



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

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

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Wednesday, February 22, 2023

7:30 PM

Held Virtually

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**Due to inclement weather, City Hall has closed and this meeting will be held virtually.  
You can join the meeting via Zoom: <https://blainemn.zoom.us/j/89950871775>**

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

The virtual meeting was called to order at 7:30PM by Mayor Sanders followed by the Pledge of Allegiance and the Roll Call.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**PRESENT:** Mayor Tim Sanders, Councilmembers Terra Fleming, Chris Massoglia, Tom Newland, Jess Robertson (left the meeting at 7:30PM), and Lori Saroya.

**ABSENT:** None.

Quorum Present.

**ALSO PRESENT:** City Manager Michelle Wolfe; Community Development Director Eric Thorvig; City Planner Sheila Sellman; Safety Services Director/Police Chief Brian Podany; Finance Director Joe Huss; Deputy Finance Director Alison Bong; Senior Parks & Recreation Manager Jerome Krieger; Parks & Recreation Manager Nate Monahan; Director of Administration Cassandra Tabor; City Engineer Dan Schluender; Deputy Public Works Director Nick Fleischhacker; City Attorney Tom Loonan; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

**Adopted the Consent Agenda**

**4. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS**

None.

**5. COMMUNICATIONS**

Deputy Public Works Director Fleischhacker provided the Council with

an update on work being done by staff to keep the City clear of snow and discussed how staff would be addressing the upcoming storm.

Mayor Sanders thanked the public works department for all their efforts to clear the City from the recent snow events.

**6. OPEN FORUM**

Mayor Sanders opened the Open Forum at 7:36PM.

Jessica Bahr, 116 91st Lane NE, requested the Council consider restricting retail pet sales in the City of Blaine.

There being no input, Mayor Sanders closed the Open Forum at 7:37PM.

**7. ADOPTION OF AGENDA**

The agenda was adopted as presented.

**8. APPROVAL OF CONSENT AGENDA:**

Councilmember Saroya requested the removal of consent agenda item 8.4.

Moved by Councilmember Robertson, seconded by Councilmember Newland, that the following be approved: A roll call vote was taken. Motion adopted unanimously.

**8.-1 Schedule of Bills Paid**

- Attachments:    [January 27, 2023 Bills Paid](#)  
                           [January 27, 2023 Subset of Bills Paid](#)  
                           [February 3, 2023 Bills Paid](#)  
                           [February 3, 2023 Subset of Bills Paid](#)  
                           [January 2023 P/R Checks and Wire Transfers](#)

Approved

**8.-2 Approval of Minutes**

- Attachments:    [02-06-23 Council Minutes](#)  
                           [02-06-23 Workshop Minutes](#)

Approved

**8.-3 Second Reading**

**An Ordinance Amending Chapter 42, Health and Sanitation, Article**

## II, Tobacco, Division 1 and 2 and Article X. - Licenses for Rental Dwellings

**Attachments:**    [Proposed Amendment](#)  
[Signature Copy](#)

Adopted

**8.-5                    Declaring Surplus Property and Authorizing Sale, Donation, and/or Disposal Thereof**

Adopted

**8.-4                    Granting a Final Plat to Create One Lot and Two Outlots to be Known as Green Acres 2nd Addition at 111 99th Avenue NE. Blaine Apartments LLC (Case File No. 22-0064/SAS)**

**Attachments:**    [Attachments](#)

Councilmember Saroya discussed the background of this application, noting this application was originally denied and has since been reconsidered and approved. She explained she intended to bring a motion to rescind the approval of this project, which was discussed at the February 6 City Council meeting. She reported the motion to rescind was on the March 6 City Council agenda. She indicated the neighbors would like to have a thorough review of this project, a comprehensive environmental study in addition to having a full traffic study completed to address the traffic safety concerns. She asked that the Council hold off on approving the final plat until the motion to rescind could be considered.

Councilmember Massoglia asked if the final plat were approved, does this nullify the ability to rescind the project. City Attorney Loonan explained if the final plat were approved, it would deem a motion to rescind approval of the final plat and CUP moot at that point.

Councilmember Massoglia commented he was not in favor of rescinding the rescission. He stated this was confusing to him because this item was on the agenda and then removed and requested further information on why this took place. Mr. Loonan reported the agenda item was originally requested by Councilmember Saroya who then indicated that she wanted the item moved to the March 6 agenda. He stated this was discussed with Councilmember Saroya and noted she had the authority to make this change as it was her agenda item request.

Councilmember Saroya explained she requested the change because there wasn't enough information shared. She had asked staff to present the full picture of this project starting from the initial denial. She stated

she was also concerned with the fact a letter was not sent to residents regarding the motion to rescind. She noted she would still bring this item forward on March 6. She is concerned the City would be facing a bigger lawsuit given the action that was taken by the Council.

City Planner Sellman explained the Council was being asked to approve a final plat for the proposed project. She reported the preliminary plat was approved on December 5, 2022. She noted the final plat was consistent with the preliminary plat. Staff commented further on the City's final plat procedure stating the Council had to act upon the application within 60 days of complete submittal, which would be March 28, 2023. After being reviewed by staff, it was found the final plat was in compliance with the preliminary plat and City code.

Councilmember Fleming requested staff speak to the concerns raised by Councilmember Saroya. Community Development Director Thorvig addressed the 30-point letter shared by a resident during a recent open forum and explained the engineering, building, and planning departments were working to prepare a response to this letter. He indicated the technical engineering concerns would be addressed during an administrative site plan process. He reported staff met with the director from the Alexandra House several weeks ago and staff was working to mitigate their viewshed concerns and that he understood the traffic study was still a concern and noted staff would be working on this item.

City Engineer Schluender commented on the traffic study that would be completed for this area, stating staff has contracted with a traffic engineering firm and a preliminary scope of the study has been created. He indicated a final scope for the project will be created once staff meets with the neighbors and school district. He stated the City would be hosting an open house at City Hall on March 7 to further review project impacts.

**Moved by Councilmember Saroya to table action on the final plat to the March 6, 2023 City Council meeting.**

**Motion failed for lack of a second.**

**Moved by Mayor Sanders, seconded by Councilmember Robertson, that Resolution No. 23-19, "Granting a Final Plat to Create One Lot and Two Outlots to be Known as Green Acres 2nd Addition at 111 99th Avenue NE," be approved.**

**A roll call vote was taken. Motion adopted 5-1 (Councilmember Saroya opposed).**

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

Councilmember Robertson left the meeting at 7:30PM.

**9.-1 Granting a Conditional Use Permit for a Total of Three Garage Accessory Buildings Totaling 1188 Square Feet in an R-1 (Single Family) Zoning District at 11511 7th Street NE. (Case File No. 23-0008/EES)**

Attachments: [Attachments](#)  
[9.1 presentation](#)

Ms. Sellman stated the applicant is requesting a Conditional Use Permit (CUP) for a total of three garage accessory buildings (one attached garage, one detached garage, one shed) totaling 1,188 square feet.

Mayor Sanders opened the public hearing at 8:01PM.

There being no additional public input, Mayor Sanders closed the public hearing at 8:02PM.

**Moved by Councilmember Massoglia, seconded by Councilmember Newland, that Resolution No. 23-20, "Granting a Conditional Use Permit for a Total of Three Garage Accessory Buildings Totaling 1188 Square Feet in an R-1 (Single Family) Zoning District at 11511 7th Street NE," be approved.**

A roll call vote was taken. Motion adopted 5-0. (Councilmember Robertson was absent for the vote).

**9.-2 Granting a Conditional Use Permit for a Side Yard Setback of 8-feet in a DF (Development Flex) Zoning District at 13109 Coral Sea Court NE. Jonathan Homes of MN, LLC (Case File No. 23-0012/SAS)**

Attachments: [Attachments](#)  
[Presentation](#)

Ms. Sellman stated the applicant is requesting a conditional use permit amendment to allow an 8-foot side yard setback rather than a 10-foot side yard setback for a sport court in a DF (Development Flex) zoning district. Staff commented further on the request and recommended approval.

Mayor Sanders opened the public hearing at 8:08PM.

There being no additional public input, Mayor Sanders closed the public hearing at 8:08PM.

**Moved by Councilmember Newland, seconded by Councilmember Massoglia, that Resolution No. 23-22, "Granting a Conditional Use Permit for a Side Yard Setback of 8-feet in a DF (Development Flex) Zoning District at 13109 Coral Sea Court NE," be approved.**

A roll call vote was taken. Motion adopted 5-0 (Councilmember Robertson was absent for the vote).

9.-3

**Granting a Conditional Use Permit for Live Entertainment in a B-3 (Community Commercial) Zoning District at 76 Northtown Drive NE. Irie Vybz Jamaican Restaurant (Case File No. 23-0011/SAS)**

Attachments:     [Attachments](#)  
                                 [Presentation](#)

Ms. Sellman stated the applicant is requesting a Conditional Use Permit (CUP) for live entertainment in an existing restaurant. Staff commented on the location of this restaurant and recommended approval.

Mayor Sanders opened the public hearing at 8:04PM.

There being no additional public input, Mayor Sanders closed the public hearing at 8:05PM.

**Moved by Councilmember Massoglia, seconded by Councilmember Fleming, that Resolution No. 23-21, "Granting a Conditional Use Permit for Live Entertainment in a B-3 (Community Commercial) Zoning District at 76 Northtown Drive NE," be approved.**

A roll call vote was taken. Motion adopted 5-0 (Councilmember Robertson was absent for the vote).

9.-4

**Approve On-Sale and Sunday Sale Intoxicating Liquor Licenses for Irie Vybz Jamaican Restaurant, 76 Northtown Drive NE**

City Clerk Sorensen stated Council is asked to approve the on-sale and Sunday sale intoxicating liquor licenses for Irie Vybz Jamaican Restaurant to allow the ability to serve intoxicating spirits, beer, and wine. It was noted all necessary paperwork and fees have been submitted to the City and staff recommends approval of the request.

Mayor Sanders opened the public hearing at 8:10PM.

There being no additional public input, Mayor Sanders closed the public hearing at 8:11PM.

**Moved by Councilmember Newland, seconded by Councilmember Fleming, that Resolution No. 23-31, "Approve On-Sale and Sunday Sale Intoxicating Liquor Licenses for Irie Vybz Jamaican Restaurant, 76 Northtown Drive NE," be approved.**

A roll call vote was taken. Motion adopted 5-0 (Councilmember Robertson was absent for the vote).

**10. DEVELOPMENT BUSINESS**

None.

**11. ADMINISTRATION**

None.

**12. OTHER BUSINESS**

None.

**13. ADJOURNMENT**

**Moved by Councilmember Massoglia, seconded by Councilmember Newland, to adjourn the meeting at 8:12PM.**

**A roll call vote was taken. Motion adopted 5-0 (Councilmember Robertson was absent for the vote).**