



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

10801 Town Square Dr.  
Blaine MN 55449

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Thursday, June 7, 2012

7:30 PM

Council Chambers

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**Meeting Number 12-35**

**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.

Quorum present.

**ALSO PRESENT:** Bryan Schafer, Community Development Director; Joe Huss, Finance Director; Jean Keely, City Engineer; Chris Olson, Safety Service Manager/Police Chief; Nyle Zikmund, SBM Fire Chief; Roark Haver, Communications Technician; Al Thorp, Senior Engineering Technician; Jane Cross, City Clerk; and Recording Secretary Linda Dahlquist.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

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

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

**4. APPROVAL OF MINUTES**

**4.1 [MIN 12-22](#)**

**WORKSHOP MEETING - 05/10/2012**

**WORKSHOP MEETING - 05/17/2012**

**REGULAR MEETING - 05/17/2012**

**Sponsors:** Cross

**Attachments:** [Workshop Minutes 5/17/12](#)

[Council Minutes 5/17/12](#)

[Workshop Minutes 5/10/12](#)

Mayor Ryan abstained from the Minutes of the Workshop Meeting of May 17,

2012 and the Minutes of the Regular Meeting of May 17, 2012 due to his absence. Councilmember Hovland abstained from the Minutes of the Workshop Meeting of May 17, 2012 and the Minutes of the Regular Meeting of May 17, 2012 due to his absence.

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

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

### **5.1**

Tom McKee, Director of Volunteer Services for the Salvation Army for the Twin Cities in the Northern Division including Minnesota and North Dakota, read a decree and presented to Marie Putman the Salvation Army Northern Division Individual Volunteer of the Year Award. He commented the Salvation Army has 80,000 volunteers in the Northern Division each year and in the Twin Cities metro area the Salvation Army has 30,000 volunteers. Spring Lake Park-Blaine-Mounds View Fire Chief Zikmund stated Ms. Putman is also a Blaine Fire Core member and provides transportation to seniors in Anoka County. Mr. McKee stated that Ms. Putman has already given over 1,900 hours of service this year. Mayor Ryan congratulated and thanked Ms. Putman for her service to the Salvation Army in the City of Blaine.

**Informational: no action required**

## **6. COMMUNICATIONS**

### **6.1 TMP 12-330**

Mayor Ryan read the names of the Beyond the Yellow Ribbon Steering Committee: Rebecca Olson, Councilmember Wes Hovland, Al Goracke, Kingswood Church Pastor, Ben Johnson, Blaine Police Department, Captain Shelly Supan, Civil Air Patrol, Blaine Police Officer Cory Schmidt, Craig Malm, Allina Hospital, Tom Newland, Allegra Printing, Linda Groebner, Anoka Hennepin School District, Peter Yelle, Spring Lake Park School District, National Guard MSG Dave Denton, Lieutenant Seth Goreham, Jim Lindberg and Carla Sanderson, 21st Century Bank. Tom Newland stated Rebecca Olson has done a good job being the City's liaison and introduced Shelly Supan who is the co-chair of the Youth and Education Committee. He stated a core group of 60 people started meeting one year ago. He stated the steering committee meets monthly and has developed an action plan of activities the committee does. He stated a proclamation ceremony was held on May 15, 2012 at the Saint Paul Saints Military Appreciation night. Ms.

Supan stated when a service member goes overseas, the family can make a request to the committee and the committee is there to support the families. Ms. Olson stated if anyone is interested in volunteering may contact the committee. Councilmember Bourke asked about Yellow Ribbon ads on the electronic bill boards. Ms. Olson responded the electronic bill board was used on Veterans Day. Mr. Newland stated the committee is designing window stickers for Blaine businesses to display. He welcomed residents to get involved.

#### Blaine Triathlon

Mayor Ryan thanked the Parks and Recreation Department for the success of the Triathlon.

#### Fogerty Curling Club

Mayor Ryan stated ground breaking took place on the Fogerty Curling Club.

#### Airport Days

Mayor Ryan stated Blaine was privileged to have the Veterans' Memorial monument at the Airport Days celebration. He stated approximately 13,000 people attended the three day event.

#### Blaine Life Newspaper

Tim Henniger, Editor of the *Blaine Spring Lake Park Life* newspaper, stated effective June 1, 2012, the newspaper became a free distribution single-section weekly newspaper. He stated in the past there were three newspapers servicing Blaine and now there will be just one. Mr. Henniger stated more information is on the City's website. Councilmember Herbst asked if the northeast section of Blaine will receive the *Anoka Shopper*. Mr. Henniger stated the northeast will only get the *Life* newspaper. He repeated the City of Blaine will receive one newspaper.

## 7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:57 p.m.

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

## 8. ADOPTION OF AGENDA

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

### 9.1 [RES 12-070](#) ADOPTING ASSESSMENT FOR RECONSTRUCTION OF CLOUD DRIVE NE/119TH AVENUE NE FROM TH 65 TO LONDON STREET NE, IMPROVEMENT PROJECT NO.

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**10-11**

**Sponsors:** Keely

**Attachments:** [10-11 Final Assmt Roll](#)  
[10 11 assessmentMAP.pdf](#)

Mayor Ryan opened the public hearing at 8:00 p.m.

City Engineer Keely stated Project No. 10-11 involved spot concrete curb and gutter replacement, spot concrete sidewalk replacement, storm sewer, full replacement of gravel base, asphalt surface, revision of traffic signal, additional lane at TH 65, traffic control signage and striping, and appurtenant construction for Cloud Drive NE/119th Avenue NE from TH 65 to London Street NE. The residential properties are being assessed 25% of the entire cost of an equivalent 29 foot residential street improvement and the commercial properties are being assessed 50% of the entire cost of an equivalent 29 foot typical commercial street, per the City assessment policy. She stated the amount to be assessed is \$66,480.07 over 10 years at an interest rate of 5%. The Public Utility Fund will contribute funds for water and sewer improvements and Municipal State Aid will contribute funds as well.

Brian Fitzgerald, 1733 119th Avenue NE, stated he has issues with the construction and has sent an email to Councilmember Clark. He stated there are issues with the workmanship, which he has taken pictures. He stated there are sidewalks that have holes; part of the road is coming apart at 1709 with debris coming out of the road. He stated the work has not been done right. He stated on the work on London road is good. He stated somebody needs to walk the road to see these issues. He has nine spots that there are issues. He stated if the residents are being assessed for the work it should be done right.

Councilmember Herbst stated he drove on Cloud Drive today and wanted to see Mr. Fitzgerald's pictures.

City Engineer Keely stated the project had been finalized with the contractor and this is the first she has heard about the workmanship issues.

Orrin Baumgarder, 1515 Cloud Drive NE, stated he has a problem with the amount being assessed. He stated Minnesota Statutes 429.051 states assessments must be in uniform on all class of property. He stated mine is residential, the same as everybody else's and they are charging me four times more. He stated I have one lot with one PIN number. He stated the assessment needs to be universal on all properties. He stated the last assessment was \$40,000 and he hasn't paid that bill off yet. He stated his lot has four assessments.

Mayor Ryan asked if Mr. Baumgarder is going to subdivide his lot. Mr. Baumgarder responded he does not plan to subdivide his lot.

Councilmember Bourke asked about deferral and the 5% interest. Finance Director Huss stated the current interest rate has declined. He stated the City uses the Ten Year Bond Buyer Index that has a standard rate for municipal issues. He stated the City sets the interest rate above the Bond issued rate. He stated the interest is optional and residents can prepay the assessment.

Councilmember Herbst asked City Attorney Sweeney to respond to Mr. Baumgarder's legal question. Mr. Baumgarder repeated the state statute says assessments must be uniform upon the same class of property and all of the lots are residential. He looked at the plat and there are other lots almost as large as mine that only have one assessment.

Councilmember Herbst mentioned that Mr. Baumgarder is eligible for a senior deferral. Mr. Baumgarder replied that a senior deferral would eat up his equity.

Councilmember Herbst asked about the previous assessment. Mr. Baumgarder replied the developer got 150 credits and Mr. Baumgarder got one credit from the State Aide Fund.

City Attorney Sweeney stated on the assessment role, parcel number 7, Mr. Baumgarder's property, there are four units on this parcel. He stated the per unit assessment is on a proportional basis.

Councilmember Swanson asked about comparing the size of lot 7 (Mr. Baumgarder's lot) to lot 24. City Engineer replied that lot 7 is assessed for future development.

Councilmember Herbst asked if lot 7 could be subdivided and get permits. Community Development Director Schafer replied yes, based on the provision of City sewer and water. He stated it would meet the intent of the land use.

Councilmember Swanson asked about the back of lot 7 and how many more lots could be platted. Community Development Director Schafer replied approximately 3 more lots.

Councilmember Bourke stated he would like to help accommodate Mr. Baumgarder. He asked what is needed for a senior deferral. City Engineer Keely stated the City has a senior deferral application. She stated the applicant must be over 65 years of age and show financial hardship by showing last year's tax forms.

Mike Pemble, 1526 Cloud Drive NE, stated he had talked to Councilmember Herbst. He had replaced 30 feet of curbing in front of his driveway, so the City would not mess up his newly paved driveway. He stated now he is being assessed by the City for road work and curbing.

Councilmember Bourke stated staff was going to review this situation. City Engineer Keely stated the curb was spot replaced and if the curb was not needed it would not be replaced. Mr. Pemble stated the curb was busted up and that is why he replaced the curb. He stated the City looked at the curb and then inspected the new curb to make sure it was done correctly.

Councilmember Bourke stated he agreed with Mr. Pemble that he should receive credit for the new curbing.

Councilmember Swanson stated the assessment should remain and a credit should be issued.

City Manager Arneson stated the City will work with Mr. Pemble to determine a credit.

Amy (Kurt) Clochs, 1658 119th Avenue NE, stated the road looks good and the assessment came in lower than they expected, but there are a few issues. She stated the curb did not need to be replaced and the new curbing is damaged. She stated her landscaping was damaged and she has to redo her landscaping. She stated they are concerned with the speed of the road and nobody goes the 30 mile speed limit. She stated the road has more traffic now and heavy equipment trucks are driving on the road all day long. She is also concerned about the striping on the parking side of the street, it is narrower and people are parking on the boulevard because it is too narrow.

Mayor Ryan stated the construction is getting toward the end. He will ask the Police Department to monitor the road.

Councilmember Bourke asked City staff to review the work and asked if a speed study has been done on Cloud Drive. City Engineer Keely stated she will work with the Police Department on placing a trailer on the road.

Councilmember Hovland left the room at 8:38 p.m. and returned at 8:41 p.m.

Ken Allen, 1481 Cloud Drive, stated he would like the City to look at speeding that goes on, motorcycles and the heavy trucks using jack breaks. He stated he lives in the association and asked how the assessment was done on the one building with the four units/residences. He stated the amount seem excessive. City Engineer Keely stated the townhomes were assessed at a commercial rate, which is \$1,433.75 per lot because of the narrower width.

Councilmember Swanson asked about frontage for the townhouse. City Engineer Keely stated the townhouse street frontage is 57.19 feet, so the assessment rate is less than a single family lot.

Mr. Allen asked if a stop for pedestrian sign could be posted at Aberdeen

Street and Cloud Drive. Mayor Ryan commented that is a very busy area. City Engineer Keely stated the Engineering Department will look at the area.

Mayor Ryan closed the public hearing at 8:46 p.m.

Councilmember Herbst suggested deferring action on Mr. Baumgarder's property.

City Manager Arneson suggested delaying all of the assessments for two weeks.

Mayor Ryan commented the project was ordered with these assessments and to start over again just prolongs the project.

**Moved by Councilmember Bourke, seconded by Councilmember Herbst, that this Resolution be Postponed to the June 21, 2012, City Council meeting. The Motion was adopted unanimously.**

Councilmember Swanson requested a construction report for the project.

9.2 [RES 12-071](#)

**ADOPTING ASSESSMENT FOR RECONSTRUCTION OF  
JEFFERSON STREET NE/87TH LANE NE FROM 85TH  
AVENUE NE TO 89TH AVENUE NE ALONG WITH 7TH  
STREET NE AND WASHINGTON STREET NE FROM  
87TH LANE NE TO CSAH 10, IMPROVEMENT PROJECT  
NO. 10-10**

**Sponsors:** Keely

**Attachments:** [Final assessment roll](#)  
[10 10 FINAL assessment MAP.pdf](#)

Mayor Ryan opened the public hearing at 8:52 p.m.

City Engineer Keely stated Project No. 10-10 involved spot curb and gutter replacement, storm sewer structures, asphalt surface, revision of traffic signals, traffic control signage and striping, and appurtenant construction. She stated the properties are being assessed 50% of the entire cost of the street improvement. She stated the Public Utility Fund will contribute for water and sewer improvements and Municipal State Aid will contribute.

Councilmember Herbst left the meeting at 8:52 p.m. and returned at 8:54 p.m.

Mayor Ryan closed the public hearing at 8:54 p.m.

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

9.3 [RES 12-072](#)**ORDER IMPROVEMENT, ORDER PREPARATION OF  
AND APPROVE PLANS AND SPECIFICATIONS, AND  
ORDER ADVERTISEMENT FOR BIDS FOR THE  
RECONSTRUCTION OF HAMLIN AVENUE FROM  
EDGEWOOD ROAD TO PATRIOT LANE,  
IMPROVEMENT PROJECT NO. 10-13**

**Sponsors:** Keely

**Attachments:** [Exhibit 1 - location map.pdf](#)  
[Exhibit 2 - assessment map.pdf](#)  
[Preliminary Assesment Roll.pdf](#)

Mayor Ryan opened the public hearing at 8:55 p.m.

City Engineer Keely stated the proposed joint project between the City of Lexington and the City of Blaine will reconstruct Hamline Avenue from Edgewood Road to Patriot Lane. The work will consist of a full street reconstruction, converting Hamline Avenue from a rural section roadway to an urban section roadway with curb and gutter and storm sewer. She stated the work will include storm sewer, aggregate base, curb and gutter, bituminous pavement replacement, ditch cleaning and regarding, and appurtenant construction. She stated the assessed will be over 10 years. Funds from the City Water Utility Fund and the City's Pavement Management Fund will be used. City Engineer Keely stated a full Council vote is needed. The hearing may continue, but a super majority vote is needed.

Mayor Ryan closed the public hearing at 9:00 p.m.

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

**10. APPROVAL OF CONSENT AGENDA:****Approval of the Consent Agenda**

**Moved by Councilmember Herbst, seconded by Councilmember Bourke that the following items be Approved by Consent Vote. Motion adopted unanimously.**

10.1 [MO 12-062](#)**SCHEDULE OF BILLS PAID**

**Sponsors:** Huss



Approved unanimously by Consent Vote.

10.6 [MO 12-066](#)

**APPROVE A CARNIVAL LICENSE FOR ALL  
AMERICAN AMUSEMENTS, 604 14TH AVENUE SE,  
RUSKIN, FLORIDA FOR THE BLAINE'S BLAZIN  
4TH CELEBRATION TO BE HELD AT AQUATORE  
PARK, JUNE 22-24, 2012**

**Sponsors:** Cross

Approved unanimously by Consent Vote.

10.7 [RES 12-081](#)

**RESOLUTION AUTHORIZING PURCHASE OF TAX  
FORFEITED PARCELS IN THE CITY OF BLAINE**

**Sponsors:** City Council

**Attachments:** [Tax Forfeit Properties](#)

Adopted unanimously by Consent Vote.

10.8 [MO 12-068](#)

**ACCEPT AMENDED ENERGY EFFICIENCY  
COMMUNITY BLOCK GRANT (EECBG) AND APPROVE  
EXPENDITURES RELATED TO THE GRANT  
IMPROVEMENTS**

**Sponsors:** City Council

**Attachments:** [Energy Block Grant Program](#)

Public Services Manager Therres stated in 2010 the City received an EECBG Grant funds from the Federal Government. He stated the original plan was to do window improvements at Blaine Court Apartments and develop a revolving loan fund for residential energy efficient improvements. He stated it was determined that the revolving loan fund would not work, so other projects were identified such as a trail from Radisson Road and Naples, north to connect to the Park and Ride facility.

Councilmember Swanson asked how a trail project qualifies as an energy efficiency project. Public Services Manager Therres replied it qualifies because it gets people out of cars and walking on the trails.

Councilmember Swanson stated the trails need to be open in the winter and asked if pedestrian crossing on Radisson Road at that intersection is safe. Public Services Manager Therres replied the project includes a pedestrian landing at this intersection and staff will look into trail maintenance.

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

## 11. DEVELOPMENT BUSINESS

### 11.1 [RES 12-074](#)

#### **GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE 9.26 ACRES INTO 14 SINGLE FAMILY LOTS AND ONE (1) OUTLOT TO BE KNOWN AS WOODLAND VILLAGE 2ND ADDITION AT WOODLAND VILLAGE PARKWAY/HUPP STREET. WOODLAND DEVELOPMENT CORPORATION. (CASE FILE NO. 12-0015/SLK)**

**Sponsors:** Schafer

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

Planning and Community Development Director Schafer stated Woodland Development is requesting approval to final plat 14 single family lots that were a part of the preliminary plat that was approved in 2011. The final plat proposal consists of subdividing approximately 9.26 acres into a subdivision with a total of 14 single-family dwelling units. He stated the final plat also includes an outlot for a wetland and drainage area.

Councilmember Herbst asked about the maintenance on the circle driveway. Planning and Community Development Director Schafer replied the home owners would maintain the circle drive and their own driveways.

Councilmember Bourke stated this project was a challenge and he is glad it worked out.

Councilmember Swanson stated shared driveways have had issues in the past and the deeds need to be clear.

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

### 12.1 [MO 12-069](#)

#### **ACCEPTING THE PROPOSAL OF AN EAGLE SCOUT PROJECT FROM AUSTIN SWENSON TO CONSTRUCT A WAR MEMORIAL AT TOWN SQUARE PARK.**

**Sponsors:** Kappelhoff

**Attachments:**     [Town Square Park Eagle Scout Project Site.pdf](#)  
                              [War Memorial Paver Design for Town Square Park.pdf](#)

Mayor Ryan moved up agenda item 12.1.

Park and Recreation Director Kappelhoff stated Austin Swenson is proposing to create a memorial honoring those that have served and are serving in the U.S. Armed Forces. The memorial is a historical chronology of 12 major war campaigns where American servicemen were called upon to serve and recognition of MIA/POWs, VFW, branches of military, special war dedications and recognition of the Eagle Scout Swenson. The proposed project is a 6'x21' area of stone engraved pavers acknowledging the above events and actions will be systematically spaced throughout the area in a uniform pattern and the remaining area will be filled with background pavers. He commented a paver trail from the existing sidewalk could be installed to make the memorial handicap accessible.

Austin Swenson, 9573 Monroe Street NE, stated he has been in Scouting for almost a decade from Cub Scout to Boy Scout. He stated to become an Eagle Scout he has to do a service project to a community or organization. He stated his grandfathers served in the Army. He decided a war memorial to honor veterans would be his project. He stated his design is a paver memorial. He stated the pavers are from Hedberg Stone Masonry and they will also do the engraving.

Mayor Ryan asked when Mr. Swenson will begin the project. Mr. Swenson replied after the July 4th holiday.

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

11.5     [RES 12-078](#)

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW  
FOR A TWO-STORY 4,600 SQUARE FOOT ADDITION  
ONTO THE EXISTING CHURCH AT 12050 ABERDEEN  
STREET NE. OAK PARK COMMUNITY CHURCH. (CASE  
FILE NO. 12-0012/SLK)**

**Sponsors:**       Schafer

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

Mayor Ryan moved up agenda item 11.5.

Planning and Community Development Director Schafer stated Oak Park Community Church located at 12050 Aberdeen Street NE operates a church and Sunday school facility out of an existing building on their site. The

applicant is proposing to construct a 4,600 square foot, two-story building addition on the south side of the existing building to accommodate classroom space. He stated there will be minimal site improvements and the existing parking is adequate.

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

12.4 [RES 12-080](#)

**APPROVE PARKING RESTRICTIONS ON THE NORTH  
SIDE OF 121ST AVENUE BETWEEN 3RD STREET AND  
7TH STREET**

**Sponsors:** Keely

**Attachments:** [121st Ave No Parking Petition.pdf](#)  
[Loc Map - 121st No Parking.pdf](#)

Mayor Ryan moved up agenda item 12.4.

City Engineer Keely stated the installation of regulatory signs requires authorization by the City Council. A petition containing 10 residents' signatures was submitted to the City of Blaine requesting parking restrictions on the north side of 121st Avenue, Monday through Thursday, 4:30 to 8:30 p.m., from May 1 through August 31. The petition states that parents of Little Leaguers using Happy Acres Park are parking on both sides of the street thereby creating dangerous driving condition. She stated the Engineering and Police Departments have monitored this area for a year and have not observed a safety problem with on street parking.

Kim Therres, 36 121st Avenue NE, stated she is directly affected by this proposal. She stated 121st Avenue is adjacent to Happy Acres Park. She stated 121st Avenue does not have a parking or safety problem and implementing parking restrictions is not warranted. She stated in general two to five vehicles consistently park on the north side of 121st Avenue. She stated that during the spring and summer months on street parking does increase due to park use. She stated the street is constructed to accommodate parking on both sides. She encourages the Council to not approve the parking restrictions.

Mayor Ryan asked if this street was constructed to allow parking. City Engineer Keely replied this street is a standard residential street 29 feet back to back with parking on both sides of the street.

**Council did not act on this item and directed staff to hold a neighborhood meeting prior to bringing this item back to Council for consideration.**

11.4 [RES 12-077](#)

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW  
FOR OUTDOOR DINING, AN INDOOR AMUSEMENT  
CENTER AND LIVE ENTERTAINMENT AT 9967  
ULYSSES STREET NE. VICTORY PIZZERIA AND PUB.  
(CASE FILE NO. 12-0011/LSJ)**

**Sponsors:** Schafer

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

Mayor Ryan moved up agenda item 11.4.

Planning and Community Development Director Schafer stated the former Space Aliens building on the northwest corner of Highway 65 and 99th Avenue has been vacant for some time and the owner of the site has decided to open a new restaurant in the existing building. He stated Victory Pizzeria and Pub will be a pizza buffet restaurant with a bar and a bar menu. He stated the applicant is proposing to have outdoor dining, arcade and video games, and live entertainment, which requires a conditional use permit.

Councilmember Bourke asked about the proximity of the outdoor patio to residential. Director Schafer stated a reserved tone will be maintained and no music can be piped outdoors.

Councilmember Swanson stated most of the outdoor patios are located in industrial areas. He asked if screening could be added to the west side of the patio area.

James Schmitz, 1900 Grizzly Lane, Sartell, MN, stated the building is poured concrete so noise is not an issue inside the building. He stated the building faces Highway 65 and not the townhouses.

Councilmember Swanson asked for additional noise screening on the west side of the patio. Mr. Schmitz agreed to put a taller fence on the west side of the patio. He commented the menu is a pizza buffet for lunch and dinner. He stated he has applied for a liquor license, catering and delivery. He stated provide non-profit pull tabs and meat raffles for the Spring Lake Park Youth Hockey. Mr. Schmitz stated he has purchased a new juke box that has karaoke capability and a DJ may be brought in for after 8:00 p.m. entertainment.

Mayor Ryan asked how SAC charges are calculated. Mr. Schmitz commented that he will lose 80 to 90 seats due to the buffet. Director Schafer gave an overview of SAC and how it is paid to the Met Council. SAC is calculated on table area and square footage. The fee is collected by the City and paid to the

Met Council.

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

- 11.2     [RES 12-075](#)                    **GRANTING A CONDITIONAL USE PERMIT EXTENSION  
TO ALLOW FOR A 9,879 SQUARE FOOT  
MULTI-TENANT RETAIL BUILDING IN A PBD  
(PLANNED BUSINESS DISTRICT) ZONING DISTRICT AT  
1540 109th AVENUE NE. VICTORY VILLAGE, LLC. (CASE  
FILE NO. 11-0009/LSJ)**

**Sponsors:**           Schafer

**Attachments:**       [CUP Extension Attachments.pdf](#)  
[Victory Village Letter.pdf](#)

Planning and Community Development Director Schafer stated the applicant would like to extend the conditional use permit approval for a subsequent year due to the process of securing tenants and constructing the building is taking longer than anticipated.

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

- 11.3     [RES 12-076](#)                    **GRANTING A WAIVER OF PLATTING TO DIVIDE A .58  
ACRE PARCEL INTO TWO PARCELS AT 2720 93rd  
AVENUE NE. GLORIA DUVERNAY. (CASE FILE NO.  
12-0009/LSJ)**

**Sponsors:**           Schafer

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

Planning and Community Director Schafer stated the applicant owns a parcel that is approximately .58 acres. The applicant's proposal is to subdivide this parcel into two single-family lots, consistent with the R-1 (Single Family) zoning standards.

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

## 12.       **ADMINISTRATION**

- 12.2     [MO 12-067](#)                    **AUTHORIZE CITY MANAGER TO ENTER INTO  
CONTRACT WITH SHORT ELLIOTT HENDRICKSON  
INC. IN THE NOT TO EXCEED AMOUNT OF \$53,300 FOR**

**DESIGN AND CONSTRUCTION SERVICES FOR THE  
RECONDITIONING OF WATER TOWER NO. 3  
(IMPROVEMENT PROJECT NO. 12-12) IN ACCORDANCE  
WITH PROPOSAL DATED APRIL 27, 2012**

**Sponsors:** Therres

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

Public Services Manager Therres stated the Engineering Department requested proposals from Short Elliott Hendrickson, Inc. (SEH) and KLM Engineering, Inc. (KLM) for design and construction services relating to the reconditioning of Water Tower No. 3, located at 9308 Hamline Avenue. He stated the proposal from SHE is estimated at \$53,300 and the proposal from KLM is estimated at \$62,390. He stated plans and specifications will be prepared and the project bid this summer for work in 2012/13. The project will be funded by the Water Utility fund.

**Moved by Councilmember Swanson, seconded by Mayor Ryan, that this Motion be Approved. The Motion was adopted unanimously.**

**12.3** [RES 12-079](#)

**RESCIND RESOLUTION NO. 03-17 REGARDING NO  
PARKING RESTRICTIONS ON BALTIMORE STREET NE  
NORTH OF 85TH AVENUE NE**

**Sponsors:** Keely

**Attachments:** [Res 03-17 & Location Map.pdf](#)  
[Petition.pdf](#)

City Engineer Keely stated installation and removal of regulatory signs require authorization by the City Council. In February 2003, the Council adopted Resolution No. 03-17 in response to a neighborhood request for parking restrictions on a segment of Baltimore Street NE, 233 feet north of the 85th Avenue NE centerline, in order to encourage Qwest service employees to use their designated on-site parking. The Quest employee parking is no longer an issue and the neighborhood is now petitioning that the No Parking restriction be removed.

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

**12.5** [MO 12-061](#)

**REQUEST ANOKA COUNTY TO ACCOMPLISH A SPEED  
STUDY ON LEXINGTON AVENUE**

**Sponsors:** Therres

**Attachments:** [lexington speed study res..doc](#)

Public Services Manager Therres stated the City of Lexington passed a resolution for MNDOT to do a speed study of Lexington Avenue. The City of Lexington has contacted the cities of Circle Pines and Blaine to request that each pass a resolution asking for a speed study to be done on Lexington Avenue. He stated Lexington Avenue in the City of Blaine is under the jurisdiction of Anoka County and the County would have to submit a request to MNDOT for a speed study.

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

The Following Item is a HANDOUT

12.6 [MO 12-070](#)      **ACCEPT QUOTE FROM GRANITE LEDGE ELECTRICAL CONTRACTORS, INC. IN THE AMOUNT OF \$15,334 FOR REMOVAL OF AQUATORE PARK'S SOFTBALL FIELD NO. 1 LIGHTING - IMPROVEMENT PROJECT NO. 12-09**

**Sponsors:**      City Council

**Attachments:**      [Granite Ledge Electrical Bid - 12-09 Aquatore Park.pdf](#)

Public Services Manager Therres stated the lights in Aquatore Park Softball Field No. 1 are being removed to allow for construction of the Fogerty Curling Rink. In order to maintain the warranty for the lights, it is necessary to work with the manufacturer, Musco Lighting, to do the removal. Musco Lighting removes the poles and works with Granite Ledge to remove the associated electrical components. He stated the City Council is also asked to approve a 10% contingency to bring the total project to \$16,867. He stated the funding source for this project is through the Parks and Recreation Department.

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

13.      **OTHER BUSINESS**

None.

14.      **ADJOURNMENT**

**Moved by Councilmember Swanson, seconded by Councilmember Herbst, that this meeting be Adjourned. The Motion was adopted unanimously. The meeting adjourned at 9:55 p.m.**