



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

Blaine City Hall
10801 Town Square Dr
Blaine, MN 55449

Thursday, April 21, 2016

7:30 PM

Council Chambers

1. CALL TO ORDER BY THE MAYOR

The meeting was called to order at 7:36 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 Manager Clark Arneson (via skype); City Attorney Patrick Sweeney; Planning and Community Development Director Bryan Schafer; Acting City Manager Bob Therres; Finance Director Joe Huss; Police Chief/Safety Services Manager Chris Olson; City Engineer Jean Keely; Park Supervisor Nate Monahan; Fire Chief Nyle Zikmund; Communications Technician Roark Haver; Senior Engineering Technician Jason Sundeen ; City Clerk Catherine Sorensen; and Recording Secretary Linda Dahlquist.

Present: 6 - Tom Ryan, Councilmember Swanson, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

Absent: 1 - Councilmember Bourke

4. APPROVAL OF MINUTES

4.-1 [MIN 16-16](#) RECENTLY HELD MEETINGS

Moved by Councilmember Herbst, seconded by Councilmember Hovland, that the Workshop Meeting Minutes of March 29, 2016; and the Regular Meeting Minutes of April 7, 2016, be approved.

Motion adopted 3-0-3.

Councilmember Clark abstained from the Workshop Meeting Minutes of March 29, 2016; and the Regular Meeting Minutes of April 7, 2016, due to his absence.

Councilmember Hovland abstained from the Regular Meeting Minutes of April 7, 2016, due to his absence.

Councilmember Swanson abstained from the Workshop Meeting Minutes of March 29, 2016 due to his absence.

Aye: 3 - Mayor Ryan, Councilmember Herbst and Councilmember King

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

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

5.-1 [PROC 16-01](#) PROCLAMATION FOR FIREFIGHTER GORDY FISKE

Mayor Ryan recognized and thanked Gordy Fiske for his 13 years of service with the SBM Fire Department.

Informational: no action required

5.-2 [PROC 16-02](#) PROCLAMATION FOR FIRE CHIEF NYLE ZIKMUND

Mayor Ryan recognized and thanked Fire Chief Nyle Zikmund for his 35 years of service with the SBM Fire Department.

Informational: no action required

6. COMMUNICATIONS

Mayor Ryan welcomed Hans Bakery to the City of Blaine.

Mayor Ryan shared that former Councilmember Kathy Kolb is recovering from a stroke that happened last year and offered the City's condolences on the recent passing of her husband and former Councilmember Randy Kolb.

Councilmember Swanson stated he and Mayor Ryan petitioned the Commissioner of Transportation for a FASTLANE Grant for I-35W.

Councilmember Swanson announced he will be seeking re-election as he had some projects he would like to see to completion, including the reconstruction of Interstate 35W between Highway 36 in Roseville and Sunset Avenue in Blaine, the Blaine Wetland Sanctuary project, and redevelopment of the former K-Mart site near Northtown Mall.

Councilmember Herbst announced he will not be seeking re-election and thanked the Council and residents for their support.

Mayor Ryan stated the Green Expo will be held on April 23, 2016.

Councilmember Hovland said May is Motorcycle Awareness Month and reminded the community to watch for motorcycles.

Informational: no action required.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:58 p.m.

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

None.

8. ADOPTION OF AGENDA

Adopted as presented

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

Moved on the agenda to follow the Consent Agenda.

10. APPROVAL OF CONSENT AGENDA:

Councilmember Herbst requested the removal of agenda item 10.2.

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

Motion adopted unanimously.

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

10.-1 [MO 16-042](#)

SCHEDULE OF BILLS PAID

Approved

10.-3 [MO 16-044](#)

APPROVE A VENDING TRUCK LICENSE FOR FAISAL ICE CREAM, FAISIL KAZAR, OWNER/OPERATOR, 12754 ULYSSES CIRCLE NE

Approved

10.-4 [MO 16-045](#)

APPROVE A VENDING TRUCK LICENSE FOR BLAINE ANOKA ICE CREAM, FAYSAL HASAN, OWNER/OPERATOR, 18005 WACO STREET, RAMSEY, MN

Approved

10.-5 [RES 16-060](#)

GRANTING APPROVAL TO CONDUCT OFF-SITE GAMBLING AT BROOK HALL ON MAY 7, 2016 FOR THE BLAINE FESTIVAL

Adopted

10.-2 [MO 16-043](#) APPROVAL OF THE 2016-2017 KENNEL LICENSES

Councilmember Herbst asked about the concerns Stone Mountain Pet Lodge had with the fee schedule. City Clerk Sorensen said staff is recommending the increased fees be waived for this license cycle and be brought forward again for 2017.

Moved by Councilmember Herbst, seconded by Councilmember Hovland, that Motion 16-043, "Approval of the 2016-2017 Kennel Licenses," be approved.

Motion adopted unanimously.

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

9. 8:00 P.M. - PUBLIC HEARING AND ITEMS SET FOR A CERTAIN TIME**9.-1** [RES 16-059](#) ORDER IMPROVEMENT, ORDER PREPARATION OF AND APPROVE PLANS AND SPECIFICATIONS AND ORDER ADVERTISEMENT FOR BIDS FOR THE PAVEMENT MANAGEMENT PROGRAM - 2016 STREET RECONSTRUCTIONS, IMPROVEMENT PROJECT NO. 16-07

Mayor Ryan opened the public hearing at 8:02 p.m.

Councilmember King left the meeting at 8:03 p.m. and returned at 8:04 p.m.

City Engineer Keely stated the proposed improvements include reclaiming existing bituminous pavement, concrete ribbon curbs (Baltimore Street and 97th Avenue), aggregate base, new bituminous pavement and appurtenant construction. She noted the final wear course and concrete sidewalk and curb and gutter punch list items will be completed on 131st Court. She stated the project is proposed to be assessed over a 10-year period, using the front footage method for commercial/industrial/high density residential properties. Funding also includes Pavement Management Program funds and developer escrows. She stated the replacement of existing sanitary sewer structure castings/rings will be paid from the Public Utility Fund.

Ken Edgren, 1388 130th Lane, asked why he is being assessed for a road that is used by vehicles avoiding Central Avenue. He noted the gas station and dental offices have Central Avenue addresses. City Engineer Keely stated the multi-family units take their driveways off of Ulysses Street that each unit is assessed 50% of the cost for frontage divided by 76 units. She stated the proposed assessment is \$393.41 per unit spread over ten years.

Mayor Ryan asked about the size of the road construction area. City Engineer Keely replied the area is north and south of 129th Avenue and assessments will be assigned to the gas station and dental office.

Mr. Edgren stated the County paid to fix the north and south portions of the road three years ago.

Councilmember King asked if the assessments are typical to others. City Engineer Keely replied these assessments are typical at 50% of frontage.

Councilmember King commented the road does have high use. He asked if the residents could get a reduced rate for high use road. City Engineer Keely stated the management pavement program is shared costs with all Blaine property owners contributing.

Councilmember Clark questioned the multiple names of the road and asked if the residents have been assessed for the road in the past. City Engineer Keely replied these units have not been assessed in the past.

Paul Schierenbeck, 12756 Ulysses Circle, said he is President of their homeowners association and stated there is only one way in and out of his complex and asked where the residents will park during construction. City Engineer Keely stated the contractor will have three months to complete the project and noted the contractor has to maintain access for residents.

Councilmember Clark asked how long the project would take to complete. City Engineer Keely replied the project will take approximately one month adjacent to the townhomes.

Mr. Schierenbeck requested the breakdown for assessments. City Engineer Keely replied \$393.41 per unit over ten years.

Mayor Ryan closed the public hearing at 8:19 p.m.

Moved by Councilmember Herbst, seconded by Councilmember King, that Resolution 16-059, "Order Improvement, Order Preparation of and Approve Plans and Specifications and Order Advertisement for Bids for the Pavement Management Program – 2016 Street Reconstructions," be approved.

Motion adopted unanimously.

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

11. DEVELOPMENT BUSINESS

11.-1 [RES 16-061](#)

GRANTING A CONDITIONAL USE PERMIT AMENDMENT TO ALLOW FOR INDOOR VEHICLE SALES AT HONEST-1 AUTO CARE, 10705 UNIVERSITY AVENUE NE. STAPLES HOLDINGS INC. (CASE FILE NO. 16-0019/SLK)

Planning and Community Development Director Schafer stated the applicant occupies a building and operates an auto repair business at 10705 University

Avenue NE that is zoned B-2 (Community Commercial). He stated the applicant would like to obtain a dealer's license and for the City to allow this license to be issued by the State a conditional use permit must be granted for an indoor vehicle showroom. He stated the indoor auto sales will allow the business to sell current loaner vehicles with warranties. He stated the vehicles have been inspected and repaired at the auto repair shop.

Moved by Councilmember King, seconded by Councilmember Herbst, that Resolution 16-061, "Granting a Conditional Use Permit Amendment to allow for Indoor Vehicle Sales at Honest-1 Auto Care, 10705 University Avenue NE. Staples Holdings Inc.," be approved.

Motion adopted unanimously.

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

11.-2 [RES 16-062](#)

GRANTING APPROVAL OF AN AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR PARKSIDE NORTH 2ND ADDITION. PARKSIDE NORTH, LLC. (CASE FILE NO. 15-0042/BKS)

Councilmember Herbst abstained due to conflict on interest and left the meeting at 8:22 p.m.

Planning and Community Development Director Schafer stated the Developer, Parkside North LLC, has now indicated that they would like to extend the trunk sewer and water improvements and final plat an outlot that is covered by an easement. He stated Council discussed and reviewed a proposal by the Developer at Workshop and the terms of their proposal have been incorporated into an amendment to the Development Agreement for Parkside North Second Addition. He stated the Developer will pay the City cash for the City to hold in escrow to complete the necessary work. He noted the easement has been agreed upon and signed with the Dryman family.

Councilmember Clark confirmed the area on the map where the developer will not complete the work on 125th Avenue at Lever Street. Planning and Community Development Director Schafer replied the developer will not be doing the work that was depicted as red on the map and that the work will need to be completed by the City. He stated two 20-foot pits will need to be dug in order for the pipe to be installed and said this work will be very expensive and inconvenient to residents that use 125th Avenue.

Councilmember Hovland commented there will be disruption now or in the future, but more disruption if the work is done after the homes are built. He stated he is in favor of doing the work now.

Councilmember Clark asked if the north area is opened up a second time would it affect the residents to the south area. Planning and Community Development Director Schafer replied no, it makes no difference to the south.

Councilmember Swanson confirmed the work could be done at any time and the agreement is binding on the easement. Planning and Community Development Director Schafer replied yes, the City has a binding agreement. He noted he has explained to Jim and Mary Ann Drieman, property owners of the area of the easement that the project could be done this year or next. Councilmember King asked if Paxmar's funds will get the sewer and water across 125th Avenue. Planning and Community Development Director Schafer replied the sewer and water would be Paxmar's responsibility.

Councilmember King asked for clarification on a temporary easement. Planning and Community Development Director Schafer replied there are two easements, one permanent and one temporary. He stated the permanent easement is the right-of-way for the project and the temporary easement is where the contractor will work.

Councilmember King stated he is in favor of Paxmar's proposal and would like to see the entire project done this year and wants the road completed to 125th Avenue.

Don Jensen, Paxmar representative, stated Paxmar just received Anoka County's permit to build the roadway design. He stated Paxmar's concern is that there is no engineering design for the sewer and water project to 125th Avenue and Lever Street. He stated Paxmar's concern is to install the correct improvements in the correct location.

Councilmember Swanson asked who would pay for the temporary easements for the pits. Planning and Community Development Director Schafer replied it would be the developer's cost. He noted the City or the developer need to provide the engineering design.

Councilmember Clark asked if the County provides the design. Planning and Community Development Director Schafer replied the County does not provide the design.

Mr. Jensen stated Paxmar is asking for time in order to develop a design plan.

Councilmember Hovland stated the City will pick up the work where Paxmar left off and stated the process needs to be begin as soon as possible. He stated the City wants to minimize the impact of disruption and the work needs to be completed before the homes are built to the south. Mr. Jensen stated the two lots nearest to the intersection will be used for dirt and construction storage. He noted the road and home building would not start until late 2016 or early 2017.

Mayor Ryan asked if staff can hold discussions with Anoka County regarding

intersection standards. Planning and Community Development Director Schafer replied yes.

Councilmember Clark stated Council knows how the intersection should align and asked if there are other variables to consider. Planning and Community Development Director Schafer replied variables include the design of the road and what is required by Anoka County as well as design of the pit and pipe. He noted the road is the biggest issue with County requirements.

Councilmember Clark asked for a timeline to get the planning started. Planning and Community Development Director Schafer replied two months. Public Services Manager Therres replied after County approval, project bids would be received and work completed in 2017.

Mayor Ryan commented nobody knows how much the assessments will cost.

Councilmember Hovland commented the cost of the work will not affect the people to the north at this time.

Tony Capra, 10991 Edison Street, stated Jim and Mary Ann Drieman want a hook up to sewer and water. Planning and Community Development Director Schafer replied yes, a stub will be provided to the Driemans.

Mr. Capra commented the work needs to start as soon as possible to eliminate any delays.

Mayor Ryan commented the City is working with the developer on obtaining what is needed.

Councilmember Hovland asked if the project can be moved forward quicker. Planning and Community Development Director Schafer replied if the agreement is approved the staff can start working on the project.

Mr. Capra stated the original agreement provides for the work to take place and the amendment is not needed because the developer agreed to do the work. Planning and Community Development Director Schafer replied he stated the 4th Addition could not move forward until the easement was obtained but there is no requirement to move the pipe.

Councilmember King stated the project has to take sewer and water across 125th Avenue or he will not support the project.

Councilmember Swanson asked how long it will take to complete Lever Street. Planning and Community Development Director Schafer replied it will take until fall.

Councilmember Swanson asked how long it will take to design the 125th

Avenue and approved from Anoka County. Planning and Community Development Director Schafer replied Paxmar will be rushing to complete Lever Street by fall.

Councilmember Swanson stated he would like to commit to the engineering design being completed this fall.

Councilmember Clark asked if the road could be done in 2016. Planning and Community Development Director Schafer replied he did not know if the road could be done in 2016. He stated the design and possibly the utilities could be done with the road being completed in 2017.

Councilmember Clark asked if the pit and utilities are done in 2016 and the road in 2017 will this cause a disruption. Planning and Community Development Director Schafer replied no, the design is needed before anything can be done. He stated it would be better to know what is going in up north before the final road design is done.

Councilmember Clark asked if the utilities could be installed and the road completed later. Planning and Community Development Director Schafer replied he will look into it.

Councilmember King clarified the utilities will be brought across 125th Avenue. Planning and Community Development Director Schafer replied yes and this amendment will give the City the funds to do the work.

Councilmember King asked about the piping and the amount of approval needed from Anoka County. Planning and Community Development Director Schafer replied Anoka County is involved, but the bigger issue is the road.

Councilmember King stated the project is for water and sewer north of 125th Avenue and without that he will not support this amendment.

Councilmember Hovland asked if a motion is needed to initiate the utilities project. Planning and Community Development Director Schafer replied staff direction would be sufficient to start the process.

City Attorney Sweeney stated the Charter requires four votes to adopt a resolution and staff can just be directed to initiate the project. He stated a super majority will be needed to initiate the project with a petition with five of six votes, knowing Councilmember Herbst will be abstaining.

Councilmember Clark referred to Item 12.2 later in the agenda is a petition asking for the extension of services to the north side of Lever Street. City Attorney Sweeney stated that item is to recognize the petition and that staff needs more detail as to what the petition will be before it moves forward.

City Engineer Keely stated the Council received a draft petition but the petition does not state specifics but does request sewer and water north of 125th Avenue.

Councilmember Swanson stated the City could open and close the pit and the residents will have to bear the cost of reopening the pit.

Mr. Jensen stated the amendment allows for the development to move forward.

Councilmember Hovland stated this motion initiates the project, starts the design work and begins discussions with Anoka County.

Councilmember King stated the developer agreed to take the utilities to a stub in the original agreement and cannot support the project unless the developer agrees to bring the utilities across 125th Avenue.

City Attorney Sweeney stated Council will need five out of six votes to initiate a project due to Councilmember Herbst abstaining.

Councilmember Hovland stated the petition is asking for sewer and water be brought to the north side of 125th Avenue.

City Engineer Keely stated the petition that was signed by the residents is asking for sewer and water north of 125th Avenue and south of 125th Avenue utilities are not mentioned.

Councilmember King stated part of his hesitancy is the utilities are stopped at the stub in this amendment and the petition is to take the utilities up north of 125th Avenue.

Councilmember Clark asked if the Council voted no on the amendment what would happen. Planning and Community Development Director Schafer replied the City would not be able to take action on subsequent plats and there would be no extension of Lever Street. He stated the 6th Addition triggers the extension of Lever Street.

Mayor Ryan stated the Council's goal is to get the project up to where it is supposed to be. He stated the residents should be able to start planning the development of their land.

Mr. Jensen stated Paxmar's obligation is to bring utilities to the north side of 125th Avenue. He commented the agreement allows the potential for a pause.

Moved by Councilmember Swanson, seconded by Councilmember Clark, that

Resolution 16-062, "Granting Approval of an Amendment to the Development Agreement for Parkside North 2nd Addition. Parkside North, LLC," be approved.

**Councilmember Clark - Yes
Councilmember Hovland - Yes
Councilmember King - No
Councilmember Swanson - Yes
Mayor Ryan - Yes**

Motion adopted 4-1-1 (Councilmember Herbst abstained due to conflict of interest).

Aye: 4 - Mayor Ryan, Councilmember Swanson, Councilmember Clark and Councilmember Hovland

Nay: 1 - Councilmember King

Abstain: 1 - Councilmember Herbst

Moved by Councilmember Swanson, seconded by Councilmember King, for staff to work with Anoka County to develop a road design plan that includes an option to just install sewer and water to the north of 125th Avenue.

Motion adopted 5-0-1 (Councilmember Herbst abstained due to conflict of interest).

Aye: 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King and Councilmember Hovland

Abstain: 1 - Councilmember Herbst

Councilmember Swanson left the meeting at 9:33 p.m.

11.-3 [RES 16-063](#)

GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE 6.61 ACRES INTO 22 LOTS TO BE KNOWN AS PARKSIDE NORTH 4TH ADDITION, LOCATED AT 123RD CIRCLE/LEVER STREET NE. PAXMAR, LLC. (CASE FILE NO. 16-0012)

Planning and Community Development Director Schafer stated the final plat will consist of 22 single-family lots on 123rd Circle NE. He stated the proposed lots on 123rd Circle are consistent with the approved preliminary plat and that D.R. Horton is intended to be the builder of this phase of homes.

Councilmember Clark asked if the motion includes the transfer of easement. Planning and Community Development Director Schafer replied yes.

Councilmember Swanson returned to the meeting at 9:35 p.m.

Moved by Councilmember Clark, seconded by Mayor Ryan, that Resolution 16-063, "Granting Final Plat Approval to Subdivide 6.61 Acres into 22 Lots to be Known as Parkside North 4th Addition, Located at 123rd Circle/Lever Street NE. Paxmar, LLC," be approved.

Motion adopted 5-0-1 (Councilmember Herbst abstained due to conflict of interest).

Aye: 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King and Councilmember Hovland

Abstain: 1 - Councilmember Herbst

11.-4 [RES 16-064](#)

GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE 33.35 ACRES INTO 15 LOTS AND 6 OUTLOTS TO BE KNOWN AS PARKSIDE NORTH 5TH ADDITION, LOCATED AT FRAIZER STREET & 124TH LANE. PAXMAR, LLC. (CASE FILE NO. 16-0020/SLK)

Planning and Community Development Director Schafer stated the applicant is proposing to subdivide an existing outlot into 15 single family detached units. He stated the final plat includes six outlots for drainage, ponding, future commercial and multi-family development, and private roadways.

Moved by Councilmember Clark, seconded by Councilmember Hovland, that Resolution 16-064, "Granting Final Plat Approval to Subdivide 33.35 Acres into 15 Lots and 6 Outlots to be Known as Parkside North 5th Addition, Located at Fraizer Street and 124th Lane. Paxmar, LLC," be approved.

Motion adopted 5-0-1 (Councilmember Herbst abstained due to conflict of interest).

Aye: 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King and Councilmember Hovland

Abstain: 1 - Councilmember Herbst

Mayor Ryan recessed the meeting at 9:37 p.m.

Recessed

Mayor Ryan reconvened the meeting at 9:42 p.m.

Reconvened

11.-5 [ORD 16-2349](#)

SECOND READING

GRANTING A REZONING FROM FR (FARM RESIDENTIAL) TO R-1A (SINGLE FAMILY) FOR THE HIDEAWAY OF BLAINE AT 1749 118TH AVENUE NE. BALD EAGLE BUILDERS, INC. (CASE FILE NO. 16-0009/LSJ)

Planning and Community Development Director Schafer stated Bald Eagle Builders, Inc. is proposing to develop a small infill plat (8 lots) on a 4.6 acre property that is between 119th Avenue and 118th Avenue just to the east of Aberdeen Street/Club West Parkway. He stated the proposal requires a rezoning of the property and approval of a preliminary plat. He stated in order to plat the property into eight lots, the subject property must be rezoned from FR (Farm Residential) to R-1A (Single Family). He noted the property is surrounded on the north, east and west sides by the R-1A zoned properties.

Moved by Councilmember Hovland, seconded by Councilmember Clark, that Ordinance 16-2349, "Granting a Rezoning from FR (Farm Residential) to R-1A (Single Family) for the Hideaway of Blaine at 1749 118th Avenue NE. Bald Eagle Builders, Inc.," be approved.

Motion adopted unanimously.

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

11.-6 [RES 16-065](#)

GRANTING PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 4.6 ACRES INTO EIGHT (8) SINGLE FAMILY LOTS TO BE KNOWN AS HIDEAWAY OF BLAINE, LOCATED AT 1749 118TH AVENUE NE. BALD EAGLE BUILDERS, INC. (CASE FILE NO. 16-0009/LSJ)

Planning and Community Development Director Schafer stated Bald Eagle Builders, Inc. is proposing to develop a small infill plat (8 lots) on a 4.6 acre property that is between 119th Avenue and 118th Avenue just to the east of Aberdeen Street/Club West Parkway. He stated the proposal requires a rezoning of the property and approval of a preliminary plat. He stated the proposed plat contains 8 single-family lots and will be known as Hideaway of Blaine. He noted there is an existing home and accessory structure that will be removed with the development of the plat.

Moved by Councilmember Herbst, seconded by Councilmember Swanson, that Resolution 16-065, "Granting Preliminary Plat Approval to Subdivide 4.6 Acres into Eight (8) Single Family Lots to be known as Hideaway of Blaine, Located at 1749 118th Avenue NE. Bald Eagle Builders, Inc.," be approved.

Motion adopted unanimously.

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

11.-7 [RES 16-066](#)

GRANTING PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 21.59 ACRES INTO ONE (1) LOT AND TWO (2) OUTLOTS TO BE KNOWN AS CSM LEXINGTON FOURTH ADDITION, LOCATED AT XXX PHEASANT RIDGE DRIVE NE. CSM EQUITIES, LLC. (CASE FIRM NO. 16-0015/LSJ)

Planning and Community Development Director Schafer stated the proposed preliminary plat consists of one lot and two outlots. He stated a new building is proposed on Lot 1A and Lot 1B of the plat because it is partially Torrens property and it must be platted as A and B with Anoka County. He noted the two outlots could be replatted as lots and developed in the future.

Joe Klohn, President of Streamworks, gave an overview of the company's history, stating Streamworks was created in 2013 by the combining of two companies.

Moved by Councilmember Clark, seconded by Councilmember Herbst, that Resolution 16-066, "Granting Preliminary Plat Approval to Subdivide 21.59 Acres into One (1) Lot and Two (2) Outlots to be known as CSM Lexington Fourth Addition, Located at XXX Pheasant Ridge Drive NE. CSM Equities,

LLC,” be approved.

Motion adopted unanimously.

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

11.-8 [RES 16-067](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR CONSTRUCTION OF A 88,435 SQUARE FOOT OFFICE/INDUSTRIAL BUILDING (STREAMWORKS) AND ASSOCIATED PARKING TO BE LOCATED IN A PBD DISTRICT AT XXX PHEASANT RIDGE DRIVE. CSM EQUITIES, LLC. (CASE FILE NO. 16-0015/LSJ)

Planning and Community Development Director Schafer stated the proposed preliminary plat consists of one lot and two outlots. He stated a new building is proposed on Lot 1A and Lot 1B of the plat because it is partially Torrens property and it must be platted as A and B with Anoka County. He noted the two outlots could be replatted as lots and developed in the future.

Moved by Councilmember Hovland, seconded by Mayor Ryan, that Resolution 16-067, “Granting a Conditional Use Permit to allow for Construction of a 88,435 Square Foot Office/Industrial Building (Streamworks) and Associated Parking to be Located in a PBD District at XXX Pheasant Ridge Drive. CSM Equities, LLC,” be approved.

Motion adopted unanimously.

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

12. ADMINISTRATION

12.-1 [MO 16-046](#)

ACCEPT PROPOSAL FROM MIDWEST FENCE COMPANY IN THE AMOUNT OF \$22,606 FOR FENCING AT THE AQUATORE DOG PARK

Parks and Recreation Supervisor Monahan stated staff received three proposals and determined Midwest Fence Company to be the lowest bid and staff has worked with Midwest Fence Company in the past.

Mayor Ryan asked who will clean the park. Parks and Recreation Supervisor Monahan replied owners will clean up after their pets and the City will maintain the park.

Moved by Councilmember Herbst, seconded by Councilmember Swanson, that Resolution 16-046, “Accept Proposal from Midwest Fence Company in the Amount of \$22,606 for Fencing at the Aquatore Dog Park.” be approved.

Motion adopted unanimously.

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

12.-2 [RES 16-054](#)

DECLARE ADEQUACY OF PETITION AND ORDER PREPARATION

OF FEASIBILITY REPORT FOR LEVER STREET NORTH OF 125TH AVENUE, IMPROVEMENT PROJECT NO. 16-10

Councilmember Herbst abstained due to conflict of interest.

City Engineer Keely stated if approved, this resolution accepts the petition and orders preparation of a feasibility report. She stated the property owners will have to define what improvements are being requested and how far they will be extended in Lever Street north of 125th Avenue before the feasibility report can be prepared for construction in 2017.

Moved by Councilmember Clark, seconded by Councilmember Swanson, that Resolution 16-054, "Declare Adequacy of Petition and Order Preparation of Feasibility Report for Lever Street North of 125th Avenue," be approved.

Motion adopted 5-0-1 (Councilmember Herbst abstained due to a conflict of interest).

Aye: 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King and Councilmember Hovland

Abstain: 1 - Councilmember Herbst

Mayor Ryan asked if the property owners can now start planning. City Engineer Keely replied this action will initiate a City project but staff will hold off on a feasibility report until more information is received from the property owners.

Councilmember Swanson asked if a super majority is needed on a City initiated project. City Attorney replied this would be a City initiated project and a super majority of five out of six votes is needed as Councilmember Herbst will be abstaining.

12.-3 [RES 16-057](#)

RECEIVE FEASIBILITY REPORT AND ORDER PUBLIC HEARING FOR THE RECONSTRUCTION OF HASTINGS STREET FROM 85TH AVENUE TO CUL-DE-SAC, IMPROVEMENT PROJECT NO. 15-22

Councilmember Swanson abstained due to conflict of interest and left the meeting at 9:50 p.m.

City Engineer Keely stated the proposed project will reconstruct Hastings Street from 85th Avenue to the cul-de-sac. She stated the proposed improvements include installation of concrete curb and gutter, storm sewer improvements, new bituminous asphalt surface, replacement of existing water main and appurtenant construction. She stated the estimated cost of the project is proposed to be assessed over a ten-year period to benefitting properties. Funding also includes the City's Pavement Management Program Fund and the replacement of existing sanitary sewer castings/rings and replacement of the existing water main are proposed to be paid from the Public Utility Fund.

Councilmember Herbst requested the cost of infiltration work and asked if Coon Creek Watershed is requiring infiltration. City Engineer Keely replied she will research and bring back information to the Council.

Moved by Councilmember Clark, seconded by Councilmember Herbst, that Resolution 16-057, "Receive Feasibility Report and Order Public Hearing for the Reconstruction of Hastings Street from 85th Avenue to Cul-de-sac," be approved.

Motion adopted 5-0-1 (Councilmember Swanson abstained due to conflict of interest).

Aye: 5 - Mayor Ryan, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

Abstain: 1 - Councilmember Swanson

Councilmember Swanson returned to the meeting at 10:03 p.m.

12.-4 [RES 16-068](#)

ESTABLISH NEW POLLING LOCATION FOR PRECINCT 2-4B, GRADIENT FINANCIAL CENTER, FORMERLY SCHWAN EVENT CENTER (NSC), 1750 105TH AVENUE NE, BLAINE

City Clerk Sorensen stated due to anticipated voter turnout staff is recommending moving Precinct 2-4B from its current location at Blaine City Hall to the Gradient Financial Center, formerly the Schwan Event Center (NSC). She noted this new location can better handle voters for two precincts with access and available parking. She stated staff has verified this location meets the necessary statutory requirements for two polling locations, has secured polling place agreements for both the current Precinct 1-5 and the new Precinct 2-4B with the facility organizer, and has reviewed the proposed changes with Anoka County Elections. She noted in accordance with Election law the City will be sending notice of the new polling location to all affected household with at least one registered voter in the precinct at least 25 days before the Primary election.

Councilmember King asked if the new polling location will be included in the City's newsletter. City Clerk Sorensen confirmed notice will be included in the newsletter and on the City's webpage.

Moved by Councilmember Herbst, seconded by Mayor Ryan, that Resolution 16-068, "Establish New Polling Location for Precinct 2-4B, Gradient Financial Center, Formerly Schwan Event Center (NSC), 1750 105th Avenue NE, Blaine," be approved.

Motion adopted unanimously.

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

12.-5 [MO 16-047](#)

AUTHORIZE INSTALLATION OF CARPET IN CITY HALL IN THE

AMOUNT OF \$38,770.

Public Services Manager Therres stated as part of the City Hall maintenance program, a portion of the original carpet is being replaced in administration, IT, Finance and Engineering. He stated the City has received two quotes for this work and is recommending that the Council accept the low quote from the Schneider Company for the carpet replacement.

Moved by Councilmember Herbst, seconded by Councilmember Hovland, that Motion 16-047, "Authorize Installation of Carpet in City Hall in the Amount of \$38, 770," be approved.

Motion adopted unanimously.

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

12.-6 [RES 16-069](#)

AMENDMENT OF THE AMENDED JOINT AND COOPERATIVE AGREEMENT FOR THE ADMINISTRATION OF A CABLE COMMUNICATIONS SYSTEM TO AMEND THE COMMISSION'S AUTHORITY TO ISSUE BONDS, OBLIGATIONS AND OTHER FORMS OF INDEBTEDNESS AND TO MODIFY THE MEMBER CITIES' USE OF CERTAIN FRANCHISE FEES

Finance Director Huss stated North Metro Television (NMTV) Cable Commission is requesting an amendment to the Commission's Joint Powers Agreement (JPA). He stated the amended agreement removes language pertaining to the NMTV bonds issued in 2003 and clarifies that proceeds from the current issue are to be used only for the purposes stated in the agreement.

Moved by Councilmember Swanson, seconded by Mayor Ryan, that Resolution 16-069, "Amendment of the Amended Joint and Cooperative Agreement for the Administration of a Cable Communications System to Amend the Commission's Authority to Issue Bonds, Obligation and Other Forms of Indebtedness and to modify the Member Cities' Use of Certain Franchise Fees," be approved.

Motion adopted unanimously.

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

13. OTHER BUSINESS

None.

14. ADJOURNMENT

Moved by Councilmember Herbst, seconded by Councilmember Hovland, to adjourn the meeting at 10:08 p.m.

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