

UNAPPROVED

CITY OF BLAINE
ANOKA COUNTY, MINNESOTA
CITY COUNCIL MEETING
Thursday, September 21, 2017

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

CALL TO ORDER BY MAYOR RYAN

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

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

PRESENT: Mayor Tom Ryan, Councilmembers Dave Clark, Julie Jeppson, Jason King, and Dick Swanson.

ABSENT: Councilmembers Andy Garvais and Wes Hovland.

Quorum Present.

ALSO PRESENT: City Manager Clark Arneson; Planning and Community Development Director Bryan Schafer; Interim Police Chief/Safety Services Manager Dan Szykulski; Finance Director Joe Huss; Budget/Fiscal Analysis Ward Brown; Public Services Manager/Assistant City Manager Bob Therres; City Attorney Patrick Sweeney; City Engineer Jean Keely; Communications Technician Roark Haver; Senior Engineering Technician Jason Sundeen; and City Clerk Catherine Sorensen.

APPROVAL OF MINUTES

Workshop Meeting – September 7, 2017

Regular Meeting – September 7, 2017

Moved by Councilmember Jeppson, seconded by Councilmember Swanson, that the Minutes of the Workshop Meeting of September 7, 2017 and the Minutes of the Regular Meeting of September 7, 2017 be approved.

Motion adopted 4-0-1. Councilmember King abstained on the September 7, 2017 Workshop and Regular meeting minutes due to his absence.

AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

5.1 Proclamation Declaring October as National Domestic Violence Awareness Month.

Mayor Ryan read a proclamation in full for the record declaring October to be National Domestic Violence Awareness Month in the City of Blaine. A representative from Alexandra House accepted the Proclamation and thanked the City for their continued support and invited the public to their annual Walk for Hope event which would be held on Saturday, September 30th at Bunker Hills.

Moved by Councilmember Swanson, seconded by Councilmember Jeppson, to adopt a Proclamation Declaring October as National Domestic Violence Awareness Month.

Motion adopted unanimously.

COMMUNICATIONS

None.

OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:37 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:37 p.m.

ADOPTION OF AGENDA

The agenda was adopted as presented.

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

9.1 Motion 17-106, Approving a Private On-Sale and Sunday Liquor License for Blaine 168, Inc., DBA Kintaro Japanese Sushi & Hibachi Steak House, located at 10340 Baltimore Street NE, Suite #100, Blaine, Minnesota.

Moved by Councilmember Clark, seconded by Councilmember Jeppson, that Motion 17-106, "Approving a Private On-Sale and Sunday Liquor License for Blaine 168, Inc., DBA Kintaro Japanese Sushi & Hibachi Steak House, located at 10340 Baltimore Street NE, Suite #100, Blaine, Minnesota," be approved.

City Clerk Sorensen stated Mei Ling Zheng, owner and applicant for Kintaro Sushi & Hibachi Steak House, has submitted an application for a Private On-Sale and Sunday liquor license for the facility located at 10340 Baltimore Street NE, Suite #100, Blaine, Minnesota. The applicant has submitted all necessary paperwork and fees. A new food handler's license has been applied for and will be forwarded as soon as it has been issued. Staff recommended approval of the requested On-Sale and Sunday liquor license, contingent upon a satisfactory background check.

Mayor Ryan opened the public hearing at 7:40 p.m.

There being no additional public input, Mayor Ryan closed the public hearing at 7:40 p.m.

Motion adopted unanimously.

9.2 Motion 17-107, Approve a Private On-Sale and Sunday Liquor License for El Zo'Calo LLC DBA El Zo'Calo Grill and Cantina, located at 12531 Central Avenue NE, Blaine, Minnesota.

Moved by Councilmember King, seconded by Councilmember Swanson, that Motion 17-107, "Approve a Private On-Sale and Sunday Liquor License for El Zo'Calo LLC DBA El Zo'Calo Grill and Cantina, located at 12531 Central Avenue NE, Blaine, Minnesota," be approved.

City Clerk Sorensen stated Monica Silva, owner and applicant for El Zo'Calo Grill and Cantina, has submitted an application for a Private On-Sale and Sunday liquor license for the facility located at 12531 Central Avenue NE, Blaine, Minnesota. The applicant has submitted all necessary paperwork and fees. The Food Handler's license has been applied for and will be forwarded as soon as it is issued. Staff recommended approval of the requested Private On-Sale and Sunday liquor license, contingent upon a certificate of occupancy.

Mayor Ryan opened the public hearing at 7:41 p.m.

Monica Silva, representative of El Zo'Calo Grill and Cantina, stated she hoped to have her restaurant open by mid-November. She reported her menu would be all authentic Mexican food.

There being no additional public input, Mayor Ryan closed the public hearing at 7:42 p.m.

Motion adopted unanimously.

APPROVAL OF CONSENT AGENDA:

Councilmember Jeppson requested the removal of agenda items 10.3 and 10.4.

Moved by Councilmember King, seconded by Mayor Ryan, that the following be approved:

10.1 Motion 17-108, Schedule of Bills Paid.

10.2 Motion 17-109, Authorize the Mayor and City Manager to enter into a Contract with Julian M. Johnson Construction in the Amount of \$21,425 for 131st Avenue Ditch 59-6 Culvert Replacement, Improvement Project No. 17-15.

~~10.3 Motion 17-110, Authorize the Mayor and City Manager to Enter into a Contract with Connexus Energy in the Amount of \$255,500 to Install Street Lights along 105th Avenue, Improvement Project No. 14-11.~~

~~10.4 Motion 17-111, Approve a Special Events License for the Kris Lindahl Team Great Pumpkin Giveaway located at the National Sports Center, 1700 105th Avenue NE.~~

10.5 Motion 17-112, Approve Annual Maintenance/Hosting Subscription for Electronic Agenda Services and Purchase of New Encoder with Granicus, Inc.

10.6 Resolution 17-129, Receive Petition and Order Public Hearing for Vacation of Drainage and Utility Easement at the Northwest Corner of Radisson Road and 105th Avenue (10500 Radisson Road), Vacation No. V17-04.

Motion adopted unanimously.

10.3 Motion 17-110, Authorize the Mayor and City Manager to Enter into a Contract with Connexus Energy in the Amount of \$255,500 to Install Street Lights along 105th Avenue, Improvement Project No. 14-11.

Councilmember Jeppson indicated 105th Avenue was under construction at this time and questioned when the new lights would be installed. City Manager Arneson clarified this project included street lights and not traffic lights and said staff anticipated the work would be completed sometime next summer and not impede traffic.

Moved by Councilmember Clark, seconded by Councilmember Jeppson, that Motion 17-110, "Authorize the Mayor and City Manager to Enter into a Contract with Connexus Energy in the Amount of \$255,500 to Install Street Lights along 105th Avenue," be approved.

Motion adopted unanimously.

10.4 Motion 17-111, Approve a Special Events License for the Kris Lindahl Team Great Pumpkin Giveaway located at the National Sports Center, 1700 105th Avenue NE.

Councilmember Jeppson questioned if staff supported the traffic plan for the proposed event at the National Sports Center. Interim Police Chief/Safety Services Manager Szykulski explained he had spoken to the event coordinator extensively and noted additional officers have been hired to assist with traffic flow.

Moved by Councilmember Jeppson, seconded by Mayor Ryan, that Motion 17-111, "Approve a Special Events License for the Kris Lindahl Team Great Pumpkin Giveaway located at the National Sports Center, 1700 105th Avenue NE," be approved.

Motion adopted unanimously.

DEVELOPMENT BUSINESS

11.1 Resolution No. 17-130, Granting Preliminary Plat One Year Extension for Sarah Jean Estates located at 12701 Harpers Street NE. Summit Land. (Case File No. 14-0050/SLK).

Moved by Councilmember Swanson, seconded by Councilmember King, that Resolution No. 17-130, "Granting Preliminary Plat One Year Extension for Sarah Jean Estates located at 12701 Harpers Street NE," be approved.

Planning and Community Development Director Schafer stated in October of 2016, the applicant received approval of a preliminary plat one-year extension from the City Council for a subdivision known as Sarah Jean Estates that includes 5 acres and 12 lots and an outlot for storm water. Since that date, the developer has not made any progress towards submitting the final plat for this property. The applicant has been working on completing similar single-family projects on the west side of Blaine (Jackson Street) and anticipates starting the project in Spring/Summer 2018. At this time, the applicant would like to obtain a one-year extension on the preliminary plat approval. The plat extension does not change any conditions of the plat other than updating some of the development fee numbers. The only thing the extension does is allow the property owners more time. If the extension is approved by the City Council the final plat will need to be submitted for City approval prior the expiration of the one-year extension.

Motion adopted unanimously.

11.2 Resolution No. 17-131, Granting Final Plat Approval to Subdivide 2.93 Acres into Four (4) Lots and One (1) Outlot to be known as Johnstons Blaine Estates, located at 2959 91st Avenue NE. Stephen and Cindy Johnston. (Case File No. 17-0022/SLK).

Moved by Mayor Ryan, seconded by Councilmember Clark, that Resolution No. 17-131, “Granting Final Plat Approval to Subdivide 2.93 Acres into Four (4) Lots and One (1) Outlot to be known as Johnstons Blaine Estates, located at 2959 91st Avenue NE,” be approved.

Planning and Community Development Director Schafer stated the applicant owns two parcels that are approximately 2.93 acres total. The applicant’s proposal is to subdivide the parcels into four single-family lots, consistent with the R-1 (Single Family) zoning district standards. The proposed parcels will exceed the 10,000-square foot lot size minimum in the R-1 zoning district. Also, the parcels would have lot depths meeting the 125-foot minimum lot width requirement in the R-1 zoning district and staff recommended approval of the plat.

Motion adopted unanimously.

11.3 Resolution No. 17-132, Granting Final Plat Approval to Subdivide 5.8 Acres into 19 Lots, to be known as Parkside North 10th Addition, located at Lever Street and 124th Court NE. Paxmar, LLC. (Case File No. 17-0040/SLK).

Moved by Councilmember King, seconded by Councilmember Swanson, that Resolution No. 17-132, “Granting Final Plat Approval to Subdivide 5.8 Acres into 19 Lots, to be known as Parkside North 10th Addition, located at Lever Street and 124th Court NE,” be approved.

Planning and Community Development Director Schafer stated the final plat for Parkside North 10th Addition will consist of 19 single family lots on 124th Court NE and Lever Street NE. He explained the proposed lots are consistent with the approved pre-plat and staff recommended approval.

Motion adopted unanimously.

11.4 Resolution No. 17-133, Granting a Conditional Use Permit Amendment to Allow a 20’ Corner Side Yard Setback (Current Requirement is 25 Feet) in Parkside North 2nd Addition, Parkside North 4th Addition, Parkside North 6th Addition, Parkside North 7th Addition, and Parkside North 10th Addition, located at Lexington Avenue/Main Street. Paxmar, LLC (Case File No. 17-0041/SLK).

Moved by Councilmember Swanson, seconded by Councilmember Clark, that Resolution No. 17-133, “Granting a Conditional Use Permit Amendment to Allow a 20’ Corner Side Yard Setback (Current Requirement is 25 Feet) in Parkside North 2nd Addition, Parkside North 4th Addition, Parkside North 6th Addition, Parkside North 7th Addition, and Parkside North 10th Addition, located at Lexington Avenue/Main Street,” be approved.

Planning and Community Development Director Schafer stated in 2014 the City Council approved a conditional use permit that set up the standards for development of 170 single family homes in Parkside North. Parkside North at the southeast corner of Lexington Avenue and 125th Avenue and is being developed by Paxmar Development and has several different home builders. At the time of the approval in 2014, the builders for the single-family homes were not known. It was noted the City Council approved the development with a corner side yard setback of 25 feet based on information provided by the general

developer. As DR Horton began the development and reviewed homes with potential buyers, they realized that many of the homes they would like to construct would require the more typical 20-foot side yard setback. A 20-foot corner side yard setback is generally the standard in most of our single-family developments. Staff provided further comment on the request and recommended approval.

Motion adopted unanimously.

11.5 Second Reading – Ordinance No. 17-2383, Rezoning from I-2 (Heavy Industrial) to PBD (Planned Business District) at 10500 Radisson Road NE. Kwik Trip, Inc. (Case File No. 17-0036/SLK).

Moved by Councilmember Clark, seconded by Councilmember Jeppson, that Ordinance No. 17-2383, “Ordinance No. 17-2383, Rezoning from I-2 (Heavy Industrial) to PBD (Planned Business District) at 10500 Radisson Road NE,” be approved.

Planning and Community Development Director Schafer requested the Council consider the Second Reading and adoption of an Ordinance that would rezone a property on the northwest corner of Radisson Road and 105th Avenue NE. The site is zoned I-2 (Heavy Industrial) and will need to be rezoned to PBD (Planned Business District) to allow a gas station/convenience store with car wash in this zoning district with a conditional use permit. The site is guided in the comprehensive plan as PI (Planned Industrial)/PC (Planned Commercial). The proposed PBD is the correct zoning to implement the PI/PC land use and a conditional use permit is required for the intended uses.

Motion adopted unanimously.

11.6 Resolution No. 17-134, Granting Preliminary Plat Approval to Plat Two Existing Lots (2.9 Acres) into One (1) Lot at 10500 Radisson Road NE. Kwik Trip, Inc. (Case File No. 17-0036/SLK).

Moved by Mayor Ryan, seconded by Councilmember Swanson, that Resolution No. 17-134, “Granting Preliminary Plat Approval to Plat Two Existing Lots (2.9 Acres) into One (1) Lot at 10500 Radisson Road NE,” be approved.

Planning and Community Development Director Schafer stated Kwik Trip is proposing to locate on the northwest corner of Radisson Road and 105th Avenue NE. The applicant was proposing to plat two existing lots into one. Staff reviewed the proposed Preliminary Plat in further detail with the Council and recommended approval of the request.

Motion adopted unanimously.

11.7 Resolution No. 17-135, Granting a Conditional Use Permit to Allow for Gasoline Sales, a Carwash, and Outdoor Dining in a PBD (Planned Business District) Zoning District at 10500 Radisson Road NE. Kwik Trip, Inc. (Case File No. 17-0036/SLK).

Moved by Councilmember Clark, seconded by Councilmember King, that Resolution No. 17-135, “Granting a Conditional Use Permit to Allow for Gasoline Sales, a Carwash, and Outdoor Dining in a PBD (Planned Business District) Zoning District at 10500 Radisson Road NE,” be approved.

Planning and Community Development Director Schafer stated Kwik Trip was proposing to construct a convenience store that is 7,231 square foot with an associated attached car wash and outdoor dining. It was

noted all setbacks have been met for this site. Staff described how the site would be accessed and recommended approval of the CUP.

Dean George, Kwik Trip, thanked staff for thoroughly reviewing his plan and stated Kwik Trip was excited to have a convenience store on this corner. He stated he was set to close on the property this fall with demolition to occur this winter in hopes of having the store open next spring.

Motion adopted unanimously.

ADMINISTRATION

12.1 Resolution 17-136, Adjusting Certain Tax Levies for Bonded Indebtedness for Fiscal Year 2018.

Moved by Councilmember Swanson, seconded by Mayor Ryan, that Resolution 17-136, "Adjusting Certain Tax Levies for Bonded Indebtedness for Fiscal Year 2018," be approved.

Finance Director Huss requested the Council adopt a Resolution to adjust tax levies certified for bonded indebtedness for 2018. The resolution includes adjustments to scheduled levies for the City's G.O. Refunding Bonds of 2010A, G.O. Special Assessment Improvement Bonds, G.O. Capital Improvement Bonds, and the City's Capital Equipment Certificates of Indebtedness.

Motion adopted unanimously.

12.2 Resolution 17-137, Certify Proposed General Fund Budget and Tax Levy for Fiscal Year 2018.

Moved by Mayor Ryan, seconded by Councilmember Jeppson, that Resolution 17-137, "Certify Proposed General Fund Budget and Tax Levy for Fiscal Year 2018," be approved.

Finance Director Huss stated Minnesota Statutes require that cities annually certify preliminary budget and property tax levies to county auditors by September 30. As discussed at previous budget workshops, the preliminary budget may be adjusted either up or down, however, once set, the property tax levy can only be lowered. Thus, the Council does have the ability to reduce the preliminary tax levy as the 2018 budget process continues to unfold. He explained the levy proposed would, per the best estimates of staff given data currently available, result in a 2018 net tax capacity rate that is 36.901, one percent (1%) higher than the 2017 net tax capacity target rate of 35.901%. Staff provided further comment on the proposed General Fund Budget and Tax Levy and recommended approval.

Councilmember Swanson encouraged the Council to support the proposed budget and tax levy in order to keep these items moving forward.

Councilmember Clark stated he would not be supporting an increase in the tax rate.

Councilmember King commented he could support the proposed 1% increase within the preliminary budget with the understanding the Council would work to further define and lower the budget and tax levy.

ROLL CALL:

Councilmember Clark – nay

Councilmember Jeppson – aye

Councilmember King – aye

Councilmember Swanson – aye

Mayor Ryan – aye

Motion adopted 4-1 (Councilmember Clark opposed).

12.3 Resolution 17-138, Establishing 2017 Public Hearing Dates for the Proposed 2018 General Fund Budget and Tax Levy.

Moved by Councilmember King, seconded by Councilmember Jeppson, that Resolution 17-138, “Establishing 2017 Public Hearing Dates for the Proposed 2018 General Fund Budget and Tax Levy,” be approved.

Finance Director Huss stated Minnesota Statutes requires cities to establish public hearings on the proposed budget and tax levy by September 30, and to hold the public hearings at a regularly scheduled Council meeting. It was noted the proposed Resolution calls for two public hearings: The first for discussion on the proposed 2018 General Fund Budget and Tax Levy on December 14, 2017 at 8:00 p.m.; and the second public hearing for the adoption of the 2018 Tax Levy and General Fund Budget at 7:30 p.m. on December 21, 2017.

Motion adopted unanimously.

12.4 Resolution 17-139, Authorize 2017 Budget Amendment for Additional Water Treatment Chemicals, and Amend Chemical Contracts in Water Utility Fund.

Moved by Councilmember Swanson, seconded by Mayor Ryan, that Resolution 17-139, “Authorize 2017 Budget Amendment for Additional Water Treatment Chemicals, and Amend Chemical Contracts in Water Utility Fund,” be approved.

Finance Director Huss stated in December, the City Council authorized contracts with DPC, Inc. and Hawkins Chemical to provide the chemicals (chlorine, fluoride, etc.) needed for water production. The initial approved contract amounts totaled \$101,700. The contract amounts were subsequently amended by motion on July 13, 2017, increasing authorization to \$141,700. The total expense authorization did not exceed the authorized budget of \$153,000. In June of this year, it became necessary to add sulfuric acid to WTP #1 in order to achieve correct PH balance. This was not anticipated prior to the beginning of the year, and was therefore not budgeted. Staff is requesting Council authorization to increase, by an additional \$44,000, the contract with Hawkins Chemical. In order to facilitate this added expense, staff is requesting an amendment of \$33,000 to the 2017 Water Fund budget for chemicals.

Motion adopted unanimously.

12.5 Resolution 17-140, Authorize Implementation of Traffic Commission Recommendations for 121st Avenue West of Sunset Avenue.

Moved by Councilmember Clark, seconded by Councilmember Jeppson, that Resolution 17-140, “Authorize Implementation of Traffic Commission Recommendations for 121st Avenue West of Sunset Avenue,” be approved.

City Engineer Keely stated the Engineering and Police Departments have received complaints of speeding on 121st Avenue west of Sunset Avenue. The Traffic Commission reviewed data collected on 121st Avenue at

their July 12, 2017 meeting and took public comment at their August 9th and September 5th meetings. It was noted the first quarter mile of 121st Avenue west of Sunset Avenue may qualify for a 35 MPH designation if approved by City Council. The 30 MPH speed designation for the remainder of the route to Woodland Parkway cannot be lowered as this speed limit is set by Minnesota Statutes for residential streets throughout the entire state. Staff explained the Traffic Commission made the following recommendations for City Council consideration:

1. Establish a rural residential district for the first quarter mile of 121st Avenue west of Sunset Avenue and post as 35 mph.
2. Add a 30 mph speed limit sign on 121st Avenue east of Woodland Parkway.
3. Continue traffic enforcement.
4. Add a marked crosswalk on the north side of the intersection of 121st Avenue and Woodland Parkway. (This would be included in the 2018 striping contract.)
5. Install a white edge stripe on both sides of 121st Avenue and a double yellow centerline stripe to narrow the drive lanes to eleven feet from Sunset Avenue to Woodland Parkway. (This would be included in the 2018 striping contract.)
6. Analyze the intersection of Lever Street and 121st Avenue for warrants for a three way stop.

Mayor Ryan thanked the Traffic Commission for their work on this item.

Councilmember King stated he agreed with most of the recommendations. He explained he has received a large number of emails regarding the traffic concerns along 121st Avenue. He supported this item being postponed in order to allow the Council more time to discuss this matter with the public.

Councilmember Clark and Mayor Ryan supported the item being postponed to allow for further review by Councilmember Garvais, Councilmember King and the area residents.

Moved by Councilmember King, seconded by Councilmember Clark, to Postpone Action on the Implementation of Traffic Commission Recommendations for 121st Avenue West of Sunset Avenue to November 16, 2017.

Motion adopted unanimously.

12.6 Resolution 17-141, Accept Bid from Dresel Contracting, Inc. in the Amount of \$100,619.99 for Dunkirk Street Storm Sewer Repair. Improvement Project No. 16-15.

Moved by Councilmember Swanson, seconded by Councilmember King, that Resolution 17-141, "Accept Bid from Dresel Contracting, Inc. in the Amount of \$100,619.99 for Dunkirk Street Storm Sewer Repair," be approved.

City Engineer Keely stated the proposed project will correct a storm sewer situation which is causing short term localized flooding on the 9100 block of Dunkirk Street and a rear yard area between Dunkirk Street and Coral Sea Street during heavy rains by redirecting the storm water from this section of Dunkirk Street to the trunk storm sewer main in 91st Avenue. In addition, it will connect the water main through the gap between the two ends of Dunkirk Street and add additional sanitary sewer to serve the remaining undeveloped property along the Dunkirk Street alignment. It was noted a total of 12 bids were received and it has been determined that Dresel Contracting, Inc. of Chisago City, Minnesota is the lowest bidder. Staff recommends the low bid be accepted and a contract entered into with Dresel Contracting, Inc. with a 10% contingency to bring the total project budget to \$110,682.00.

Motion adopted unanimously.

12.7 Second Reading – Ordinance 17-2381, Amending Chapter 70 – Streets, Sidewalks and Other Public Places Article II. – Special Events of the Municipal Code of the City of Blaine.

Moved by Mayor Ryan, seconded by Councilmember King, that Ordinance 17-2381, “Amending Chapter 70 – Streets, Sidewalks and Other Public Places Article II. – Special Events of the Municipal Code of the City of Blaine,” be approved.

City Clerk Sorensen requested the Council approve the Second Reading and adoption of an Ordinance that would amend Chapter 70 of the City Code regarding Special Events. She stated staff has seen an increase from event planners promoting special events prior to obtaining City approval. This proposed ordinance would provide a mechanism for the City to potentially deny or revoke a special event license if promoted prior to City approval. While consequences resulting from promoting an event prior to approval would not involve the City this amendment would hopefully serve as just a tool that could eliminate confusion.

Mayor Ryan explained he had a lengthy conversation with the National Sports Center regarding this Ordinance and he believed there was a better understanding at this time.

Motion adopted 4-1 (Councilmember Clark opposed).

OTHER BUSINESS

Mayor Ryan thanked all of the staff members who were involved in the City’s Open House for their great work.

ADJOURNMENT

Moved by Councilmember Clark, seconded by Councilmember Jeppson, to adjourn the meeting at 8:22 p.m.

Tom Ryan, Mayor

ATTEST:

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