

CITY OF BLAINE  
ANOKA COUNTY, MINNESOTA  
CITY COUNCIL MEETING  
Monday, December 5, 2022

7:30PM  
Council Chambers  
10801 Town Square Drive

**CALL TO ORDER BY MAYOR SANDERS**

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**PRESENT:** Mayor Tim Sanders, Councilmembers Wes Hovland, Julie Jeppson, Chris Massoglia, Tom Newland, Richard Paul, and Jess Robertson.

**ABSENT:** None.

Quorum Present.

**ALSO PRESENT:** City Manager Michelle Wolfe; Community Development Director Erik Thorvig; City Planner Sheila Sellman; Safety Services Director/Police Chief Brian Podany; Finance Director Joe Huss; Deputy Finance Director Ali Bong; City Engineer Dan Schluender; City Attorney Chris Nelson; Communications Manager Ben Hayle; Park & Recreation Senior Manager Jerome Krieger; Administration Director Cassandra Tabor; Human Resources Deputy Director Sheri Chesness; Fire Chief Dan Retka; Interim Public Works Director Nick Fleischhacker; and City Clerk Catherine Sorensen.

**AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS**

None.

**COMMUNICATIONS**

Councilmember Newland reviewed the SBM Fire Department's Santa parade schedule.

**OPEN FORUM FOR CITIZEN INPUT**

Mayor Sanders opened the Open Forum at 7:33PM.

Kevin Brown, 9712 6<sup>th</sup> Street, asked for an update on the fire hydrant operation at 99<sup>th</sup>/6<sup>th</sup> Street.

There being no further input, Mayor Sanders closed the Open Forum at 7:34PM.

### **ADOPTION OF AGENDA**

The agenda was adopted as presented.

### **APPROVAL OF CONSENT AGENDA**

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

8.1 Motion 22-197, Schedule of Bills Paid.

8.2 Motion 22-198, Approval of Minutes.

8.3 Motion 22-199, Approval of Classification and Sale of Tax Forfeit Properties Within the City of Blaine.

8.4 Motion 22-200, Approve 2023 Annual Business License Renewals.

8.5 Motion 22-201, Authorize a Three-Year Contract With Jimmy's Johnny's/LRS Company for Portable Restroom Services in City Parks.

8.6 Resolution No. 22-185, Granting Final Plat Approval to Subdivide One Parcel into Two Parcels and Road Right-of Way to Facilitate the Construction of an Industrial/Warehouse Building to be Known as Naples Industrial Two at 10320 Naples Street NE. Capital Partners (Case File No. 22-0059/EES).

Motion adopted unanimously.

### **7:30PM - PUBLIC HEARINGS AND ITEMS SET FOR A CERTAIN TIME**

9.1 Public Hearing for Consideration of Establishment of Redevelopment Tax Increment Financing District I-24 (Rainbow Village Redevelopment Project).

Community Development Director Thorvig stated a public hearing is required for consideration of Redevelopment Tax Increment Financing District I-24 (Rainbow Village Redevelopment Project). Staff commented on the apartment complex that was being proposed for the Rainbow Village site. The proposed TIF expenses and projections for this

development were further discussed. Staff described how this property could spur redevelopment in the Northtown Mall area. Staff requested the Council hold a public hearing and noted action for this item would be taken under agenda item 11.2.

Mayor Sanders opened the public hearing at 7:36PM.

Jeremy Schroeder, 19 92<sup>nd</sup> Lane, expressed concern about the increased traffic that would be generated if this apartment project was built. He stated he believed this area was already very dangerous for traffic.

Melissa Hurd, resident of Blaine, asked where the money would come from for the TIF financing. Mr. Thorvig stated TIF financing dollars that the developer would receive would come from the new tax dollars generated by the project.

Ms. Hurd asked if this meant the developer would not pay taxes on the value of the apartment complex for 26 year up to \$8 million. Mr. Thorvig stated this was the case.

Katie Joyce, resident of Blaine, explained she was against this project and would prefer to see either commercial or a family-type entertainment use on this site. She shared concerns regarding future residents being able to afford the proposed rental rates. She noted there was a deficit of affordable housing in the area.

Kevin Brown, 9712 6<sup>th</sup> Street, asked if the public would be affected in the event the developer files bankruptcy at some point in the future. Mr. Thorvig reported there would be no impact on the public if the developer were to file bankruptcy.

There being no additional public input, Mayor Sanders closed the public hearing at 7:48PM.

## 9.2 First Reading - Ordinance No. 22-2513, Amending Appendix D - Fee Schedule of the Municipal Code of the City of Blaine.

City Clerk Sorensen stated annually the City Council is asked to review and adopt a fee schedule for the upcoming year. Staff reviewed the proposed fee schedule, noting minor changes that were made and recommended approval.

Mayor Sanders opened the public hearing at 7:50PM.

There being no additional public input, Mayor Sanders recessed the public hearing at 7:50PM and said the hearing would be continued until December 19.

Declared by Mayor Sanders that Ordinance No. 22-2513, "Amending Appendix D - Fee Schedule of the Municipal Code of the City of Blaine," be introduced and placed on file for second reading at the December 19, 2022, Council meeting.

## **DEVELOPMENT BUSINESS**

10.1 Resolution No. 22-187, Granting Preliminary Plat Approval to Create Two Outlots and Right-of-Way Dedication for the Zest Street Extension on the Southwest Corner of Lexington Avenue and 125<sup>th</sup> Avenue NE. Kempf Property (Sambatek) (Case File No. 22-0068/SAS).

City Planner Sellman stated the applicant is requesting to plat two outlots and right-of-way dedication for the Zest Street extension on the southwest corner of Lexington Avenue and 125<sup>th</sup> Avenue NE. Staff explained no development is proposed at this time. It was noted the planning commission reviewed this matter on November 9 and recommended approval.

Moved by Councilmember Massoglia, seconded by Councilmember Robertson, that Resolution No. 22-187, "Granting Preliminary Plat Approval to Create Two Outlots and Right-of-Way Dedication for the Zest Street Extension on the Southwest Corner of Lexington Avenue and 125<sup>th</sup> Avenue NE," be approved.

Motion adopted unanimously.

10.2 Resolution No. 22-188, Granting a Conditional Use Permit to Operate a Home Occupation in an FR (Farm Residential) Zoning District at 11453 National Court NE. Chase Hennessey (Case File No. 22-0066/SLK).

Ms. Sellman stated the applicant is requesting a conditional use permit to allow a home occupation for a landscape and handyman business. Staff said the City received a complaint regarding this home occupation which led the resident to request a conditional use permit for the home occupation. The proposed business operation was discussed in further detail, and it was noted the planning commission recommended approval of the request.

Moved by Councilmember Massoglia, seconded by Councilmember Paul, that Resolution No. 22-188, "Granting a Conditional Use Permit to Operate a Home Occupation in an FR (Farm Residential) Zoning District at 11453 National Court NE," be approved.

Councilmember Robertson stated she was struggling with this request. She understood this property was zoned farm residential but noted the driveways were only 20 feet apart. She discussed the amount of wetland on the property, which left very little space for navigating heavy equipment. She did not believe the proposed conditions could be met by the applicant and therefore the home occupation request should be denied. She asked if this item was approved that hours of operation be set by the Council to ensure the business does not

operate on Sundays and suggested fencing also be considered to screen the business from the neighbors.

Councilmember Massoglia stated he understood the driveways were close together but noted many of the lots in the area were quite large. He noted this property was right off Sunset and some of the properties had horses and large machinery. He explained this property was zoned farm residential and for this reason would be supporting the request.

Councilmember Robertson understood the property was zoned farm residential and supported residents having property rights but noted the original intent for farm residential properties was to allow for farming, sod farms and cattle for 5+ acre lots. She noted the applicant's property was closer to 4 acres in size. She stated she could support an agricultural type of use on this property, but not the proposed home occupation. She explained the houses on this cul-de-sac were not as large as the surrounding properties and indicated the driveways were quite close. She was concerned approving this request would create a long-term neighborhood conflict. She was of the opinion this was a unique circumstance, and the request should be denied.

Councilmember Massoglia suggested the farm residential zoning district be revisited by the Council.

Councilmember Newland reported this home occupation was operating illegally and a complaint was received by the City which concerned him. He explained the close proximity of the two homes was also a concern and said he would not be supporting this request.

Councilmember Jeppson agreed the two houses on this cul-de-sac were quite close which made this request unique, especially given the large and noisy equipment at this property. She believed it was a large ask to subject the neighbor to this home occupation. She reported she was concerned with the fact the applicant was asking for forgiveness instead of permission and stated she would not be able to support the CUP request as it stands.

Mayor Sanders questioned how the Council wanted to proceed.

Councilmember Paul supported action on the item being tabled if there wasn't agreement at this time.

Councilmember Robertson stated the Council was being asked to take action on this item and suggested the Council set additional conditions on the CUP to address hours of operation and fencing.

Amendment to the motion moved by Councilmember Robertson, seconded by Councilmember Hovland, to recommend the hours of operation be limited from 7:00AM to

6:00PM Monday through Friday, 7:00AM to 3:00PM on Saturdays and no operation of the business on Sunday, and requiring the applicant to install a six-foot opaque fence along the common property line to the west to screen the business from the adjacent residential property.

Amendment failed 2-5 (Councilmembers Hovland, Jeppson, Massoglia, Newland, and Paul opposed).

Mayor Sanders called the question on the original motion.

Motion failed 2-5 (Councilmembers Hovland, Jeppson, Robertson, Newland and Mayor Sanders opposed).

10.3 Second Reading - Ordinance No. 22-2511, Granting a Rezoning from R-1 (Single Family) and R-3B (Medium Density Multifamily) to DF (Development Flex) at 111 99<sup>th</sup> Avenue NE. Blaine Apartments LLC (Case File No. 22-0048/EES).

Ms. Sellman stated the applicant is requesting to rezone to DF (Development Flex) to allow for development of an apartment building in conformance with the HDR (High-Density Residential) land use designation of the 2040 Comprehensive Plan. The site plan for the 111-unit apartment complex was reviewed in further detail with the Council and staff recommended approval of the rezoning.

Moved by Councilmember Jeppson, seconded by Councilmember Paul, that Ordinance No. 22-2511, "Granting a Rezoning from R-1 (Single Family) and R-3B (Medium Density Multifamily) to DF (Development Flex) at 111 99<sup>th</sup> Avenue NE," be approved.

Mayor Sanders opened the meeting for public comment.

Kevin Brown, 9712 6<sup>th</sup> Street, expressed concerns regarding pollution of the adjacent waterways. He discussed how traffic would increase on 97<sup>th</sup> and recommended 97<sup>th</sup> be closed for the safety of the children in the neighborhood. He suggested 99<sup>th</sup> be reopened. He stated he was concerned about the loss of greenspace and natural habitat. He encouraged the developer to consider townhomes for this site.

Connie Moore, Executive Director at Alexandra House, stated she was concerned with the design and placement of the proposed three-story apartment building as this would affect the safety, security, and obscurity of her clients. In addition, the proposed development would affect the future expansion plans for the Alexandra House. She reported Alexandra House has been a community resource for over 45 years and has been at its current location for the past 30 years. She requested the City reconsider the proposed development for the safety and security of the victims served at the Alexandra House.

Melissa Hurd, resident of Blaine, reviewed the City's mission statement and stated she believed the City was falling short. She stated the comprehensive plan was a guide only and can be amended or changed. She questioned how much land in the City had to be zoned for high density. She discussed how the Council has had a habit of approving and then rescinding apartment complexes recently. She shared concerns regarding the provided traffic counts provided by the City and questioned why the school district was not notified regarding proposed projects.

Mayor Sanders thanked Ms. Hurd for her comments and stated her time was up.

Ms. Hurd requested she be allowed to continue.

Moved by Mayor Sanders, seconded by Councilmember Robertson, to recess the City Council meeting at 8:31PM.

Motion adopted unanimously.

Moved by Mayor Sanders, seconded by Councilmember Robertson, to reconvene the City Council meeting at 8:40PM.

Motion adopted unanimously.

Mayor Sanders asked for comments or questions from the Council regarding the motion on the floor.

Councilmember Robertson noted most members were not on the Council when the apartment project on Ulysses and 117<sup>th</sup> was denied and explained there were many apartment complexes that do not make it past the workshop level. She commented on the amount of time she has spent speaking with residents regarding this project and that this was not the forum for challenging Council. She commented on how the Council was bound by the comprehensive plan and had to consider the request before them. She expressed concern with the insults made about staff over the past few months requested the public offer more respect to the process and be willing to compromise. She stated she has had concerns regarding this project, but the Council could not stop the project from moving forward. She explained she understood the traffic concerns for this neighborhood. She requested a full traffic study be conducted and that designated turn lanes on 101<sup>st</sup> be included along with painted crosswalks at 99<sup>th</sup>/6<sup>th</sup> and 101<sup>st</sup>. She suggested the pedestrian crosswalks be lighted, if warranted and recommended the access points for the apartment building be reconsidered for safety purposes.

Councilmember Jeppson thanked Councilmember Robertson for her comments. She requested sidewalks be added along 99<sup>th</sup> as a result of this project and that they be at the cost

of the City. She explained the City would never put the safety of the residents at the Alexandra House in jeopardy. She stated she had the utmost respect for this organization and the women and children living there. She clarified for the record that the distance between the proposed three-story apartment building and the Alexandra House is more than a football field away. She explained the City has always been a generous partner to the Alexandra House and has donated to this organization. She indicated if this project were to jeopardize the Alexandra House or its funding, the City would help and would be more than happy to meet with Ms. Moore to speak about the concerns of the Alexandra House.

Councilmember Newland explained he supported the neighborhood and appreciated the passion from the neighbors. He agreed the City Council wanted its residents to love where they live. He reported he did not support this project originally and indicated he still would be voting no against this project moving forward.

Councilmember Massoglia stated he did not support this project but that the actions of the neighbors almost moved him to support the request. He encouraged the residents to acknowledge the rules in the chambers and respect the mayor. He stated Blaine was a great community and noted he was always available for conversations with constituents. He explained he was trying to remove the emotions surrounding this project and indicated he would be voting against the project.

Councilmember Paul thanked the residents for attending this meeting and staff for working on this project. He commented on how painful this process has been for the residents, staff, and Councilmembers. He indicated after learning more about this request would be voting in favor of this project.

A resident of Blaine explained he had tried to share his concerns in the proper manner but his questions about the traffic study had not been responded to.

Mayor Sanders stated the Council would look to further address the traffic concerns through a traffic study.

Councilmember Robertson explained she spoke with staff and noted this neighborhood was slated for a street improvement project in 2024 or 2025, which meant a full and comprehensive feasibility study would be completed for this area in Blaine.

Councilmember Hovland called the question.

Motion adopted 5-2 (Councilmembers Massoglia and Newland opposed).

10.4 Resolution No. 22-148, Granting a Preliminary Plat to Create One Lot and Two Outlots to be Known as Green Acres 2<sup>nd</sup> Addition at 111 99<sup>th</sup> Avenue NE. Blaine Apartments LLC (Case File No. 22-0048/EES).

Ms. Sellman stated the proposed plat will combine several parcels under common ownership and allow for right-of-way and a portion of an existing stormwater pond to be conveyed to the City and for a portion of the property to be conveyed to a neighboring property owner to facilitate the construction of additional parking for an apartment building currently not meeting the parking minimums.

Moved by Councilmember Jeppson, seconded by Councilmember Paul, that Resolution No. 22-148, "Granting a Preliminary Plat to Create One Lot and Two Outlots to be Known as Green Acres 2<sup>nd</sup> Addition at 111 99<sup>th</sup> Avenue NE," be approved.

Motion adopted 5-2 (Councilmembers Massoglia and Newland opposed).

10.5 Resolution No. 22-147, Granting a Conditional Use Permit to Construct a 111-Unit Apartment Building in a DF (Development Flex) Zoning District at 111 99<sup>th</sup> Avenue NE. Blaine Apartments LLC (Case File No. 22-0048/EES).

Ms. Sellman stated the requested conditional use permit is required for any development within the Development Flex (DF) zoning district. The proposed development generally follows the Planned Business District (PBD) standards for multifamily buildings except for a 1.5-foot shortfall from a setback on the northern property line. In exchange for that flexibility, the developer is leaving 1.3 acres of the property as untouched open space and will be oversizing all the required conifer trees.

Moved by Councilmember Jeppson, seconded by Councilmember Paul, that Resolution No. 22-147, "Granting a Conditional Use Permit to Construct a 111-Unit Apartment Building in a DF (Development Flex) Zoning District at 111 99<sup>th</sup> Avenue NE," be approved.

City Attorney Nelson summarized the amendments proposed by the Council regarding the traffic study, turn lanes, crosswalks, and sidewalks and noted these would be City initiated projects. He explained the City can order a traffic study and build sidewalks through a separate motion and these matters should not be tied to the CUP.

Mayor Sanders requested the City initiated projects be ordered to ensure the traffic study and traffic mitigation efforts coincide with this project. Mr. Thorvig reported staff would complete the studies and review the results. He stated if this project moves forward construction would begin in the spring of 2023. He anticipated the construction of the apartment building would take 18 months to complete, which would allow staff time to analyze what mitigation efforts should be put in place.

Councilmember Robertson asked that staff communicate with the neighbors to ensure they are made aware of community engagement opportunities and provide feedback on the traffic needs for this area. Mr. Thorvig commented there were a lot of technical aspects to this project and noted staff was available to dialogue with the neighbors if there were further questions or comments.

Motion adopted 5-2 (Councilmembers Massoglia and Newland opposed).

10.6 Resolution No. 22-189, Authorizing Submittal of the Environmental Assessment Worksheet (EAW) for Park Construction (Carlson Group LLC) to the Environmental Quality Board (EQB) (Case File No. 22-0076).

Mr. Thorvig stated the Carlson Group LLC has prepared and submitted an Environmental Assessment Worksheet (EAW) for the proposed Park Construction Office, Warehouse and Storage Development. The EAW is intended to determine if an Environmental Impact Statement (EIS) required. This industrial development is proposed to be approximately three buildings with associated parking areas, gravel surface process areas and storage areas on approximately 20 acres.

Moved by Councilmember Newland, seconded by Councilmember Robertson, that Resolution No. 22-189, "Authorizing Submittal of the Environmental Assessment Worksheet (EAW) for Park Construction (Carlson Group LLC) to the Environmental Quality Board (EQB)," be approved.

Motion adopted unanimously.

10.7 First Reading – Ordinance No. 22-2514, Granting Amendments to Revise and Update Sections of the Blaine Zoning Ordinance. City of Blaine (Case File No. 22-0067/EES).

Ms. Sellman stated staff annually prepares an update to the zoning code based on issues that have arisen over the past year. Notable changes this year include adjustments to parking requirements for some uses, changes in variance criteria to conform to state statute, and modifying restrictions on home-based businesses.

Declared by Mayor Sanders that Ordinance No. 22-2514, "Granting Amendments to Revise and Update Sections of the Blaine Zoning Ordinance," be introduced and placed on file for second reading at the December 19, 2022, Council meeting.

10.8 First Reading – Ordinance No. 22-2515, Adopting a New Subdivision Ordinance. City of Blaine (Case File No. 22-0071/EES).

Ms. Sellman stated the existing subdivision code is largely unchanged from its adoption in 1962. A full replacement of the chapter is proposed to align the code with current practices and legal requirements.

Declared by Mayor Sanders that Ordinance No. 22-2515, "Adopting a New Subdivision Ordinance," be introduced and placed on file for second reading at the December 19, 2022, Council meeting.

Ms. Sellman requested the Council take action on item 10.10 prior to item 10.9.

10.10 Resolution No. 22-190, Granting a Comprehensive Plan Amendment from CC (Community Commercial) to HDR-2 (High Density Residential) for 6.2 Acres at 551 87<sup>th</sup> Lane NE, Blaine Lakes Apartments (Sambatek) (Case File No. 22-0069/SAS).

Ms. Sellman stated the applicant is requesting a Comprehensive Plan Amendment from CC (Community Commercial) to HDR-2 (High Density Residential) for a 196-unit apartment proposal. Staff commented on the vision for the Northtown Mall area and recommended approval of the comp plan amendment.

Moved by Councilmember Robertson, seconded by Councilmember Jeppson, that Resolution No. 22-190, "Granting a Comprehensive Plan Amendment from CC (Community Commercial) to HDR-2 (High Density Residential) for 6.2 Acres at 551 87<sup>th</sup> Lane NE," be approved.

Katie Joyce, 9025 Van Buren Street, stated she believed this property should remain a commercial use or family-oriented space. She expressed concerns with the increased drug use, people experiencing homelessness and noted there were used needles lining the bike paths in her neighborhood. She was concerned the price of the proposed rental units was too high and suggested more affordable units be considered.

Shane LaFave, developer representative, discussed the market studies that have been conducted and explained there was a demand for the proposed housing type at the suggested rental rates. He commented on a similar apartment project that was completed in Fridley, noting this building was 95% leased when it opened in April of 2022. He explained the proposed building would have studio, 1, 2 and 3-bedroom market rate units. He discussed the proposed rental rates noting he believed they would be attractive to Blaine residents.

Councilmember Jeppson indicated she was frustrated by the fact this project had no affordable units. She spoke to the need for more affordable housing opportunities in the future. She explained that by redeveloping this property there would be a decrease in crime and the number of homeless individuals in the area. She stated there was a need for more rooftops and higher incomes in this area to spur further redevelopment in the Northtown Mall area.

Councilmember Newland noted he has spoken with many residents in this area and attended the neighborhood meeting. He indicated he would be supporting the neighborhood and would not be supporting the proposed comprehensive plan amendment.

Councilmember Hovland discussed how the apartments would change the look and feel of this neighborhood. He commented on how close this apartment building would be to residential homes to the north and east. He believed this was the wrong location for this project and would not be offering his support.

Councilmember Robertson stated she appreciated the investment the developer was trying to make in this area of Blaine and noted the original project was affordable. She appreciated how the developer continued to rework this project at Council's request and discussed how she wanted the first redevelopment project in this area to be stellar. She suggested this building be sustainable with green initiatives because this project was surrounded by pavement. She indicated she wanted to see the project broken up into two buildings with more greenspace. She commented on how this project would set the tone for the entire redevelopment of the Northtown Mall area. She anticipated the Council would be asked to change the comprehensive plan on numerous occasions as this area redevelops. She understood these requests were coming and that the Council had a responsibility to bring life to this area of Blaine. She discussed how she works daily to bring new commercial users to the community and estimated \$1 billion would be invested in the redevelopment of Blaine in the next five years and believed this project was part of that movement.

Mayor Sanders discussed the reality of what was occurring around Northtown at this time. He explained the Council can direct more policing to this area for the safety of the neighbors but that this was not the solution. He commented on how the City needed to bring new life and revitalization to this area. He stated the Rainbow space has been vacant for the past nine years. He explained the new landowner has a vision for this property and has aligned with a developer who has brought forward a high end \$50 million apartment complex. He understood that no one wanted an apartment complex in their backyard but believed the Council had to look at the bigger picture on how this area was redeveloping. He stated the developer was proposing to construct Class A apartments that would assist with bringing restaurants, retail, and coffee shops to this area. He appreciated how the developer believed in Blaine and was willing to make such a large financial investment and hoped the Council would believe in this project as well.

Councilmember Hovland called the question.

Mayor Sanders requested a roll call vote.

Motion failed 4-3 (Councilmembers Hovland, Massoglia and Newland opposed).

Mr. Thorvig stated based on the decision of the Council for Item 10.10, the Council should deny items 10.9, 10.11 and 10.12.

10.9 Second Reading - Ordinance No. 22-2512, Granting a Rezoning from B-3 (Regional Commercial) to DF (Development Flex) for 6.2 Acres at 551 87<sup>th</sup> Lane NE. Blaine Lakes Apartments (Sambatek) (Case File No. 22-0069/SAS).

Moved by Mayor Sanders, seconded by Councilmember Paul, that Ordinance No. 22-2512, "Granting a Rezoning from B-3 (Regional Commercial) to DF (Development Flex) for 6.2 Acres at 551 87<sup>th</sup> Lane NE," be approved.

Motion failed 0-7 (All Councilmembers opposed).

10.11 Resolution No. 22-191, Granting Preliminary Plat Approval to Subdivide 6.2 Acres into Two Lots to be Known as Blaine Lakes Apartments at 551 87<sup>th</sup> Lane NE. Sambatek (PC22-0069/SAS).

Moved by Mayor Sanders, seconded by Councilmember Jeppson, that Resolution No. 22-191, "Granting Preliminary Plat Approval to Subdivide 6.2 Acres into Two Lots to be Known as Blaine Lakes Apartments at 551 87<sup>th</sup> Lane NE," be approved.

Motion failed 0-7 (All Councilmembers opposed).

10.12 Resolution No. 22-192, Granting a Conditional Use Permit to Allow for a 196-Unit Apartment in a DF (Development Flex) Zoning District at 551 87<sup>th</sup> Lane NE. Blaine Lakes Apartments (Sambatek) (Case File No. 22-0069/SAS).

Moved by Mayor Sanders, seconded by Councilmember Jeppson, that Resolution No. 22-192, "Granting a Conditional Use Permit to Allow for a 196-Unit Apartment in a DF (Development Flex) Zoning District at 551 87<sup>th</sup> Lane NE," be approved.

Motion failed 0-7 (All Councilmembers opposed).

## **ADMINISTRATION**

11.1 Resolution No. 22-193, Receive Feasibility Report and Order Public Hearing for the 2023 Southeast Area Street Reconstructions, Improvement Project No. 23-08.

Mr. Schluender stated Council is asked to receive the feasibility report for the 2023 Southeast Area Street Reconstructions, Improvement Project No. 23-08 and order a public hearing. Staff reviewed the streets included in the project area and commented on the work that would be completed within the improvement project.

Moved by Councilmember Jeppson, seconded by Councilmember Newland, that Resolution No. 22-193, "Receive Feasibility Report and Order Public Hearing for the 2023 Southeast Area Street Reconstructions," be approved.

Motion adopted unanimously.

11.2 Resolution No. 22-194, Resolution Approving an Amendment To The Blaine Economic Development Project Plan, Establishing a Redevelopment Tax Increment Financing District and Approving a Tax Increment Financing Plan Therefor (Rainbow Village Redevelopment Project).

Mr. Thorvig stated based on the previous action of the City Council, staff recommended the Council not approve the resolution for the TIF project plan.

Moved by Councilmember Newland, seconded by Councilmember Hovland, that Resolution No. 22-194, "Resolution Approving an Amendment To The Blaine Economic Development Project Plan, Establishing a Redevelopment Tax Increment Financing District and Approving a Tax Increment Financing Plan Therefor (Rainbow Village Redevelopment Project)," be approved.

Motion failed 0-7 (All Councilmembers opposed).

11.3 Resolution No. 22-195, American Rescue Plan (ARP) Spending Plan.

Finance Director Huss stated staff is requesting formal City Council adoption of an American Rescue Plan (ARP) funding plan. He reviewed the plan details further, noting the water and sanitary sewer projects that were included and recommended approval.

Moved by Councilmember Newland, seconded by Councilmember Hovland, that Resolution No. 22-195, "American Rescue Plan (ARP) Spending Plan," be approved.

Motion adopted unanimously.

11.4 Resolution No. 22-196, Adopt the 2023 Parks and Trails Budget and 2023-2027 Capital Improvement Program (CIP).

Deputy Finance Director Bong stated staff recommends that Council adopt the proposed Parks and Trails 2023 Capital Budget and 2023-2027 Capital Improvement Program (CIP). Finance and Parks and Recreation presented the 2023-2027 Parks and Trails CIP, including the 2023 Parks and Trails Budget, at workshop on November 7. Staff commented on the parks and trails budget in further detail and recommended approval.

Moved by Councilmember Hovland, seconded by Councilmember Paul, that Resolution No. 22-196, "Adopt the 2023 Parks and Trails Budget and 2023-2027 Capital Improvement Program (CIP)," be approved.

Motion adopted 6-1 (Councilmember Robertson opposed).

11.5 Resolution No. 22-197, Adopt the 2023 Park Development and Bandshell Budgets and 2023-2027 Capital Improvement Program (CIP).

Ms. Bong stated staff recommends that Council adopt the proposed Park Development and Bandshell 2023 Capital Budget and 2023-2027 Capital Improvement Program (CIP). Finance and Parks and Recreation presented the 2023-2027 Park Development CIP, including the 2023 Park Development and Bandshell Fund Budgets, at workshop on November 7. Staff commented on the park development and bandshell budgets in further detail and recommended approval.

Moved by Councilmember Hovland, seconded by Councilmember Newland, that Resolution No. 22-197, "Adopt the 2023 Park Development and Bandshell Budgets and 2023-2027 Capital Improvement Program (CIP)," be approved.

Motion adopted 5-2 (Councilmembers Massoglia and Robertson opposed).

11.6 Resolution No. 22-198, Adopt the 2023 Open Space Budget and 2023-2027 Capital Improvement Program (CIP).

Ms. Bong stated staff recommends that Council adopt the proposed Open Space 2023 Capital Budget and 2023-2027 Capital Improvement Program (CIP). Finance and Parks and Recreation presented the 2023-2027 Open Space CIP, including the 2023 Open Space Budget, at workshop on November 7. Staff commented on the open space budget in further detail and recommended approval.

Moved by Councilmember Newland, seconded by Councilmember Hovland, that Resolution No. 22-198, "Adopt the 2023 Open Space Budget and 2023-2027 Capital Improvement Program (CIP)," be approved.

Amendment motion by Councilmember Massoglia, seconded by Councilmember Newland, to remove the Pioneer Park Wetland Plans from the 2027 CIP.

Amendment passed unanimously.

Amended motion passed unanimously.

11.7 Resolution No. 22-199, Adopt 2023 Sanitary Sewer Fund Budget and 2023-2027 Capital Improvement Program (CIP).

Ms. Bong stated staff recommends that Council adopt the proposed Sanitary Sewer Fund 2023 Capital Budget and 2023-2027 Capital Improvement Program (CIP). Finance and Public Works presented the 2023-2027 Sanitary Sewer CIP and the 2023 Sanitary Sewer Budget at a workshop on November 14. Staff commented on the sanitary sewer fund budget in further detail and recommended approval.

Moved by Councilmember Jeppson, seconded by Councilmember Hovland, that Resolution No. 22-199, "Adopt 2023 Sanitary Sewer Fund Budget and 2023-2027 Capital Improvement Program (CIP)," be approved.

Motion adopted unanimously.

11.8 Resolution No. 22-200, Adopt 2023 Water Fund Budget and 2023-2027 Capital Improvement Program (CIP).

Ms. Bong stated staff recommends that Council adopt the proposed Water Fund 2023 Capital Budget and 2023-2027 Capital Improvement Program (CIP). Finance and Public Works presented the 2023-2027 Water CIP and the 2023 Water Budget at a workshop on November 14. Staff commented on the water fund budget in further detail and recommended approval.

Moved by Councilmember Jeppson, seconded by Councilmember Massoglia, that Resolution No. 22-200, "Adopt 2023 Water Fund Budget and 2023-2027 Capital Improvement Program (CIP)," be approved.

Motion adopted 6-1 (Councilmember Paul opposed).

11.9 Resolution No. 22-201, Adopt 2023 Storm Sewer Fund Budget and 2023-2027 Capital Improvement Program (CIP).

Ms. Bong stated staff recommends that Council adopt the proposed Storm Sewer Fund 2023 Capital Budget and 2023-2027 Capital Improvement Program (CIP). Finance and Public Works presented the 2023-2027 Storm Sewer CIP and the 2023 Storm Sewer Budget at a workshop on November 14. Staff commented on the storm sewer fund budget in further detail and recommended approval.

Moved by Councilmember Jeppson, seconded by Councilmember Hovland, that Resolution No. 22-201, "Adopt 2023 Storm Sewer Fund Budget and 2023-2027 Capital Improvement Program (CIP)," be approved.

Motion adopted unanimously.

11.10 Resolution No. 22-202, Adopt 2023 Capital Equipment Fund Budget.

Ms. Bong stated pursuant to requirements to adopt annual budgets for certain capital funds, Staff is bringing forward the proposed 2023 Capital Equipment Fund Budget for Council consideration and adoption.

Moved by Councilmember Jeppson, seconded by Councilmember Newland, that Resolution No. 22-202, "Adopt 2023 Capital Equipment Fund Budget," be approved.

Councilmember Massoglia indicated he would not be supporting the CIP budget because there was too much an increase.

Motion adopted 5-2 (Councilmembers Massoglia and Robertson opposed).

**OTHER BUSINESS**

None.

**ADJOURNMENT**

Moved by Councilmember Robertson, seconded by Councilmember Jeppson, to adjourn the meeting at 10:07PM.

Motion adopted unanimously.

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Tim Sanders, Mayor

ATTEST:

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Catherine Sorensen, CMC, City Clerk  
*Submitted by Minute Maker Secretarial*