," be approved.

**Councilmember Clark - aye
Councilmember Garvais - aye
Councilmember Hovland - no
Councilmember King - no
Councilmember Jeppson - aye
Councilmember Swanson - no
Mayor Ryan - aye**

Motion adopted 4-3 (Councilmembers Hovland, King and Swanson opposed).

Aye: 4 - Mayor Ryan, Councilmember Clark, Councilmember Garvais and Councilmember Jeppson

Nay: 3 - Councilmember Swanson, Councilmember King and Councilmember Hovland

Councilmember Garvais requested staff provide the Council with additional information on this program at an upcoming workshop meeting.

12.-4

**ACCEPT BID FROM HYDROCORP, INC. IN THE
AMOUNT OF \$644,300 FOR THE WATER METER
RADIO REPLACEMENT, IMPROVEMENT PROJECT
NO. 16-16**

Mr. Haukaas stated new bids were received for Project No. 16-16 and a total of four bids were received ranging from \$644,300.00 to \$819,649.31. Bids have been checked and it has been determined that HydroCorp, Inc. of Troy, Michigan is the lowest bidder. This contractor has performed satisfactorily on similar projects for the Cities of Hudson and LaCrosse WI, and Hastings MN, and staff recommends that the low bid be accepted and a contract entered into with HydroCorp, Inc. City Council is also asked to approve a 10% contingency to bring the total project budget to \$708,730.00.

Moved by Mayor Ryan, seconded by Councilmember King, that Resolution 18-82, "Accept Bid from Hydrocorp, Inc. in the Amount of \$644,300 for the Water Meter Radio Replacement," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

12.-5

RESOLUTION PROVIDING FOR THE COMPETITIVE

**NEGOTIATED SALE OF \$1,145,000 GENERAL
OBLIGATION EQUIPMENT CERTIFICATES OF
INDEBTEDNESS, SERIES 2018A**

Attachments: [City of Blaine, Minnesota-Springsted Recommendation](#)

Mr. Huss stated the proposed resolution calls for the sale of \$1,145,000 in General Obligation Equipment Certificates of Indebtedness and sets the sale date of the certificates for June 7, 2018. The proceeds will finance the purchase of a ladder truck and related equipment for the SBM Fire Department. The vehicle is scheduled for replacement pursuant to the SBM five-year capital plan. The certificates will be repaid over five years by the three participating cities according to each city's respective share as calculated annually pursuant to the Joint Powers Agreement. Should either the costs to purchase the equipment or the other costs be for less than the bonding proceeds, the proceeds could be used to reduce annual tax levies that will be used for repayment of the debt. It was noted Springsted, Inc., the City's Financial Consultant, has provided a recommendation that outlines the sale date of Thursday, June 7th along with the amount, and structure of the proposed certificates.

Councilmember King asked who would own this equipment. Mr. Huss reported the equipment would be owned jointly between the three contract cities.

Moved by Councilmember Clark, seconded by Mayor Ryan, that Resolution 18-84, "Resolution Providing for the Competitive Negotiated Sale of \$1,145,000 General Obligation Equipment Certificates of Indebtedness, Series 2018A," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

13. OTHER BUSINESS

None.

None.

14. ADJOURNMENT

Moved by Councilmember Clark, seconded by Councilmember Hovland, to adjourn the meeting at 10:09 p.m.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson