



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

10801 Town Square Drive
Blaine MN 55449

Thursday, July 9, 2015

7:30 PM

Council Chambers

1. CALL TO ORDER BY THE MAYOR

The meeting was called to order at 7:30 p.m. by Mayor Ryan followed by the Pledge of Allegiance and the Roll Call.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Quorum present.

ALSO PRESENT: City Attorney Patrick Sweeney; Planning and Community Development Director Bryan Schafer; Public Services Manager Bob Therres; Finance Director Joe Huss; Police Chief/Safety Services Manager Chris Olson; City Engineer Jean Keely; Accounting Supervisor Bonnie Friedrich; Stormwater Manager Jim Hafner; Senior Engineering Technician Jason Sundeen; City Clerk Catherine Sorensen; and Recording Secretary Linda Dahlquist.

Present: 7 - Tom Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

4. APPROVAL OF MINUTES

4.-1 [MIN 15-21](#) RECENTLY HELD MEETINGS

Moved by Councilmember Herbst, seconded by Councilmember King, that the Workshop Closed Meeting Minutes of June 11, 2015; the Workshop Meeting Minutes of June 11, 2015; the Workshop Meeting Minutes of June 18, 2015, and the Regular Meeting Minutes of June 18, 2015, be approved.

Motion adopted 4-0-3.

Councilmember Bourke abstained from the Workshop Closed Meeting Minutes of June 11, 2015, and the Workshop Meeting Minutes of June 11, 2015, due to his absence.

Councilmember Hovland abstained from the Workshop Meeting Minutes of June 18, 2015, and the Regular Meeting Minutes of June 18, 2015, due to his absence.

Councilmember Swanson abstained from the Workshop Meeting Minutes of June 18, 2015, and the Regular Meeting Minutes of June 18, 2015, due to his absence.

Aye: 4 - Mayor Ryan, Councilmember Herbst, Councilmember Clark and Councilmember King

Abstain: 3 - Councilmember Swanson, Councilmember Bourke and Councilmember Hovland

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

None.

6. COMMUNICATIONS

None.

6.-1 [SPEAKER](#) 2014 AUDIT AND CAFR REVIEW
[15-05](#)

Peggy Moeller, Redpath & Company, gave an overview of four reports: Comprehensive Annual Financial Report (CAFR), State Legal Compliance Report, Report on Internal Control, and Communication with Those Charged with Governance. She noted the City's 2014 audit of financial statements received a clean opinion and the City received the 2013 GFOA Certificate of Achievement for Excellence in Financial Reporting.

Informational: no action required

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan thanked staff and volunteers for their work on the Blazin 4th Celebration.

Mayor Ryan welcomed Hobby Lobby to the City of Blaine.

Mayor Ryan opened the Open Forum at 7:36 p.m.

Shirley Barnes, Crest View Senior Community, thanked the Council and staff for their work on the new facility. She also invited the Council and Blaine residents to the ground breaking ceremony on July 21, 2015 at 3:30 p.m.

There being no further input, Mayor Ryan closed the Open Forum at 7:39 p.m.

8. ADOPTION OF AGENDA

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

Moved on the agenda to follow agenda item 11.5.

10. APPROVAL OF CONSENT AGENDA:

Councilmember King removed agenda item 10.1.

Councilmember Swanson removed agenda item 10.2 and 10.4.

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that the following be approved:

Motion adopted unanimously.

- 10.-3** [RES 15-115](#) AUTHORIZE 15 MINUTE PARKING ON 91ST AVENUE ADJACENT TO SIDE YARD OF 9101 DAVENPORT STREET

Adopted

- 10.-5** [ORD 15-2319](#) SECOND READING

ORDINANCE AMENDING SECTION 27.02 PLANNING COMMISSION/BOARD OF APPEALS & ADJUSTMENTS OF THE ZONING ORDINANCE AND ARTICLE II. - PARK BOARD, SECTION 54-31. - ESTABLISHED; MEMBERS; ORGANIZATION REGARDING RESIDENCY REQUIREMENTS FOR CURRENT BOARD AND COMMISSION MEMBERS

Adopted

- 10.-6** [RES 15-128](#) AMENDING RESOLUTION 01-88 ESTABLISHING A NATURAL RESOURCE CONSERVATION BOARD AND POLICY FOR PROCESS FOR SELECTION, STRUCTURE, FORMAT, AND CHARGE

Adopted

- 10.-1** [MO 15-096](#) SCHEDULE OF BILLS PAID

Councilmember King asked about the Charitable Gambling donations and how charities are selected. Finance Director Huss stated the charitable gambling fund is funded from the sales of charitable gambling. He stated 10% of the sales go to the City and awarded to Council approved organizations.

Moved by Councilmember King, seconded by Councilmember Herbst that

Motion 15-096, "Schedule of Bills Paid 6/12/15, 6/19/15, 6/26/15 and June 2015 Payroll Checks and Wire Transfers," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

10.-2 [MO 15-097](#)

AUTHORIZE TEMPORARY REMOVAL OF PARKING RESTRICTIONS ON 103RD LANE AND NATIONAL STREET FOR A CENTENNIAL ELEMENTARY SCHOOL EVENT ON SEPTEMBER 23, 2015 (RAIN DATE: SEPTEMBER 30, 2015)

City Engineer Keely stated the school requested temporary parking for an event on September 23, 2015 from noon to 3:00 p.m.

Councilmember Swanson stated he does not have an issue with this request for temporary parking. He stated that he and the residents on 103rd have an issue with parking on 103rd. He requested a meeting with the City Manager, Engineering, Police Department, and neighborhood residents.

Moved by Councilmember Swanson, seconded by Councilmember Bourke, that Motion 15-097, "Authorize Temporary Removal of Parking Restrictions on 103rd Lane and National Street for a Centennial Elementary School Event on September 23, 2015 (Rain Date: September 30, 2015)," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

10.-4 [MO 15-098](#)

AUTHORIZE EXTENDED WORK HOURS FROM 10 PM TO 7 AM FOR STORM SEWER RECONSTRUCTION ACROSS THE WEST LEG OF BALL ROAD AT LEXINGTON AVENUE

City Engineer Keely stated the contractor has requested extended hours for one night in July in order to complete work during the night time in order for less traffic interruption and inconvenience.

Councilmember Swanson commented that he wanted the neighborhood to see that this work will not impact them directly.

Councilmember Clark asked about expected equipment noise. City Engineer Keely replied there will be a backhoe used to reconstruct the existing storm sewer and then back filling and tampering the dirt.

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that Motion 15-098, "Authorize Extended Work Hours from 10 PM to 7 AM for Storm Sewer Reconstruction Across the West Leg of Ball Road at Lexington Avenue," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

11. DEVELOPMENT BUSINESS

11.-1 [RES 15-116](#) GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR AN 8 (EIGHT) FOOT FENCE TO BE PLACED ALONG A COUNTY ROADWAY LOCATED IN AN R-1 (SINGLE FAMILY) ZONING DISTRICT. 8501 BALTIMORE STREET NE. CHRIS LAZARZ. (CASE FILE NO. 15-0029/LSJ)

Planning and Community Development Director Schafer stated the applicant is requesting a conditional use permit to build an eight-foot high wood fence.

Moved by Councilmember Clark, seconded by Councilmember Bourke, that Resolution 15-116, "Granting a Conditional Use Permit to Allow for an 8 (Eight) Foot Fence to be Placed along a County Roadway Located in an R-1 (Single Family) Zoning District. 8501 Baltimore Street NE. Chris Lazarz," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

11.-2 [RES 15-117](#) GRANTING A CONDITIONAL USE PERMIT AMENDMENT TO ALLOW FOR A 10' X 14' DECK TO BE LOCATED IN A DF (DEVELOPMENT FLEX) ZONING DISTRICT AT 12473 MIDWAY CIRCLE NE. ANDY BURMEISTER. (CASE FILE NO. 15-0030/LSJ)

Planning and Community Development Director Schafer stated the applicant is requesting a conditional use permit to build a deck and align it with an existing concrete pad.

Moved by Mayor Ryan, seconded by Councilmember Herbst, that Resolution 15-117, "Granting a Conditional Use Permit Amendment to allow for a 10' X 14' Deck to be Located in a DF (Development Flex) Zoning District at 12473 Midway Circle NE. Andy Burmeister," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

11.-3 [RES 15-118](#) GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A CHIROPRACTIC CLINIC TO BE LOCATED IN AN I-2 (HEAVY INDUSTRIAL) ZONING DISTRICT AT 1630 101ST AVENUE NE SUITES 140 & 150. BLAINE HEALTH & WELLNESS. (CASE FILE NO. 15-0027/SLK)

Planning and Community Development Director Schafer stated the applicant is proposing to open a chiropractic clinic. He stated the clinic will promote chiropractic education and care.

Moved by Councilmember Bourke, seconded by Councilmember Herbst, that Resolution 15-118, "Granting a Conditional Use Permit to Allow for a Chiropractic Clinic to be Located in an I-2 (Heavy Industrial) Zoning District at 1630 101st Avenue NE, Suites 140 and 150. Blaine Health & Wellness," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

11.-4 [RES 15-119](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR OUTDOOR DINING TO BE LOCATED IN A B-3 (REGIONAL COMMERCIAL) ZONING DISTRICT AT 12531 CENTRAL AVENUE NE. SAN JOSE MEXICAN RESTAURANT. (CASE FILE NO. 15-0028/EOW)

Planning and Community Development Director Schafer stated the applicant is requesting a conditional use permit to allow outdoor dining with seating for 36.

Moved by Councilmember King, seconded by Mayor Ryan, that Resolution 15-119, "Granting a Conditional Use Permit to Allow for Outdoor Dining to be Located in a B-3 (Regional Commercial) Zoning District at 12531 Central Avenue NE. San Jose Mexican Restaurant," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

11.-5 [RES 15-120](#)

GRANTING A WAIVER OF PLATTING TO ADJUST THE LOT LINE BETWEEN TWO PROPERTIES BY TWO (2) FEET BETWEEN 8766 GHIA STREET NE AND A COMMON LOT. MARK OF EXCELLENCE HOMES. (CASE FILE NO. 15-0043/SLK)

Planning and Community Development Director Schafer stated the applicant is requesting a lot line adjustment to accommodate a 12-foot deck.

Moved by Councilmember Swanson, seconded by Councilmember Bourke, that Resolution 15-120, "Granting a Waiver of Platting to Adjust the Lot Line between Two Properties by Two (2) Feet Between 8766 Ghia Street NE and a Common Lot. Mark of Excellence Homes," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

8:00 P.M. - PUBLIC HEARING AND ITEMS SET FOR A CERTAIN TIME (continued)

9.-1 [RES 15-114](#)

APPROVING TAX INCREMENT FINANCING PLAN AND REDEVELOPMENT PLAN MODIFICATIONS AND DEVELOPMENT

AGREEMENT (INFINITE CAMPUS)

Mayor Ryan opened the public hearing at 8:01 p.m.

Finance Director Huss stated this resolution provides an amendment to the Economic Development Project Plan to expand the plan's project area to include the Infinite Campus site on 109th Avenue and Lexington Avenue and approval of a Development Agreement with Infinite Campus that would provide financial assistance of pooled TIF funds to expand the corporate headquarters. He noted Infinite Campus plans to add 110,000 square feet to the building and add 400 additional employees.

Mayor Ryan closed the public hearing at 8:03 p.m.

Moved by Councilmember Bourke, seconded by Councilmember Hovland, that Resolution 15-114, "Approving Tax Increment Financing Plan and Redevelopment Plan Modifications and Development Agreement (Infinite Campus)," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

9.-2 [MO 15-095](#)**REVOCAION OF PEDDLER/SOLICITOR LICENSE ISSUED TO BRANDON ZENTNER FOR BRANDON "BOOKMAN" BUZZ**

Mayor Ryan opened the public hearing at 8:04 p.m.

City Clerk Sorensen stated staff is requesting revocation of the peddler/solicitor license issued to Brandon Zentner based on repeated bothersome activity and soliciting outside established hours.

Mayor Ryan closed the public hearing at 8:07 p.m.

Moved by Mayor Ryan, seconded by Councilmember Herbst, that Motion 15-095, "Revocation of Peddler/Solicitor License Issued to Brandon Zentner for Brandon "Bookman" Buzz," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

DEVELOPMENT BUSINESS (continued)**11.-6** [RES 15-121](#)**GRANTING A WAIVER OF PLATTING TO ADJUST THE LOT LINE BETWEEN TWO PROPERTIES BY TWO (2) FEET BETWEEN 8779 GHIA STREET NE AND A COMMON LOT. MARK OF EXCELLENCE HOMES. (CASE FILE NO. 15-0044/SLK)**

Planning and Community Development Director Schafer stated the applicant

is requesting a lot line adjustment to accommodate a 12-foot deck.

Moved by Councilmember Clark, seconded by Councilmember Bourke, that Resolution 15-121, "Granting a Waiver of Platting to Adjust the Lot Line between Two Properties by Two (2) Feet between 8779 Ghia Street NE and a Common Lot. Mark of Excellence Homes," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

11.-7 [RES 15-122](#)

GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE 82.71 ACRES INTO 45 SINGLE FAMILY LOTS AND FIVE (5) OUTLOTS TO BE KNOWN AS PARKSIDE NORTH 2ND ADDITION AT 125TH AVENUE/LEVER STREET NE. PARKSIDE NORTH, LLC. (CASE FILE NO. 15-0042/SLK)

Councilmember Herbst stated he is abstaining from all discussion on this project due to his living in the area, which is a conflict of interest. He asked City Attorney Sweeney if he will be able to provide input on plat specific items as this project moves forward. City Attorney Sweeney replied while Councilmember Herbst has properly disclosed a potential financial or other interest as a property owner who could benefit from the installation of the infrastructure and utilities he would be able to participate in dialog and voting on the full plat as the project moves forward.

Councilmember Herbst left the meeting at 8:11 p.m.

Planning and Community Development Director Schafer stated the plat consists of 18 single-family lots on 121st Court NE and 27 lots on Lever Street and 123rd Circle NE.

Councilmember Hovland questioned Condition 6 under the conditions with regard to right-of-way. Planning and Community Development Director Schafer replied this condition relates to property that is not part of the plat of this development that the developer or the City will need to purchase in order to obtain the required right-of-way.

Mayor Ryan asked about the home styles and square footage of the homes in the development. Planning and Community Development Director Schafer replied the homes are expected to be similar to the homes in Woodland Village.

Moved by Councilmember Bourke, seconded by Mayor Ryan, that Resolution 15-122, "Granting Final Plat Approval to Subdivide 82.71 Acres into 45 Single Family Lots and Five (5) Outlots to be known as Parkside North 2nd Addition at 125th Avenue/Lever Street NE. Parkside North, LLC," be approved.

Motion adopted 6-0-1 (Councilmember Herbst abstained).

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Clark, Councilmember King and Councilmember Hovland

Abstain: 1 - Councilmember Herbst

11.-8 [RES 15-123](#)

GRANTING A CONDITIONAL USE PERMIT AMENDMENT TO ALLOW FOR CONSTRUCTION OF A CLUBHOUSE AND OUTDOOR POOL FOR THE RESIDENTS OF WAGAMON RANCH ON LOT 1, BLOCK 4, WAGAMON RANCH. WAGAMON RANCH, LLC. (CASE FILE NO. 15-0038)

Councilmember Herbst returned to the meeting at 8:15 p.m.

Planning and Community Development Director Schafer stated the applicant is requesting a conditional use permit to build a clubhouse and outdoor pool amenity for the benefit of the homeowners in Wagamon Ranch and owned and maintained by the association. He noted there will not be a parking lot associated with the clubhouse.

Councilmember Hovland asked if the clubhouse will be staffed and if parking spaces may be needed. Gary Gorham replied there will be no staff assigned to the clubhouse. He noted that residents in the development will have a fob to access the gate and clubhouse. He commented there are six pages of rules for the clubhouse.

Councilmember Clark suggested the developer consider including two handicap parking spaces at the clubhouse.

Moved by Councilmember Bourke, seconded by Councilmember Herbst, that Resolution 15-123, "Granting a Conditional Use Permit Amendment to Allow for Construction of a Clubhouse and Outdoor Pool for the Residents of Wagamon Ranch on Lot 1, Block 4, Wagamon Ranch. Wagamon Ranch, LLC," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

11.-9 [RES 15-124](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR MULTIPLE BUILDINGS ON ONE PARCEL, SHARED DRIVEWAY ACCESS, PARKING LOT LIGHT HEIGHTS GREATER THAN 20-FEET (28 FEET) AND A SPECIAL PURPOSE (8-FOOT HIGH) FENCE ALONG THE REAR PROPERTY LINE AT 109TH AVENUE/UNIVERSITY AVENUE NE. OAK PARK PLAZA. (CASE FILE NO. 15-0031/BKS)

Planning and Community Development Director Schafer stated the applicant is requesting a conditional use permit to redevelop Oak Park Plaza shopping center. He noted the site will be completely updated with new landscaping,

parking/drive surfaces and sidewalk replacement.

Councilmember Bourke asked if the access points will remain in place. Planning and Community Development Director Schafer replied yes.

Councilmember King asked about truck traffic. Planning and Community Development Director Schafer replied he does not expect any changes.

Councilmember Clark asked if Anytime Fitness will be moving in. Hugh Robinson, Tri-land, stated they are in talks with Anytime Fitness. He stated the building plans are complete except for Cub Foods who is building their own store. He stated permits will be submitted soon. He noted there is an environmental issue with the former dry cleaner store. He stated their goal is for demolition and construction to start before winter.

Councilmember Hovland asked if the developer is working with the existing businesses. Mr. Robinson stated the existing businesses will be operating through the construction and accommodations will be made. He stated their working on a new lease with Frattalone.

Moved by Councilmember Bourke, seconded by Councilmember Clark, that Resolution 15-124, "Granting a Conditional Use Permit to Allow for Multiple Buildings on One Parcel, Shared Driveway Access, Parking Lot Light Heights Greater than 20-Feet (28 Feet) and a Special Purpose (8-Foot High) Fence Along the Rear Property Line at 109th Avenue/University Avenue NE. Oak Park Plaza," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

11. [RES 15-125](#)

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GRANTING A 20-FOOT VARIANCE TO THE STANDARD PARKING AND DRIVEWAY SETBACK OF 30 FEET ALONG A PORTION OF 109TH AVENUE AND A 15-FOOT VARIANCE TO THE 25 FOOT PARKING AND DRIVEWAY SETBACK IN THE REAR YARD ADJACENT TO A RESIDENTIAL ZONE AT 109TH AVENUE/UNIVERSITY AVENUE NE. OAK PARK PLAZA. (CASE FILE NO. 15-0031/BKS)

Planning and Community Development Director Schafer stated the applicant is requesting a conditional use permit to redevelop Oak Park Plaza shopping center. He noted the site will be completely updated with new landscaping, parking/drive surfaces and sidewalk replacement.

Moved by Councilmember Hovland, seconded by Councilmember Bourke, that Resolution 15-125, "Granting A 20-Foot Variance to the Standard Parking and Driveway Setback of 30 Feet Along a Portion of 109th Avenue and a 15-Foot Variance to the 25 Foot Parking and Driveway Setback in the Rear Yard Adjacent to a Residential Zone at 109th Avenue/University Avenue NE. Oak Park Plaza," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

11. [ORD 15-2320](#)
-11

SECOND READING

GRANTING A CODE AMENDMENT TO THE RE (RESIDENTIAL ESTATE), R-1 (SINGLE FAMILY), R-1AA (SINGLE FAMILY), R-1A (SINGLE FAMILY), R-1B (SINGLE FAMILY) ZONING DISTRICTS AND SECTION 33 (PERFORMANCE STANDARDS) TO ALLOW THE KEEPING OF NOT MORE THAN SIX (6) CHICKENS AS AN ACCESSORY USE. (CASE FILE NO. 15-0032/BKS)

Planning and Community Development Director Schafer stated this is a code amendment to single-family residential zoning districts to allow the keeping of six chickens. He noted that staff is working on how the registration process will work.

Mayor Ryan commented that the associations will have the final say on allowing chickens.

Councilmember King requested lowering the application fee, reducing the setback to 5 feet, and removing neighbor approval.

Councilmember Hovland suggested including testing chickens for Avian Flu that die unexpectedly. Planning and Community Development Director Schafer replied the MN Animal Board of Health has all the regulations and they are the enforcing agent.

Councilmember Clark stated the fee needs to cover staff costs.

Planning and Community Development Director Schafer commented the removal of neighbor signoff would simplify the process because it would take less staff time. He suggested sending the neighbors a notification instead.

Councilmember Clark asked if the City has other conditional uses that require neighbor signoff. Planning and Community Development Director Schafer replied no.

Councilmember Swanson commented the neighbors should be made aware.

Councilmember Bourke asked who goes to the home if a complaint is made. Planning and Community Development Director Schafer said complaints would be addressed by Community Standards staff.

Councilmember Clark summarized for staff that the City should breakeven on

costs, that there be neighbor notification instead of sign-off process, that the homeowner associations must agree, and the coop setback be 5 feet instead of 10 feet.

Declared by Mayor Ryan that Ordinance 15-2320, "Granting a Code Amendment to the RE (Residential Estate), R-1 (Single Family), R-1AA (Single Family), R-1A (Single Family), R-1B (Single Family) Zoning Districts and Section 33 (Performance Standards) to Allow the Keeping of not more than Six (6) Chickens as an Accessory Use." be introduced and placed on file for second reading at the August 6, 2015, Council meeting.

12. ADMINISTRATION

12.-1 [MO 15-099](#)

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH TSP ARCHITECTURE FOR PROFESSIONAL SERVICES CONNECTED TO THE COMMUNITY CENTER PROJECT

Public Services Manager Therres stated the Community Center Task Force received seven responses to the RFP and narrowed down the selection to three consultants. He stated based on the proposals and interviews, the Task Force is recommending the Council enter into an agreement with TSP Architecture in the amount of \$62,000 with expenses not to exceed \$7,200.

Councilmember Clark requested the timeline of events for a referendum for November 2016. Public Services Manager Therres replied the Task Force will work with the consultant on predesign and prepare a second survey with detailed facility information for early spring 2016, based on the results, hold public engagement throughout the summer, and based on the results, staff will develop the question to be included on the ballot.

Councilmember Bourke asked if the Task Force has enough funds to complete the second survey. Todd Olson, Community Center Task Force Chair, replied yes, there are enough funds for a second survey due to the first survey and consultant costs being under budget.

Moved by Mayor Ryan, seconded by Councilmember Swanson, that Motion 15-099, "Authorization to Enter into an Agreement with TSP Architecture for Professional Services Connected to the Community Center Project," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

12.-2 [MO 15-100](#)

AUTHORIZE EXPENDITURE FOR STORM SEWER REPAIR IN CENTENNIAL GREEN PARK IN A NOT TO EXCEED AMOUNT OF \$24,440

Stormwater Manager Hafner stated staff discovered the storm sewer system at the pond is in need of replacement. He noted that the low bid for the Anoka

Conservation District grant project came in \$42,554 over the engineer's estimate. He stated staff is suggesting the City Storm Water Fund cover the cost of the storm sewer and RCWD has committed to help cover the rest of the cost over the grant amount.

Moved by Councilmember Clark, seconded by Mayor Ryan, that Motion 15-100, "Authorize Expenditure for Storm Sewer Repair in Centennial Green Park in a Not to Exceed Amount of \$24,440.00," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

12.-3 [RES 15-126](#)

ACCEPT BID FROM DOUGLAS-KERR UNDERGROUND, LLC IN THE AMOUNT OF \$208,280.80 FOR THE REALIGNMENT OF THE WEST CENTRAL AVENUE SERVICE ROAD FROM 85TH AVENUE TO APPROXIMATELY 600 FEET NORTH, IMPROVEMENT PROJECT NO. 13-26

City Engineer Keely stated staff received five bids which were checked and tabulated and determined that Douglas-Kerr Underground, LLC of Mora, Minnesota to be the lowest bid. She stated staff is recommending Council enter into a contract with Douglas-Kerr Underground, LLC and approve a 10% contingency. She stated funding for the project is pooled TIF funds.

Councilmember Swanson asked when the project will start and how long will it take. City Engineer Keely replied from the end of July through September.

Councilmember Swanson asked when the property can be marketed. Planning and Community Development Director Schafer replied as soon as the road is in place.

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that Resolution 15-126, "Accept Bid from Douglas-Kerr Underground, LLC in the Amount of \$208,280.80 for the Realignment of the West Central Avenue Service Road from 85th Avenue to Approximately 600 Feet North," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

12.-4 [RES 15-127](#)

CONCUR WITH CITY OF LEXINGTON IN ACCEPTING A BID FROM HARDRIVES, INC. IN THE AMOUNT OF \$584,960.90 FOR THE RECONSTRUCTION OF FLOWERFIELD ROAD FROM LAKE DRIVE TO LEXINGTON AVENUE, IMPROVEMENT PROJECT NO. 13-22

City Engineer Keely stated the Engineer for the City of Lexington received five bids which were checked and tabulated and determined that Hardrives, Inc. to be the lowest bid. She stated the City of Lexington will enter into the

contract and the Council is asked to concur.

Moved by Councilmember Hovland, seconded by Councilmember Swanson, that Resolution 15-127, "Concur with City of Lexington in Accepting a Bid from Hardrives, Inc. in the Amount of \$584,960.90 for the Reconstruction of Flowerfield Road from Lake Drive to Lexington Avenue," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

12.-5 [ORD 15-2321](#)

SECOND READING

ARTICLE VI. - PEDDLERS, SOLICITORS, AND TRANSIENT MERCHANTS

City Clerk Sorensen stated staff is recommending including language to avoid a waiting period for suspension of a license pending a revocation hearing.

Councilmember Clark clarified staff is proposing that the peddler's license and suspensions are done administratively, and the revocation comes to the Council. City Clerk Sorensen replied staff is proposing peddlers license, suspension and revocation be done administratively. She noted that revocation hearings would be conducted by the City's administrative court.

Declared by Mayor Ryan that Ordinance 15-2321, "Article VI. - Peddlers, Solicitors, and Transient Merchants" be introduced and placed on file for second reading at the August 6, 2015, Council meeting.

13. OTHER BUSINESS

None.

14. ADJOURNMENT

Moved by Councilmember Herbst, seconded by Councilmember King, to adjourn the meeting at 9:12 p.m.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland