



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

10801 Town Square Dr.  
Blaine MN 55449

**City Council**

*Mayor Tom Ryan,  
Councilmember Wes Hovland,  
Councilmember Dick Swanson,  
Councilmember Dave Clark,  
Mayor Pro Tem Mike Bourke,  
Councilmember Katherine Kolb,  
Councilmember Russ Herbst*

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Thursday, April 17, 2014

7:30 PM

Council Chambers

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**Meeting Number 14-23**

**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:** Bryan Schafer, Community Development Director; Bob Therres, Public Services Manager; Dan Szykulski, Police Captain; Jean Keely, City Engineer; Stormwater Manager James Hafner; Roark Haver, Communications Technician; Jane M. Cross, City Clerk; and Recording Secretary Amanda Staple.

**Present:** 5 - Mayor Ryan, Councilmember Hovland, Councilmember Swanson, Councilmember Clark and Councilmember Herbst

**Absent:** 2 - Mayor Pro Tem Bourke and Councilmember Kolb

**4. APPROVAL OF MINUTES**

4.-1 [TMP 14-1582](#)

**BOR WORKSHOP MEETING - 03/24/14  
WORKSHOP MEETING - 04/03/2014  
REGULAR MEETING - 04/03/2014**

**Sponsors:** Cross

**Attachments:** [Workshop Meeting - 04/03/14](#)  
[Regular Meeting - 04/03/14](#)  
[BOR Workshop Meeting - 03/24/14](#)

**Approved**

**Aye:** 3 - Mayor Ryan, Councilmember Hovland and Councilmember Herbst

**Abstain:** 2 - Councilmember Swanson and Councilmember Clark

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

None.

**6. COMMUNICATIONS**

Steve Markuson, Twin Cities Gateway (TCG), explained that the organization is the regional visitor's bureau and reviewed the member cities. He advised that the organization is funded solely on the three percent local option tax which is paid by visitors that stay in one of the 22 TCG hotels. He stated that there is a grant program available for those wishing to start a new event or contribute to an existing event. He reported a budget this year of \$1,000,000 for marketing and promotion only. He stated that tourism is a billion dollar industry and advised that 67 percent of Minnesota tourism occurs within the metro area. He advised that economic development follows tourism and that revenue spreads throughout the community. He noted that additional information can be found on the website [www.tcgateway.com](http://www.tcgateway.com) <<http://www.tcgateway.com>>.

Mayor Ryan thanked Mr. Markuson and the organization, noting that Councilmember Swanson represents Blaine on the TCG Board.

Councilmember Swanson noted that TCG has the lowest operating costs of any tourism agency in the state.

Councilmember Hovland stated that he believed the creation of this organization has been a great thing and a great promotion for the member cities. He noted that the City will soon reach the 50th anniversary and advised that there will be a series of events occurring next year to celebrate that milestone. He noted that a Committee will soon be formed to assist with the planning of those events and asked that any interested parties call the City for more information.

Mayor Ryan thanked the Chain of Lakes Church for their pancake breakfast which benefited homeless teens. He also thanked the Metropolitan Regional Artists Council for their donation of \$3,900 towards World Fest. He expressed concern over the recent devaluation of property due to crime and stated that he would also like to setup a workshop to discuss code enforcement.

Councilmember Hovland referenced the program that the police use to track crime in neighborhoods and suggested that information be brought to the workshop.

Councilmember Clark stated he is proud of Blaine and believes that there are some fabulous neighborhoods and schools. He acknowledged that there are some problem areas and agreed that the issue should be discussed at a future workshop.

**7. OPEN FORUM FOR CITIZEN INPUT**

Mayor Ryan opened the Open Forum at 7:45 p.m.

Bob Peters, 11226 President Drive NE, spoke in regard to vehicle damage he incurred because of the water main damage that occurred at 111th and 6th Street. He stated that his insurance claim has been denied and expressed frustration with the process for resolution. He felt the area was not monitored correctly and there was not adequate posting to prevent the safety of citizens. He believed that the area should have been blockaded and stated that the road was not graded over until the day after this incident.

Mayor Ryan stated that he was unsure that conversation should continue because of possible legal action. He advised that the League of Minnesota Cities has stated that the issue is defendable in court.

Mr. Peters stated that staff was aware of the issue and should have monitored the area to ensure resident safety. He noted that the cost of repair was \$640. Councilmember Herbst explained that claims are turned over to the League of Minnesota Cities as the insurance company of the City.

Mr. Peters stated that he did submit a claim to his insurance company and reported that the claim was paid by his insurance.

Mayor Ryan closed the Open Forum at 7:52 p.m.

**8. ADOPTION OF AGENDA**

Mayor Ryan noted that item 10.11 should be removed from the agenda.

The agenda was adopted as amended.

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

None.

**10. APPROVAL OF CONSENT AGENDA:**

**Adopted the Consent Agenda**

10.-1 [MO 14-055](#)

**SCHEDULE OF BILLS PAID**

**Sponsors:** Huss

**Attachments:** [March 2014 Payroll Checks and Wire Transfers](#)

[03/28/14 Bills Paid](#)

[04/04/14 Bills Paid](#)

10.-2 [MO 14-056](#)

**APPROVE A KENNEL LICENSE FOR NEW OWNER OF  
BLAINE KENNELS INC., 10193 FLANDERS STREET NE,  
BLAINE**

**Sponsors:** Cross

10.-3 [MO 14-057](#)

**APPROVE A VENDING TRUCK LICENSE FOR  
WINTA ICE CREAM, FASIL AGEGNEHU,  
OWNER/OPERATOR,  
13328 89TH AVENUE N, MAPLE GROVE**

**Sponsors:** Cross

10.-4 [MO 14-058](#)

**APPROVAL OF THE 2014-15 KENNEL LICENSES**

**Sponsors:** Cross

10.-5 [MO 14-059](#)

**APPROVE THERAPEUTIC MASSAGE  
ENTERPRISE LICENSE FOR MASSAGE OFF  
CENTRAL,  
11806 ABERDEEN STREET NE, SUITE 180, BLAINE.**

**Sponsors:** Cross

The Following Ordinance is Scheduled for Second Reading

10.-6 [ORD 14-2281](#)

**VACATION OF PUBLIC EASEMENT FOR ROADWAY  
PURPOSES  
PER DOCUMENT NOS. 311736 AND 311900  
VACATION NO. V13-07**

**Sponsors:** Keely

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

10.-7 [MO 14-060](#)

**APPROVE AN INDIVIDUAL MASSAGE THERAPIST  
LICENSE  
FOR SAI LIAN ZHU OF MOONLIGHT MASSAGE,  
1617 93RD LANE NE, BLAINE**

**Sponsors:** Cross

10.-8 [MO 14-061](#)

**APPROVE AN INDIVIDUAL MASSAGE THERAPIST  
LICENSE FOR  
KRISTIN LARSON AT MASSAGE ENVY LOCATED AT  
10450 BALTIMORE STREET NE, BLAINE.**

**Sponsors:** Cross

10.-9 [MO 14-062](#)

**APPROVE A VENDING TRUCK LICENSE FOR  
FAISAL ICE CREAM,  
12754 ULYSSES CIRCLE NE, BLAINE**

**Sponsors:** Cross

10. [MO 14-063](#)

-10

**AUTHORIZE PURCHASE OF LIFT STATION  
REPLACEMENT PUMPS**

**Sponsors:** Ulrich

10. [MO 14-064](#)  
-11
- APPROVE A THERAPEUTIC MASSAGE ENTERPRISE  
LICENSE  
FOR TRIGGER POINT THERAPY,  
10705 TOWN SQUARE DRIVE, #202, BLAINE**
- Sponsors:** Cross
10. [MO 14-065](#)  
-12
- APPROVE A VENDING TRUCK LICENSE FOR  
BLAINE ANOKA ICE CREAM, FAYSAL HASAN,  
OWNER/OPERATOR,  
922-94TH AVENUE NE, BLAINE, MN.**
- Sponsors:** Cross
10. [MO 14-066](#)  
-13
- APPROVE NEW WORLD SOFTWARE MAINTENANCE  
AGREEMENT**
- Sponsors:** City Council
- Attachments:** [NWS Software Maintenance Agreement 2014-2019](#)
10. [MO 14-067](#)  
-14
- AUTHORIZE PAYMENT TO AMI IMAGING SYSTEMS,  
INC., FOR RENEWAL OF SOFTWARE MAINTENANCE  
AGREEMENT.**
- Sponsors:** Peters

11. **DEVELOPMENT BUSINESS**

The Following Two Items are Related and the Ordinance is Scheduled for Second Reading

11. [ORD 14-2282](#)  
-1A

**GRANTING A REZONING FOR A PORTION OF THE  
PROPERTY FROM R-2 (TWO FAMILY) TO R-1 (SINGLE  
FAMILY) AT 8845 BALTIMORE STREET NE. KAYAK  
REMODELING AND REDEVELOPMENT. (CASE FILE  
NO. 14-0008/LSJ)**

**SECOND READING**

**Sponsors:** Schafer

**Attachments:** [Madelyn Cove - Attachments](#)  
[Madelyn Cove - Public Comment](#)

Community Development Director Schafer noted that there are two actions associated with this request. He advised that the first action would be a rezoning of a portion of the property from R-2 to R-1, noting that the existing duplex would remain under R-2. He advised that there would not be public improvements associated with this project. He advised that all of the proposed lots fit the requirements of the R-1 zoning district. He also referenced a list of conditions specific to the Preliminary Plat.

**Adopted**

11. [RES 14-060](#)  
-1B

**GRANTING PRELIMINARY PLAT APPROVAL TO  
SUBDIVIDE 2.39 ACRES INTO SIX (6) LOTS TO BE  
KNOWN AS MADELYN COVE AT 8845 BALTIMORE  
STREET NE. KAYAK REMODELING AND  
REDEVELOPMENT. (CASE FILE NO. 14-0008/LSJ)**

**Sponsors:** Schafer

**Attachments:** [Madelyn Cove - Attachments](#)  
[Madely Cove - Public Comment](#)

**Adopted**

**The Following Two Items are Related**



11. [RES 14-061](#)  
-2A

**GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE  
3.06 ACRES INTO 27 TOWNHOME LOTS, TWO  
COMMON LOTS AND THREE OUTLOTS TO BE KNOWN  
AS LEGACY CREEK 4th ADDITION AT LEGACY CREEK  
PARKWAY/126th AVENUE NE. SOURCE  
CONSTRUCTION CAPITAL. (CASE FILE NO. 14-0012/LSJ)**

**Sponsors:** Schafer

**Attachments:** [Legacy Creek 4th Plat - Attachments](#)

Community Development Director Schafer advised that this agenda item also includes two actions including requests for Final Plat approval and Conditional Use Permit (CUP). He noted that this would be the last addition of the Mattamy development. He advised that the Plat is consistent with the Preliminary Plat previously approved by the Council.

**Adopted**

11. [RES 14-068](#)  
-2B

**GRANTING CONDITIONAL USE PERMIT APPROVAL TO  
ALLOW FOR CONSTRUCTION OF 27 TOWNHOME  
UNITS IN A DF (DEVELOPMENT FLEX) ZONING  
DISTRICT. LEGACY CREEK 4th ADDITION AT LEGACY  
CREEK PARKWAY/126th AVENUE NE. SOURCE  
CONSTRUCTION CAPITAL. (CASE FILE NO. 14-0012/LSJ)**

**Sponsors:** Schafer

**Attachments:** [Legacy Creek 4th CUP - Attachments](#)

Community Development Director Schafer noted that this action would simply extend the Conditional Use Permit from the existing development to include the 27 new lots.

**Adopted**

11.-3 [RES 14-062](#)

**FINAL PLAT APPROVAL TO SUBDIVIDE 14.85 ACRES  
INTO 47 SINGLE FAMILY LOTS AND TWO OUTLOTS TO  
BE KNOWN AS THE PRESERVE AT LEGACY CREEK 2nd  
ADDITION AT LEGACY CREEK PARKWAY/128th LANE  
NE. RYLAND HOMES (CASE FILE NO. 14-0013/LSJ)**

**Sponsors:** Schafer

**Attachments:** [Preserve at Legacy Creek 2nd - Attachments](#)

Community Development Director Schafer presented a Final Plat request from Ryland Homes, noting that the first phase was constructed the previous fall and advised that this would be the second phase. He explained that a connection that had been planned for the future at 131st Avenue would be constructed during this phase, because of the necessity to relocate overhead power lines.

**Adopted**

11.-4 [RES 14-063](#)

**GRANTING A CONDITIONAL USE PERMIT  
AMENDMENT TO ALLOW FOR CONSTRUCTION OF A  
191-UNIT MARKET RATE APARTMENT COMPLEX IN A  
PBD (PLANNED BUSINESS DISTRICT) ZONING  
DISTRICT AND SHARED ACCESS AT ULYSSES  
STREET/NORTH OF CLOVERLEAF PKWY. BALDWIN  
PARTNERS. (CASE FILE NO. 12-0044/LSJ)**

**Sponsors:** Schafer

**Attachments:** [Blaine Apartments - Attachments](#)

City Manager Arneson advised that the Planning Commission approved this project in February of 2013, with the Council issuing approval in March of 2013. He noted that this would be a small amendment to the request including a small increase in the number of units and a change to the proposed building materials. He advised that the project meets or exceeds the aspects of the Highway 65 overlay requirements. He reviewed the number of parking stalls, underground and above ground that will be constructed. He noted that the apartment building has an agreement with the Teamsters to allow parking on their site for their bi-annual meetings. He stated that staff recommends approval of the request.

Dennis Cornelius, AmCon Construction, thanked the Council for considering the amendment to the project.

Councilmember Herbst questioned if there are plans for how snow removal would occur on the site, as there have been problems with apartment buildings asking residents to park on street during that time.

Mr. Cornelius stated that while they recognize that can be an issue such plans will be developed by the management company. He reviewed the project timeline, believing that construction would begin this year with the finished product ready by summer of 2015.

Councilmember Clark asked for additional information regarding the enhanced aesthetics. Mr. Cornelius advised that the pitch roof has been eliminated in favor of a more urban, flat roof design.

Councilmember Clark stated that he preferred the pitched roof and believed that the pitched roof represents more of a high-end product.

Councilmember Herbst stated that the market for this type of product prefer this type of aesthetic.

**Adopted**

**12. ADMINISTRATION****12.-1 [RES 14-064](#)****RECEIVE FEASIBILITY REPORT AND ORDER  
PUBLIC HEARING FOR THE 93RD LANE  
INDUSTRIAL PARK AREA STREET  
IMPROVEMENTS, PHASE 3, IMPROVEMENT  
PROJECT NO. 13-24**

**Sponsors:** Keely

**Attachments:** [location map.pdf](#)  
[Feasibility Report.pdf](#)

City Engineer Keely presented the Feasibility Report for the 93rd Lane industrial park area street improvements, phase three. She reviewed the project area and proposed improvements as well as dates of construction and maintenance. She reported that there are no issues with the sanitary sewer or water mains and described the proposed road improvements. She referenced the storm sewer and noted that all damaged and undersized culverts would be replaced, along with work within the ditches. She estimated a total project cost of \$823,900 noting that funding would be provided through assessments and the City's Pavement Management Fund. She advised that an open house will be held on April 29th with a public hearing to follow on May 15th.

**Adopted**

12.-2 [RES 14-065](#)

**RECEIVE FEASIBILITY REPORT AND ORDER  
PUBLIC HEARING FOR RECONSTRUCTION OF  
THE EAST CENTRAL AVENUE SERVICE ROAD  
FROM 87TH AVENUE TO 89TH AVENUE,  
IMPROVEMENT PROJECT NO. 13-20**

**Sponsors:** Keely

**Attachments:** [Location Map landscape.pdf](#)  
[Feasibility Report.pdf](#)

City Engineer Keely presented the Feasibility Report for the reconstruction of the East Central Avenue Service Road from 87th Avenue to 89th Avenue. She reviewed dates of construction and maintenance and reported that the sanitary sewer was lined in 2011 and is in good shape. She advised that installation of new hydrants will occur and will be funded through the City's Utility Fund. She reviewed the proposed road improvements. She estimated a total project cost of \$367,740 which will be funded through assessments and the City's Pavement Management Fund. She reported that an open house will be held on April 29th with a public hearing to follow on May 15th.

Councilmember Swanson noted that there are two residential lots included in this commercial area and questioned if the residential lots could be treated at a lower residential assessment. City Engineer Keely stated that staff bases the proposed assessments on the zoning of the property but noted that the Council could consider that amendment.

Councilmember Herbst agreed that the residential lots should be considered separately in terms of assessment when the issue comes forward.

**Adopted**

12.-3 [RES 14-066](#)

**APPROVE PROGRAMMATIC STORMWATER  
MANAGEMENT FACILITY MAINTENANCE  
AGREEMENT WITH RICE CREEK WATERSHED  
DISTRICT**

**Sponsors:** Hafner

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

Stormwater Manager Hafner explained that per the stormwater rules a maintenance agreement is required for each project that comes forward through the Watershed District. He referenced the City projects that triggered this item and advised of disagreement that occurred between the City and the Watershed as to whether this would be required from the City. He explained that the City believes that these best management practices fall under the MS4 Permit. He advised that through negotiations the Watershed has agreed that the City could complete projects without submission of these agreements, with the agreement that the City will provide an annual report regarding maintenance. He stated that staff hopes that a partnership between the two organizations can occur into the future.

**Adopted**

12.-4 [RES 14-067](#)

**APPROVAL OF CONDITIONAL EXTENSION OF  
AGREEMENT WITH THE NATIONAL SPORTS CENTER  
FOR OPERATION OF A BORROW PIT**

**Sponsors:** Therres

**Attachments:** [NSC original agreement](#)  
[Letter Requesting Permit Extension](#)

Public Services Manager Therres presented an extension request through October 31, 2014 for the borrow pit at the National Sports Center (NSC). He provided historical information on the original request and subsequent extensions. He stated that the applicant believes that all of the work could be completed during this summer. He stated that staff would suggest an additional condition that would require the NSC to remove sand and gravel along 105th Avenue and Radisson road.

**Adopted**

13. **OTHER BUSINESS**

**Motion**

14. ADJOURNMENT

Adjourned