

**UNAPPROVED**

**CITY OF BLAINE  
ANOKA COUNTY, MINNESOTA  
CITY COUNCIL MEETING  
Monday, August 5, 2019**

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

**CALL TO ORDER BY MAYOR RYAN**

The meeting was called to order at 7:41 p.m. by Mayor Ryan followed by the Pledge of Allegiance and the Roll Call.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

**ABSENT:** None.

Quorum Present.

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

**APPROVAL OF MINUTES**

Workshop Meeting – July 8, 2019

Regular Meeting – July 8, 2019

Workshop Meeting – July 15, 2019

Moved by Councilmember Hovland, seconded by Councilmember Robertson, that the Minutes of Workshop Meeting of July 8, 2019, the Minutes of the Regular Meeting of July 8, 2019, and the Minutes of Workshop Meeting of July 15, 2019 be approved.

Motion adopted. Councilmember Swanson abstained on the July 15, 2019 Workshop meeting minutes due to his absence.

**AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS**

### 5.1 Community Partnership Grant Check Presentation – CenterPoint Energy

Jake Schwedering, CenterPoint Energy, presented the City with a check for \$1,500 which would be used to assist in purchasing a portable radar speed sign for the Blaine Police Department.

Mayor Ryan thanked CenterPoint for their generous donation to the City.

### 5.2 Proclamation – Hidden Heroes

Mayor Ryan read a Proclamation in full for the record honoring the Hidden Heroes who assist veterans on a daily basis. He discussed the background of this Proclamation and described how Hidden Heroes work daily to meet the needs of wounded veterans.

## **COMMUNICATIONS**

Mayor Ryan shared his condolences to the family of former City Manager Don Poss who recently passed away. He thanked all of the volunteers and staff members who assisted with the recent Safety Camp then encouraged all residents to participate in Night to Unite on Tuesday, August 6.

Councilmember Swanson thanked his wife, the Blaine Police Department and the EMTs for their response during his recent stroke, explaining their quick action helped him fully recover.

### 6.1 2018 Audit and CAFR Review

Acting City Manager Huss reported Peggy Moeller from Redpath & Company was in attendance to review the 2018 Audit and CAFR with the City Council.

Peggy Moeller, Redpath & Company, presented the Council with information regarding the City's 2018 Comprehensive Annual Financial Report (CAFR) and the audit. She commended the Council for their strong financial position and reported the City received an unmodified or clean opinion for the audit. She thanked the Finance Department and all staff members who assisted with the audit.

Moved by Councilmember Robertson, seconded by Councilmember Garvais, to approve the 2018 Audit and CAFR Review.

Motion adopted unanimously.

## **OPEN FORUM FOR CITIZEN INPUT**

Mayor Ryan opened the Open Forum at 7:58 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:58 p.m.

## **ADOPTION OF AGENDA**

The agenda was adopted as amended moving Item 12.3 forward on the agenda to be discussed prior to approval of the Consent Agenda and adding Item 8.1 per the Council's discussion in their Closed Session meeting.

### 8.1 Approval of the Employment Settlement Agreement

Moved by Councilmember Paul, seconded by Councilmember Swanson, to Approve the Employment Settlement Agreement as discussed by the City Council in Closed Session.

Motion adopted unanimously.

## **ADMINISTRATION**

### 12.3 Resolution 19-122, Awarding the Sale of \$4,200,000 General Obligation Capital Improvement Bonds, Series 2019B; Fixing their Form and Specifications; Directing their Execution and Delivery; and Providing for their Payment.

Moved by Councilmember Hovland, seconded by Councilmember Swanson, that Resolution 19-122, "Awarding the Sale of \$4,200,000 General Obligation Capital Improvement Bonds, Series 2019B; Fixing their Form and Specifications; Directing their Execution and Delivery; and Providing for their Payment," be approved.

Mr. Huss stated on March 21, 2019, the City Council approved the 2019-23 Facilities Capital Improvement Plan and authorized the issuance of the bonds and on July 8, 2019, the City Council approved Baker Tilly's, the City's Financial Advisor, recommendation to accept bids for the sale of \$4,200,000 general obligation capital improvement bonds. The bonds are issued per Minnesota Statutes, Chapters 462 and 475. Proceeds from the bonds will be used to fund the renovation of the first and second floors and the completion of the third floor of City Hall. He commended the City Council and City staff for receiving a AAA bond rating.

Terri Heaton, Baker Tilly, discussed the bonds further with the Council and explained the interest rate came in at 1.46%, which was almost a half percent below the estimate. She explained this would reduce the bond sale to \$3,700,000. She congratulated the City on its tremendous financial position and for having strong financial policies and procedures in place. She noted there were only 22 cities in the State of Minnesota that have a AAA bond rating then commented further on the bond sale and recommended approval of the bond award.

Mayor Ryan stated he has been serving the City for the past 33 years and was pleased to congratulate City staff and Council for achieving the AAA bond rating. He explained he appreciated the conservative and sound financial decisions that have been made over the years.

Former City Manager Clark Arneson congratulated the City Council and City staff for achieving the AAA bond rating. He explained this has been a long process that took time and strong financial decisions in order to be reached. Ms. Heaton stated she would be presenting the City with a plaque at a future Council meeting acknowledging this achievement.

Mr. Huss reported the challenge to the City now would be to maintain the AAA bond rating into the future and explained that staff would work diligently to maintain this rating.

Motion adopted unanimously.

## **APPROVAL OF CONSENT AGENDA**

Mayor Ryan requested the removal of agenda item 9.4.

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

9.1 Motion 19-135, Schedule of Bills Paid.

9.2 Ordinance 19-2431, Second Reading, Amending Chapter 6 – Alcoholic Beverages Article II. – Intoxicating Liquor and 3.2 Percent Malt Liquor and Chapter 10 – Amusements and Entertainments – Article II. – Amusement Centers and Amusement Devices of the Code of Ordinances of the City of Blaine.

9.3 Motion 19-136, Approve a Temporary 3.2 Percent Malt Liquor License for Church of St. Timothy's Carnival, 707-89<sup>th</sup> Avenue NE.

9.4 Motion 19-137, Approve the Use of Charitable Gambling Funds for Electrical Upgrades at the Church of St. Timothy.

9.5 Motion 19-138, Approve a Tobacco and Tobacco Products License for Naples Wine and Spirits LLC, 3453 Lake Drive NE #135.

9.6 Motion 19-139, Award Contract for HVAC Improvements at WTP #1 in the Amount of \$64,380.

9.7 Motion 19-140, Award Contract for HVAC Improvements at WTP #3 in the Amount of \$63,720.

9.8 Motion 19-141, Accepting the Proposal for Replacement Playground Equipment in the Amount Not to Exceed \$100,000 from Flagship Recreation for Kane Meadows Park.

Motion adopted unanimously.

9.4 Motion 19-137, Approve the Use of Charitable Gambling Funds for Electrical Upgrades at the Church of St. Timothy.

Mayor Ryan explained St. Timothy's Church served as a rotating homeless shelter for the City. He stated this church had a problem with its fire suppression system and sensors. He reported the City was going to approve the use of charitable gambling funds to assist in covering the expense for the repairs.

Moved by Mayor Ryan, seconded by Councilmember Hovland, that Motion 19-137, "Approve the Use of Charitable Gambling Funds for Electrical Upgrades at the Church of St. Timothy," be approved.

Motion adopted unanimously.

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

10.1 Motion 19-142, Approve On-Sale and Sunday Intoxicating Liquor and Amusement Center Licenses for RMA Investments, LLC DBA X-Golf Blaine located at 298 Northtown Drive NE, Blaine, Minnesota.

City Clerk Sorensen stated a public hearing is required prior to the approval for on-sale and Sunday intoxicating liquor licenses in the City of Blaine. She reported Benjamin Feret, applicant for RMA Investments, LLC DBA X-Golf Blaine located at 298 Northtown Drive NE, has submitted applications for on-sale and Sunday intoxicating liquor licenses and an amusement center license. The applicant has submitted completed license applications, license fees of \$6,000, \$500 background fee, and \$200 Sunday Liquor license fee along with \$150 for the amusement center license with an additional \$90 for 6 amusement

devices, the required certificate of insurance for liquor liability and all required forms and documents have been received and are on file in our office. The Police Department background investigation is currently in process on this individual. The on-sale and Sunday liquor licenses, if approved, would be valid until June 30, 2020 and eligible for renewal July 1, 2020. The amusement center license, if approved, would be valid until December 31, 2019 and eligible for renewal on January 1, 2020. All required information will be submitted to the State Liquor Control Department upon approval of the licenses by the Council.

Mayor Ryan opened the public hearing at 8:21 p.m.

There being no additional public input, Mayor Ryan closed the public hearing at 8:21 p.m.

Moved by Councilmember Hovland, seconded by Councilmember Swanson, that Motion 19-142, "Approve On-Sale and Sunday Intoxicating Liquor and Amusement Center Licenses for RMA Investments, LLC DBA X-Golf Blaine located at 298 Northtown Drive NE, Blaine, Minnesota," be approved.

Motion adopted unanimously.

10.2 Resolution 19-112, Vacation of Drainage and Utility Easement for Lot 7, Block 4, Coopers Meadows, Vacation No. V19-03.

City Engineer Schluender stated a petition received June 7, 2019, was submitted to the City by Dustin Fiecke, requesting vacation of drainage and utility easements for the purposes of locating a shed in the rear yard after the area was reclassified from wetland to upland. The Engineering Department has reviewed this request and concurs with the vacation.

Mayor Ryan opened the public hearing at 8:22 p.m.

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

Moved by Councilmember Hovland, seconded by Councilmember Robertson, that Resolution 19-112, "Vacation of Drainage and Utility Easement for Lot 7, Block 4, Coopers Meadows," be approved.

Motion adopted unanimously.

10.3 Resolution 19-113, Vacation of Drainage and Utility Easement for Outlot D, National Market Center, Vacation No. V19-04.

Mr. Schluender stated a petition received June 20, 2019, was submitted to the City by Tyler Edwards, representing Menard, Inc., requesting vacation of drainage and utility easements to allow for stormwater features covered by easement to be relocated. The Engineering Department has reviewed this request and concurs with the vacation.

Mayor Ryan opened the public hearing at 8:24 p.m.

There being no additional public input, Mayor Ryan closed the public hearing at 8:24 p.m.

Moved by Councilmember Hovland, seconded by Councilmember Paul, that Resolution 19-113, "Vacation of Drainage and Utility Easement for Outlot D, National Market Center," be approved.

Motion adopted unanimously.

10.4 Resolution 19-114, Vacation of Drainage and Utility Easement for Lots 7 and 8, Block 2, The Sanctuary 8<sup>th</sup> Addition, Vacation No. V19-05.

Mr. Schluender stated a petition received June 14, 2019, was submitted to the City by Troy Halverson, requesting vacation of drainage and utility easements to relocate an easement due to a lot split. The Engineering Department has reviewed this request and concurs with the vacation.

Mayor Ryan opened the public hearing at 8:26 p.m.

There being no additional public input, Mayor Ryan closed the public hearing at 8:26 p.m.

Moved by Councilmember Hovland, seconded by Mayor Ryan, that Resolution 19-114, "Vacation of Drainage and Utility Easement for Lots 7 and 8, Block 2, The Sanctuary 8<sup>th</sup> Addition," be approved.

Motion adopted unanimously.

10.5 Resolution 19-115, Vacation of Drainage and Utility Easement for Section 1, Mill Pond, Vacation No. V19-06.

Mr. Schluender stated a petition received June 3, 2019, was submitted to the City by Paul Thomas, representing TEG Land Holdings, LLC, requesting vacation of drainage and utility easements for ingress and egress purposes. The easements will be re-dedicated in the plat of Mill Pond. The Engineering Department has reviewed this request and concurs with the vacation.

Mayor Ryan opened the public hearing at 8:27 p.m.

There being no additional public input, Mayor Ryan closed the public hearing at 8:27 p.m.

Moved by Councilmember Hovland, seconded by Councilmember Robertson, that Resolution 19-115, "Vacation of Drainage and Utility Easement for Section 1, Mill Pond," be approved.

Motion adopted unanimously.

## **DEVELOPMENT BUSINESS**

11.1 Resolution No. 19-119, Granting a Waiver of Platting to Split an Existing Lot into Two Parcels in an I-2 (Heavy Industrial) Zoning District located at 1501 101<sup>st</sup> Avenue NE. Mendard, Inc. (Case File No. 19-0031/SLK).

Moved by Councilmember Hovland, seconded by Mayor Ryan, that Resolution No. 19-119, "Granting a Waiver of Platting to Split an Existing Lot into Two Parcels in an I-2 (Heavy Industrial) Zoning District located at 1501 101<sup>st</sup> Avenue NE," be approved.

Community Development Director Thorvig stated there is an existing 2.79-acre parcel that is currently owned by Forman Properties, Inc. on the north side of 101st Avenue. The applicant, Menards, is proposing to split the existing lot into two parcels. The small parcel (Tract A) would be combined with the Menards property to the north. Once this lot split takes place, Tract A will be re-platted as an outlot with the Menards

parcel to the north and used for storm ponding. The larger parcel of 1.79 acres (Tract B), with the existing building will be retained by Forman Properties. No park dedication will be due with this waiver as the newly created parcel (Tract A) will be platted as an outlot for storm ponding on the Menards site. A 10' wide easement must be placed over the existing storm sewer pipe that runs through the property.

Motion adopted unanimously.

11.2 Resolution No. 19-116, Granting a Preliminary Plat to Subdivide a 21.2 Acre Parcel into an Approximately 16.2 Acre Site for Menards, and a 1.8 Acre Parcel for an Existing Industrial Building and Two Outlots for Draining and Ponding Areas located at 10251 Baltimore Street NE. Mendard, Inc. (Case File 19-008/SLK).

Moved by Councilmember Hovland, seconded by Councilmember Paul, that Resolution No. 19-116, "Granting a Preliminary Plat to Subdivide a 21.2 Acre Parcel into an Approximately 16.2 Acre Site for Menards, and a 1.8 Acre Parcel for an Existing Industrial Building and Two Outlots for Draining and Ponding Areas located at 10251 Baltimore Street NE," be approved.

Mr. Thorvig stated the applicant is proposing to relocate existing ponding on the south side of the site in order to have a location to construct the proposed second warehouse building. The relocated ponding will be located on Outlot AB. Therefore, a plat is required to create an Outlot AB for Menards to purchase from the existing property owner on 101<sup>st</sup> Avenue. The property owner on 101<sup>st</sup> Avenue will retain Lot 2 Block 1 for their existing building. Lot 1 Block 1 will include the existing Menards site and the area that will be used to construct the new warehouse building. Outlot A will be used for ponding/storm drainage.

Mr. Thorvig explained Menards has presented a preliminary plat that contains two lots and two outlots. The total acreage of the site is 21.2 acres. Lot 1, Block 1, on which the Menards site is to be located, is approximately 16.2 acres. Park dedication will be required for the additional area that is being platted with Lot 1 Block 1(new warehouse building). Coon Creek Watershed District (CCWD) reviewed the site and has concurred with the project. No site work will be allowed until a CCWD permit has been obtained. This property will require extensive grading to construct the new ponds. There is an existing storm sewer from 101<sup>st</sup> Avenue that runs through the new lot. A 10' wide easement must be dedicated on the plat or by separate document to cover the storm sewer. The size of grading on this site requires a National Pollutant Discharge Elimination System (NPDES) permit from the Minnesota Pollution Control Agency (MPCA.) Staff commented further on the Preliminary Plat and recommended approval of the subdivision.

Motion adopted unanimously.

11.3 Resolution No. 19-118, Granting a Conditional Use Permit Amendment to Allow Construction of a New Warehouse Building located South of the Existing Warehouse Building in a PBD (Planned Business District) located at 10251 Baltimore Street NE. Mendard, Inc. (Case File No. 19-0008/SLK).

Moved by Councilmember Swanson, seconded by Councilmember Paul, that Resolution No. 19-118, "Granting a Conditional Use Permit Amendment to Allow Construction of a New Warehouse Building located South of the Existing Warehouse Building in a PBD (Planned Business District) located at 10251 Baltimore Street NE," be approved.

Mr. Thorvig stated the property (21.2 acres) on the southeast corner of Baltimore Street NE and 103rd Avenue is zoned PBD (Planned Business District) and I-2 (Heavy Industrial) (101st Avenue). At this time, Menards wishes to construct an additional warehouse building on the south side of their property. A

conditional use permit is required for all uses in the PBD district. Therefore, the applicant is requesting approval of both a preliminary plat and conditional use permit for Menards construction of a 16,166 square foot warehouse at this time. The proposed warehouse building is proposed to be located just south of the existing warehouse building. The elevations propose a fence that will match the existing fence on site to screen the warehouse building.

Motion adopted unanimously.

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

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

Councilmember Hovland thanked Aveda for remaining a strong eco-friendly business in the community.

Declared by Mayor Ryan that Ordinance No. 19-2432, “Granting a Code Amendment to the PBD (Planned Business District) Zoning District to Add Ground Mounted Solar as an Accessory Use,” be introduced and placed on file for second reading at the August 19, 2019 Council meeting.

11.5 Resolution No. 19-117, Granting a Conditional Use Permit Amendment to Allow for a 117,260 Square Foot Domed Sports Facility in an RR (Regional Recreational) Zoning District located at 1700 105<sup>th</sup> Avenue NE. National Sports Center. (Case File No. 18-0056/EES).

Moved by Councilmember Jeppson, seconded by Councilmember Robertson, that Resolution No. 19-117, “Granting a Conditional Use Permit Amendment to Allow for a 117,260 Square Foot Domed Sports Facility in an RR (Regional Recreational) Zoning District located at 1700 105<sup>th</sup> Avenue NE,” be approved.

Mr. Thorvig stated the National Sports Center is proposing to construct an indoor turf facility for multi-sport use. The building would be a fabric/membrane dome (air supported) structure and is considered temporary and limited to not more than 180 consecutive days. Typically, the dome would be erected each year in the late fall and be utilized over the winter for the 180 days until spring. The dome material would be stored over the summer months and the field used as normal. The size of the dome field surface would be just over 117,000 square feet with a covered extension on the north side to provide a partially protected walkway (pending code review) from the main welcome center into the dome. The height of the top of the dome is planned at 110 feet.

Mr. Thorvig explained the City adopted a code amendment in 2018 to the RR (Regional Recreation) zoning section to allow the membrane supported structure and a structure that is taller than 50-feet in height. Previously the dome was proposed on a soccer field immediately adjacent to the north side of 105th Avenue. The close proximity to 105th was a concern given the tall height of the building. The current proposed location is in the center of the stadium surface which is approximately 1000 feet from any city streets and behind several larger buildings. While the dome will still certainly be seen as people travel through the area



the impact will not be as significant. The fact that the building is now going to be temporary also minimizes the height concern.

Mayor Ryan stated he preferred the new location for the dome.

Neil Ladd, National Sports Center, explained the proposed dome would allow for greater flexibility in providing practice space during the winter months. He indicated the 110' height would allow for soccer, football, softball, baseball and golf to use the dome for practices. He estimated it would take 50 to 100 staff members to put the dome up and take it down.

Motion adopted unanimously.

11.6 Resolution No. 19-120, Temporary Zoning Approval for Materials Stockpile and Crushing Associated with 35W MNPASS Project located at 3211 101<sup>st</sup> Avenue NE. Ames Construction. (Case File No. 19-0036/EES).

Moved by Mayor Ryan, seconded by Councilmember Garvais, that Resolution No. 19-120, "Temporary Zoning Approval for Materials Stockpile and Crushing Associated with 35W MNPASS Project located at 3211 101<sup>st</sup> Avenue NE," be approved.

Mr. Thorvig stated the 35W MnPass project started this construction season and will be continuing through the 2021 construction season. Ames Construction is the prime contractor for the project and is responsible for pavement removal and reconstruction. Ames has been utilizing a property owned by MN Streetworks, a street sweeping company, for stockpiling and crushing of concrete materials into class 6 aggregate for reuse in the project. The site is located at 3211 101st Avenue NE. The MN Streetworks site was previously owned by Northern Asphalt, and is bordered by the Tiller asphalt plant to the north and west, a Connexus substation to the south, and Code Welding to the west. The property is zoned I-2A. All adjacent properties are zoned I-2 or I-2A and the nearest property without industrial zoning is over 1,000 feet away. Concrete crushing and outdoor storage are conditional uses in the I-2A zoning district. Specific standards for building size and concrete crushing are outlined in the code.

Councilmember Hovland asked how much traffic was associated with this use. Mr. Thorvig stated he did not recall how much truck traffic would be generated then explained trucks would be using Naples Street or Radisson Road to 101<sup>st</sup> Avenue.

Motion adopted unanimously.

11.7 Resolution No. 19-121, Granting Final Plat Approval to Subdivide 29 Acres into Two Lots and Two Outlots to be known as Lexington Meadows 2<sup>nd</sup> Addition located at 109<sup>th</sup> Avenue and Lexington Avenue. Wellington Management, Inc. (Case File No. 19-0037/LSJ).

Moved by Councilmember Jeppson, seconded by Councilmember Garvais, that Resolution No. 19-121, "Granting Final Plat Approval to Subdivide 29 Acres into Two Lots and Two Outlots to be known as Lexington Meadows 2<sup>nd</sup> Addition located at 109<sup>th</sup> Avenue and Lexington Avenue," be approved.

Mr. Thorvig stated the Council approved a preliminary plat for Lexington Meadows on May 3, 2018. This is the proposed development on the southwest corner of Lexington Avenue and 109th Avenue. Wellington Management is the developer of the project. Lot 1, Block 1 of the first addition of the plat is the location of the senior housing project for Dominion. The outlots of Lexington Meadows 1st Addition are being

replatted to create two new lots and two new outlots to be known as Lexington Meadows 2nd Addition. The outlots will be used for commercial/industrial uses and right-of-way for 108th Avenue and Austin Street NE. Staff explained this phase of development includes the construction of a roundabout at the intersection of Austin Street and 108th Avenue. It includes the extension of Austin Street to the south and 108th Avenue to the east. Anoka County will need to be in agreement with the connection point on Lexington Avenue and this has been added as a condition of approval. Wellington Management will develop the entire project in phases when tenants are known in the future. Each use and lot in the project will require a conditional use permit so the Planning Commission and City Council will get to review each site in this development.

Motion adopted unanimously.

## **ADMINISTRATION**

### 12.1 Motion 19-143, Accept Bid from Odesa II LLC in the Amount of \$216,790 for the Construction of Three Pickleball Courts and One Basketball Court at Hidden Ponds Park. Improvement Project No. 19-04.

Moved by Councilmember Swanson, seconded by Councilmember Garvais, that Motion 19-143, "Accept Bid from Odesa II LLC in the Amount of \$216,790 for the Construction of Three Pickleball Courts and One Basketball Court at Hidden Ponds Park," be approved.

Public Services Manager/Assistant City Manager Therres stated bids were received for Project No. 19-04. A total of six bids were received ranging from \$216,790 to \$314,719.20. The Engineer's estimate for construction and three lowest bidders were reviewed with the Council. Bids have been checked and tabulated, and it has been determined that Odesa II LLC is the lowest bidder. Staff is recommending the low bid be accepted and a contract entered into with Odesa II LLC. City Council is also asked to approve a 10% contingency to bring the total project budget to \$238,469.00. The funding source for this project is the Park Development Fund. The Park Board has reviewed this project and is recommending this to the City Council

Motion adopted unanimously.

### 12.2 First Reading – Ordinance No. 19-2433, Chapter 82 – Traffic and Vehicle of the Code of Ordinances of the City of Blaine.

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

Declared by Mayor Ryan that Ordinance No. 19-2433, "Chapter 82 – Traffic and Vehicle of the Code of Ordinances of the City of Blaine," be introduced and placed on file for second reading at the August 19, 2019 Council meeting.

12.4 Resolution 19-123, Accept Bid from Municipal Builders, Inc. in the Amount of \$2,642,000 for Wellhouse 1, 2 and 9 Rehabilitation, Improvement Project No. 19-15.

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that Resolution 19-123, "Accept Bid from Municipal Builders, Inc. in the Amount of \$2,642,000 for Wellhouse 1, 2 and 9 Rehabilitation," be approved.

Public Works Director Haukaas stated bids were received for Wellhouse 1, 2 and 9 Rehabilitation, Improvement Project No. 19-15. A total of two bids were received ranging from \$2,642,000.00 to \$2,693,200.00. The Engineer's estimate for construction and three lowest bidders were reviewed by staff. It was noted bids have been checked and tabulated, and it has been determined that Municipal Builders, Inc. of Andover, Minnesota is the lowest bidder. The Engineering Department has worked with Municipal Builders, Inc. on previous contracts. Staff recommends the low bid be accepted and a contract entered into with Municipal Builders, Inc. City Council is also asked to approve a 10% contingency to bring the total project budget to \$2,906,200.00. The funding source for this project is Water Utilities funds and there are sufficient funds to cover these costs.

Motion adopted unanimously.

12.5 Resolution 19-124, Accept Bid from C.S. McCrossan Construction, Inc. in the Amount of \$1,068,635.74 for Reconstruction of 1700 Feet of Pheasant Ridge Drive and the Intersection with Lexington Avenue, Improvement Project No. 16-14.

Moved by Mayor Ryan, seconded by Councilmember Jeppson, that Resolution 19-124, "Accept Bid from C.S. McCrossan Construction, Inc. in the Amount of \$1,068,635.74 for Reconstruction of 1700 Feet of Pheasant Ridge Drive and the Intersection with Lexington Avenue," be approved.

Mr. Schluender stated bids were received for the Reconstruction of 1700 Feet of Pheasant Ridge Drive and the intersection with Lexington Avenue, Improvement Project No. 16-14. A total of 4 bids were received ranging from \$1,068,635.74 to \$1,220,311.90. The Engineer's estimate for construction and three lowest bidders were reviewed. It was noted bids have been checked and tabulated, and it has been determined that C. S. McCrossan Construction, Inc. of Maple Grove, Minnesota is the lowest bidder. The Engineering Department has worked with C. S. McCrossan Construction, Inc. on previous contracts. Staff recommends the low bid be accepted and a contract entered into with C. S. McCrossan Construction, Inc. City Council is also asked to approve a 10% contingency to bring the total project budget to \$1,175,499.31. The funding source for this project is assessments, Municipal State Aid funds, Public Utility funds, City Pavement Management Program fund, and the existing EDA Tax Increment fund and there are sufficient funds to cover these costs.

Councilmember Garvais asked why a 10% contingency was being requested versus 5%. Mr. Schluender reported this has been the City's standard for quite some time but noted an adjustment could be made should that be Council's direction.

Motion adopted unanimously.

12.6 Resolution 19-125, Approve Joint Powers Agreement No. C0007075 with Anoka County for Signal System Installation at Lexington Avenue and Woodland Parkway, Improvement Project No. 18-20.

Moved by Councilmember Hovland, seconded by Councilmember Jeppson, that Resolution 19-125, "Approve Joint Powers Agreement No. C0007075 with Anoka County for Signal System Installation at Lexington Avenue and Woodland Parkway," be approved.

Mr. Schluender stated the County has been working on a project to install a signal system at the intersection of Lexington Avenue and Woodland Parkway. The plan is now prepared and the project can move forward as proposed to modify the approach legs, extend trail and sidewalk, and construction of a new traffic control signal system. The estimated construction cost of the total project is just over \$498,000, with an additional \$100,000 in county furnished signal items. Staff has worked with Anoka County to prepare a JPA based on their cost participation policy. The City will share a portion of construction costs, county furnished items, and 8% construction engineering expenses. The total estimated construction cost to the City is \$292,671.50. Adding the 8% construction engineering, \$23,813.72, the City's share of the County furnished items, \$75,000 to the City's share of the construction cost brings Blaine's estimated total to \$396,485.22. The funding source identified for this project are the city's Municipal State Aid funds. The JPA also spells out future maintenance obligations of the City to include crosswalk pavement markings at all City streets, street lights, luminaries and EVP systems on traffic signals, and initial and ongoing electrical costs for street lights and traffic signals.

Councilmember Robertson requested further information on how costs were broken down between the City and the County. Mr. Schluender reviewed the County's cost sharing policy of 75% City cost and 25% County cost.

Councilmember Hovland suggested the new City Manager make the County Board aware of the fact the Council would like to discuss the cost sharing policy matter in the near future.

Councilmember Garvais stated this would be the last cost-share agreement he would support and recommended the City renegotiate this agreement with Anoka County because he would like to see a more equitable cost sharing formula utilized.

Mayor Ryan reported the City had nine more intersections to complete and agreed now was the time for further policy discussions with Anoka County.

Motion adopted unanimously.

#### 12.7 Resolution 19-126, Amending Resolution 78-28 – A Resolution Authorizing Deferrals of Special Assessments.

Moved by Councilmember Jeppson, seconded by Councilmember Robertson, that Resolution 19-126, "Amending Resolution 78-28 – A Resolution Authorizing Deferrals of Special Assessments," be approved.

Mr. Schluender stated Minnesota Statutes authorize cities, at their discretion, to defer special assessment payments for certain hardships as defined in statute. These hardships include property owned by a person 65 years of age or older or retired by virtue of a permanent and total disability for whom it would be a hardship to make the payments and property owned by a person who is a member of the Minnesota National Guard or other military reserves who is ordered into active military service, as defined in section 190.05, subdivision 5b or 5c, as stated in the person's military orders, for whom it would be a hardship to make the payments.

Mr. Schluender explained the City of Blaine adopted a special assessment deferral for certain senior citizens with Resolution No. 78-28 in March 2, 1978 and later amended with Resolution 12-112 on August 16, 2012.

This item would amend Resolution 78-28 to include the statutorily allowed deferrals for permanent total disability and active military service.

Councilmember Paul asked if the City's assessment policy was mailed to residents being assessed. Mr. Schluender stated this has not been the City's practice but noted the updated policy would be posted on the City's website.

Councilmember Paul reported he had several residents contact him requesting further information regarding the City's assessment policy. Mr. Schluender suggested these residents contact City Hall in order to gain further clarification on the assessment policy.

Motion adopted unanimously.

## **OTHER BUSINESS**

Mayor Ryan recognized Boy Scouts from Troops 186 and 524 for working towards Eagle Scout.

## **ADJOURNMENT**

Moved by Councilmember Hovland, seconded by Councilmember Jeppson, to adjourn the meeting at 9:17 p.m.

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Tom Ryan, Mayor

ATTEST:

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