



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

10801 Town Square Drive
Blaine MN 55449

Thursday, April 2, 2015

7:30 PM

Council Chambers

1. CALL TO ORDER BY THE MAYOR

The meeting was called to order at 7:35 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; City Attorney Patrick Sweeney; Planning and Community Development Director Bryan Schafer; Finance Director Joe Huss; Police Chief/Safety Services Manager Chris Olson; City Engineer Jean Keely; Community Standards Director Robert Fiske; Communications Technician Roark Haver; Senior Engineering Technician Al Thorp; City Clerk Catherine Sorensen; and Recording Secretary Linda Dahlquist.

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

4. APPROVAL OF MINUTES

4.-1 [MIN 15-12](#)

WORKSHOP MEETING - 3/19/15
REGULAR MEETING - 3/19/15

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that the Workshop Meeting Minutes of March 19, 2015, and the Regular Meeting Minutes of March 19, 2015, be approved.

Motion adopted unanimously.

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

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

None.

6. COMMUNICATIONS

Police Chief Olson stated five individuals were taken into custody for identity theft and check forgery. He thanked the County Attorney and Bloomington Police for their assistance in the arrests.

Mayor Ryan stated Calvin Prince received his Bronze Star from the Military, which was lost since 1945.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:40 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:41 p.m.

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

Moved on the agenda to follow agenda item 11.8.

10. APPROVAL OF CONSENT AGENDA

Councilmember King removed agenda item 10.6.

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

10.-1 [MO 15-039](#) APPROVE TEMPORARY NURSERY SALES LICENSES

Approved

10.-2 [RES 15-052](#) RECEIVE PETITION AND ORDER PUBLIC HEARING VACATION OF EASEMENTS FOR DRAINAGE, UTILITY AND PUBLIC STREET PURPOSES IN THE PROPOSED PLAT OF WAGAMON RANCH, DOCUMENT NOS. 219177 AND 944239, VACATION NO. V15-02

Adopted

10.-3 [ORD 15-2310](#) VACATION OF DRAINAGE EASEMENTS AND STREET RIGHT-OF-WAY FOR OUTLOTS B, C, D, E, F, G AND H, GLENN MEADOWS, VACATION NO. V15-01

Adopted

- 10.-4 [MO 15-040](#) AUTHORIZE PURCHASE OF ONE (1) EMERGENCY WARNING SIREN WITH DC BATTERY BACKUP SYSTEM

Approved

- 10.-5 [MO 15-041](#) AUTHORIZING PAYMENT TO AMI IMAGING SYSTEMS, INC., FOR DOCUWARE IMAGING SOFTWARE MAINTENANCE AGREEMENT

Approved

- 10.-7 [MO 15-043](#) APPROVE SIGN TRACKING SOFTWARE UPGRADE

Approved

- 10.-6 [MO 15-042](#) APPROVAL OF THE 2015 S.C.O.R.E. AGREEMENT WITH ANOKA COUNTY

Councilmember King asked if the City will use existing taxpayers' dollars. City Manager Arneson replied funds from Anoka County will be used.

Moved by Councilmember Swanson, seconded by Councilmember King, that Motion 15-042, "Approval of the 2015 S.C.O.R.E. Agreement with Anoka County," be approved.

Motion adopted unanimously.

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

11. DEVELOPMENT BUSINESS

Mayor Ryan moved up agenda items 11.7 and 11.8.

- 11.-7 [RES 15-059](#) GRANTING PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 8.73 ACRES INTO 8 LOTS AND 1 OUTLOT TO BE KNOWN AS WOODLAND VILLAGE 10TH ADDITION AT 121ST AVENUE/WOODLAND PARKWAY. WOODLAND DEVELOPMENT. (CASE FILE NO. 15-0013/SLK)

Planning and Community Development Director Schafer stated the applicant is seeking to change the preliminary plat proposal to subdivide 8.73 acres into a subdivision with eight single family lots for single family detached homes and one outlot for future development. He noted the existing DF (Development Flex) zoning is to establish minimum standards for the properties.

Councilmember Clark asked for a decision deadline. Planning and Community Development Director Schafer replied May 11, 2015.

Jeff Zweber, 11728 Hupp Street NE, gave an overview of the proposed Woodland Development and the Met Council grant for affordable housing agreement details. He noted that the residents have not found a written agreement for the affordable housing. He stated 83 residents signed a petition opposing the approval of eight single-family affordable homes. He noted that homeowners were not notified when they purchased their homes of the soil contamination or the agreement between the City and Met Council. He stated the proposed homes do not fit in with the style of the development. He noted the existing homes are above \$400,000 and 2,500 square feet. He asked why the guidelines are being lowered for this development.

Julie Fishbach, 11737 Hupp Street NE, gave an overview of concerns with access, which includes transit, jobs, affordable day care, social services, and basic necessities. She noted cost of living is \$75,000 annually and that affordable housing families' annual income is \$49,740. She stated the residents are concerned that the affordable housing families will be unable to maintain their homes. She requested the eight homes be consistent with the neighborhood, and not affordable housing.

Byron Westlund, Woodland Development, stated Woodland and Habitat for Humanity asked for a meeting with the residents, but received no response. He suggested tabling the item and extending the deadline. He stated Woodland abides by Fair Housing Code of Ethics. He noted the lots are smaller single-family lots due to the location of the substation. He stated the initial plan was for attached/detached townhomes. He stated all of the plans have received approval from City staff. He stated the Conditional Use Permit did not require stone on the exteriors.

Mayor Ryan commented Woodland could build two 16-unit buildings on those lots under the current zoning.

Councilmember King stated he is in support of the residents and neighborhood. He stated he is motioning to deny based on the conditional use aspect and that these homes will not conform to the other homes in the neighborhood which have three car garages and stone/brick facades. He stated he is concerned about the low-income aspect and the homes will be minimum build. He noted the average home price is \$180,000 in Blaine.

Councilmember Herbst stated when the development started there was a different developer and the City went to court and won. City Manager Arneson gave an overview of the funds that were used on the development and infrastructure.

Councilmember Herbst stated Woodland took over the development and cleaned up the contaminated soil which the City and Woodland paid the cost. City Manager Arneson replied the City applied for funds to clean up the contaminated soil from the Met Council and is expected to repay the funds.

Councilmember Herbst asked if affordable housing was not done on the eight lots; can the lots be sold for more and the City could pay the Met Council back. Mr. Westlund replied the lots would not sell for \$100,000. He stated the building pad is too small for a larger house. He noted that the infrastructure is already in and there would be a huge loss.

Councilmember Herbst noted that the letter of intent is for seven homes and not eight. Mr. Westlund noted he has buyers for the homes.

Councilmember Herbst asked if there is room for a three-car garage on lot number 1. Mr. Westlund stated the lot pad is too small.

City Manager Arneson stated Woodland already has Council approval to build eight twinhomes. He noted the City would have to repay the grant of \$250,000.

Councilmember Bourke commented the EDA is doing a buy down on the lots for affordable housing. City Manager Arneson stated the EDA cannot use funds to repay the grant. City Attorney Sweeney stated the EDA funds have to be used for economic development.

Councilmember Clark asked if \$500,000 homes will be built to the north. Planning and Community Development Director Schafer replied there are differences north and west of the parkway which have a 2,500 square foot standard. He noted there are better lots east of the parkway and not on the west.

Councilmember Clark asked if future development of the area outlined in red will be 2,500 square foot homes. Mr. Westlund replied the area has approval for 2,200 square foot, two story homes and there would be potential to have three car garages.

Councilmember Swanson stated the homes Woodland has platted; meet the standards the City has approved. Mr. Westlund replied yes and some have private streets for increased lot depth.

Mayor Ryan commented anyone could purchase these homes not just people associated with Habitat for Humanity.

Mike Nelson, Habitat for Humanity, stated their program is set up for the families to thrive. He stated the homes are affordable a long with taxes and

insurance, and their payments are around \$1,100 per month. He commented the homes are high quality and energy star homes. He stated Habitat staff is in monthly contact with the homeowners. He stated Habitat's foreclosure rate is 1%. He stated the homeowners go through training on home care. He stated Habitat would be a good partner with the City. He stated Habitat has not built a home over \$300,000.

Councilmember Clark stated there is a perception that affordable housing will not be maintained. Mr. Nelson replied the residents have jobs and are not on Section 8. He stated most of the families have one to two cars. He noted Toro donates a lawnmower and the landscaping is planned by a master gardener, and the residents would be trained on the care and maintenance of the yard.

Councilmember Clark asked how families are selected. Mr. Nelson replied the families are screened.

Councilmember Bourke stated he is concerned that Habitat has not built homes over \$300,000. Mr. Nelson replied Habitat has built homes of \$250,000.

Councilmember Swanson asked if Habitat can build homes to the same standards as the rest of the neighborhood. Mr. Nelson replied not 2,500 square feet homes, but exteriors could be matched.

Councilmember Herbst asked if Habitat will build homes that are 2,000 square feet. Mr. Westlund stated the proposed homes are ramblers with 1,500 square feet and two story homes with 2,000 square ft. Planning and Community Development Director Schafer replied these standards are listed in the Conditional Use Permit.

Councilmember Hovland asked if these smaller homes will have an effect on the neighborhood. Planning and Community Development Director Schafer replied a range of small and large homes are in all developments.

Mayor Ryan stated the value of the property does not determine the caliber of the neighbor. He noted the average home cost in the City is \$180,000. He noted that these lots are not high value lots.

Councilmember Bourke suggested developing the front four lots with larger homes. City Manager Arneson replied the City would need to meet with Met Council to review alternatives.

Councilmember King stated the homes will be half the size of the rest of the neighborhood. Mr. Westlund clarified that ramblers are already in the neighborhood.

Councilmember Herbst suggested four of the homes be Habitat. Mr. Westlund stated he would build homes of 2,200 square feet on the south side and have 1,500 square feet ramblers on the north side as proposed.

Mr. Westlund suggested the Council approve the motion under the condition of Met Council approval. Planning and Community Development Director Schafer noted that Habitat is not required to build on the lots.

Councilmember Clark asked for the repayment period to the Met Council. Planning and Community Development Director Schafer replied it is unknown at this time.

Moved by Councilmember King, seconded by Councilmember Herbst, that Resolution 15-059, "Granting Preliminary Plat Approval to Subdivide 8.73 Acres into 8 Lots and 1 Outlot to be Known as Woodland Village 10th Addition at 121st Avenue/Woodland Parkway. Woodland Development," be denied.

Councilmember Herbst withdrew his second to the motion; motion by Councilmember King failed for lack of a second.

Moved by Councilmember Herbst, seconded by Councilmember Clark, that Resolution 15-059, "Granting Preliminary Plat Approval to Subdivide 8.73 Acres into 8 Lots and 1 Outlot to be Known as Woodland Village 10th Addition at 121st Avenue/Woodland Parkway. Woodland Development," be postponed to the May 7, 2015 Council meeting.

Motion adopted unanimously.

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

RECESS

Mayor Ryan adjourned the meeting for a short recess at 9:07 p.m.

Mayor Ryan called the meeting back to order at 9:30 p.m.

11.-8 [RES 15-060](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR 8 SINGLE FAMILY HOMES IN A DF (DEVELOPMENT FLEX) ZONING DISTRICT FOR WOODLAND VILLAGE 10TH ADDITION AT 121ST AVENUE/WOODLAND PARKWAY. WOODLAND DEVELOPMENT. (CASE FILE NO. 15-0013/SLK)

Moved by Councilmember Swanson, seconded by Councilmember Bourke, that Resolution 15-060, "Granting a Conditional Use Permit to Allow for 8 Single Family Homes in a DF (Development Flex) Zoning District for Woodland Village 10th Addition at 121st Avenue/Woodland Parkway. Woodland Development," be postponed to the May 7, 2015 Council meeting.

Motion adopted unanimously.

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

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

9.-1 [ORD 15-2311](#) SECOND READING

AMENDING APPENDIX D - FEE SCHEDULE OF THE BLAINE CODE OF ORDINANCES REGARDING ARTICLE X, LICENSES FOR RENTAL DWELLINGS, LICENSE FEES, FOR THE CITY OF BLAINE

Community Standards Director Fiske stated Council directed staff to increase the frequency of inspections conducted for licensed rental property within the City. He stated the new inspection process will be a thorough interior and exterior inspection of one-third of all rental properties annually and add an exterior-only inspection to all other rental properties on their off year. He stated Council has authorized the hiring of one additional staff member and increase the Rental Housing License fee.

Mayor Ryan opened the public hearing at 9:16 p.m.

Mayor Ryan closed the public hearing at 9:17 p.m.

Councilmember Swanson requested staff to seek approval from townhome associations prior to units being rented that they are current on their association dues.

Declared by Mayor Ryan that Ordinance 15-2311, "Amending Appendix D - Fee Schedule of the Blaine Code of Ordinances Regarding Article X, Licenses for Rental Dwellings, License Fees, for the City of Blaine" be introduced and placed on file for second reading at the April 16, 2015, Council meeting.

9.-2 [RES 15-051](#) ORDER IMPROVEMENT AND ORDER PREPARATION OF PLANS AND SPECIFICATIONS FOR TRUNK UTILITY IMPROVEMENTS TO SERVE THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 23 AND THE PLAT OF GLENN MEADOWS, IMPROVEMENT PROJECT NO. 14-14

City Engineer Keely stated the proposed improvements include trunk and lateral water main, and trunk and lateral sanitary sewer. She stated the project is proposed to be assessed among benefitting properties over a ten-year period, with a portion of the assessments collected as connection charges with development. A portion of the permanent funding also includes Water Utility funds and Pooled TIF/EDA.

Mayor Ryan opened the public hearing at 9:26 a.m.

Councilmember Bourke asked if the homeowners to the north of the plat are

being assessed. City Engineer Keely not with this project.

Councilmember Bourke asked who is paying for the Lift Station. City Engineer Keely stated all the properties between 109th and 112th will pay for the Lift Station.

Councilmember Herbst requested a breakdown of the cost of the project. City Engineer Keely gave an overview of the estimated financial participation costs.

Councilmember Clark asked if the existing residents to the north will be forced to hook up to utilities. City Engineer Keely replied the developer will bring the utilities up to the next development. She stated the residents have the option to hook up to the utilities if they choose.

Mayor Ryan closed the public hearing at 9:32 p.m.

Moved by Councilmember Herbst, seconded by Councilmember Clark, that Resolution 15-051, "Order Improvement and Order Preparation of Plans and Specifications for Trunk Utility Improvements to Serve the North Half of the Northeast Quarter of Section 23 and the Plat of Glenn Meadows," be approved.

Motion adopted unanimously.

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

DEVELOPMENT BUSINESS - continued

- 11.-1 [RES 15-053](#) GRANTING A CONDITIONAL USE PERMIT TO ALLOW UP TO 1,187 SQUARE FEET OF GARAGE SPACE IN AN R-1 (SINGLE FAMILY) ZONING DISTRICT AT 12007 3RD STREET NE. MICHAEL AND RICKI DRAKE. (CASE FILE NO. 15-0012/LSJ)

Planning and Community Development Director Schafer stated the applicant wishes to construct a new attached garage and a gazebo in their back yard. He stated the property is in an R-1 (Single Family) zoning district and requires a conditional use permit. He stated the garage would be 1,056 and the gazebo 137 square feet for total 1,187 of garage and accessory space.

Moved by Councilmember Clark, seconded by Councilmember Hovland, that Resolution 15-053, "Granting a Conditional Use Permit to Allow up to 1,187 Square Feet of Garage Space in an R-1 (Single Family) Zoning District at 12007 3rd Street NE. Michael and Ricki Drake," be approved.

Motion adopted unanimously.

- 11.-2 [RES 15-054](#) GRANTING A CONDITIONAL USE PERMIT AMENDMENT TO ALLOW FOR AN EXPANDED OUTDOOR TRUCK STORAGE AREA IN AN I-2 (HEAVY INDUSTRIAL) ZONING DISTRICT AT 10070

DAVENPORT STREET NE. TRUCK A LINE. (CASE FILE NO. 15-0007/LSJ)

Planning and Community Development Director Schafer stated the applicant is proposing a parking lot expansion of 6,525 square feet and a new driveway onto 101st Avenue.

Moved by Councilmember Bourke, seconded by Councilmember Swanson, that Resolution 15-054, "Granting a Conditional Use Permit Amendment to Allow for an Expanded Outdoor Truck Storage Area in an I-2 (Heavy Industrial) Zoning District at 10070 Davenport Street NE. Truck A Line," be approved.

Motion adopted unanimously.

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

11.-3 [RES 15-055](#)

GRANTING PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 76 ACRES INTO 150 SINGLE FAMILY LOTS AND 6 OUTLOTS TO BE KNOWN AS SANCTUARY PRESERVE AT LEXINGTON AVENUE/114TH AVENUE NE. PULTE GROUP. (CASE FILE NO. 15-0014/LSJ)

Planning and Community Development Director Schafer stated Pulte Homes is ready to develop and has presented a plan that includes 150 single-family homes. He stated the property has DF (Development Flex) zoning and MDR (Medium Density Residential) land use.

Councilmember Herbst commented he is concerned about the development's drainage.

Councilmember Bourke asked about trails through the development. Planning and Community Development Director Schafer replied the development includes trails and will tie into other trails.

Councilmember Clark asked about additional traffic on 114th. Planning and Community Development Director Schafer replied 114th does not have access to go north on Lexington.

Brian Kahler, 114th Lane, stated the residents have issues with the connection of the two neighborhoods. He stated the homes in the northern neighborhood are larger than the proposed development. He stated the density of the project is more than the northern neighborhood. He suggested not connecting the neighborhoods and raising the values of the proposed homes.

Planning and Community Development Director Schafer stated he believes the left turn from Lexington Avenue onto 114th would be removed.

Councilmember Herbst suggested Pulte install two speed humps onto 114th to

calm traffic.

Councilmember Clark suggested wait and see if there is a traffic problem. Planning and Community Development Director Schafer replied the developer can escrow money to cover future speed humps.

Mr. Kahler stated he does not see the need in connecting the two neighborhoods. He suggested the development exit on 109th. Planning and Community Development Director Schafer replied that property is owned by Alliance Bank and not Pulte.

Councilmember Hovland stated if the County closes the left turn onto 114th then that neighborhood will need to use 112th to get to their homes.

Council consensus for the developer to include escrow funds to cover the building of two speed humps on 114th.

Mr. Kahler stated the neighborhood is concerned about water drainage. Councilmember Herbst stated the City will work with the Watershed District on drainage.

Mr. Kahler commented the Bobolink bird nests in the wetland area.

Catherine Gorski, 4086 114th Lane, stated if the two neighborhoods are connected, the northern neighborhood is at risk of losing the left turn from Lexington. She suggested connecting the neighborhood with trail/bike path.

Moved by Councilmember King, seconded by Mayor Ryan, that Resolution 15-055, "Granting Preliminary Plat Approval to Subdivide 76 Acres into 150 Single Family Lots and 6 Outlots to be Known as Sanctuary Preserve at Lexington Avenue/114th Avenue NE. Pulte Group," be approved.

Amended motion adopted unanimously.

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

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that Resolution 15-055, "Granting Preliminary Plat Approval to Subdivide 76 Acres into 150 Single Family Lots and 6 Outlots to be Known as Sanctuary Preserve at Lexington Avenue/114th Avenue NE. Pulte Group," be amended to require the developer to escrow funds to build two speed humps.

Amendment adopted 6-1 (Councilmember Clark).

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

Nay: 1 - Councilmember Clark

11.-4 [RES 15-056](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR 150 SINGLE FAMILY HOMES IN A DF (DEVELOPMENT FLEX) ZONING DISTRICT FOR SANCTUARY PRESERVE AT LEXINGTON AVENUE/114TH AVENUE NE. PULTE GROUP. (CASE FILE NO. 15-0014/LSJ)

Planning and Community Development Director Schafer stated Pulte Homes is ready to develop and has presented a plan that includes 150 single-family homes. He stated the property has DF (Development Flex) zoning and MDR (Medium Density Residential) land use.

Moved by Councilmember Swanson, seconded by Councilmember Herbst, that Resolution 15-056, "Granting A Conditional Use Permit to Allow for 150 Single Family Homes in a DF (Development Flex) Zoning District for Sanctuary Preserve at Lexington Avenue/114th Avenue NE. Pulte Group," be approved.

Motion adopted unanimously.

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

11.-5 [RES 15-057](#)

GRANTING PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 4.45 ACRES INTO ONE (1) LOT TO BE KNOWN AS EMBERWOOD AT 126TH AVENUE/CENTRAL AVENUE NE. KASON, INC. (CASE FILE NO. 14-0002/LSJ)

Planning and Community Development Director Schafer stated the applicant Kason, Inc. is seeking Conditional Use Permit final site plan approval to develop a phased 112-unit structure. He stated the set of actions includes an amended preliminary plat application is to assemble four remnant parcels into one platted lot with right-of-way on Ulysses Street and easements for development.

City Attorney Sweeney stated the applicant's attorney sent a letter to the City about not having to pay a Park Dedication Fee. He stated the Council needs to state to the applicant the need to dedicate parkland or pay Park Dedication Fee.

Michael Kowdry, Kason, stated his attorney reviewed the City's package and under protections of State law, fees are not allowed unless there are subdivisions. He stated Kason will pay if it is their responsibility.

Planning and Community Development Director Schafer stated the Park Dedication Fee is \$3,404 per unit.

Councilmember Swanson asked if the Council can deny the motion. City Attorney Sweeney stated the Council may deny if the applicant refuses to pay the Park Dedication Fee based on Zoning Code, Section 29.86.

Councilmember King asked when would the fee be payable. Planning and Community Development Director Schafer replied the fee is payable at the time of platting.

Mr. Kowdry stated State law allows a developer to put funds into an escrow or trust. He stated Kason is combining land and not subdividing which would require park dedication fees. City Attorney Sweeney stated Kason had agreed to pay the fee all through the process. He suggested the \$380,000 be put into escrow before the Council makes a decision.

Moved by Councilmember King, seconded by Councilmember Herbst, that Resolution 15-057, "Granting Preliminary Plat Approval to Subdivide 4.45 Acres into One (1) Lot to be Known as Emberwood at 126th Avenue/Central Avenue NE. Kason, Inc.," be approved.

Amended motion adopted unanimously.

Moved by Councilmember Clark, seconded by Councilmember Herbst, that Resolution 15-057, "Granting Preliminary Plat Approval to Subdivide 4.45 Acres into One (1) Lot to be Known as Emberwood at 126th Avenue/Central Avenue NE. Kason, Inc.," be postponed to the May 7, 2015 Council meeting.

Amendment adopted unanimously.

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

11.-6 [RES 15-058](#)

GRANTING FINAL PLAN APPROVAL AS PART OF A CONDITIONAL USE PERMIT APPROVAL UNDER THE DF (DEVELOPMENT FLEX) ZONING DISTRICT TO ALLOW FOR CONSTRUCTION OF ONE (1) APARTMENT BUILDING WITH UP TO 112 UNITS AT 126TH AVENUE/CENTRAL AVENUE NE. KASON, INC. (CASE FILE NO. 14-0002/LSJ)

Moved by Councilmember Clark, seconded by Councilmember Herbst, that Resolution 15-058, "Granting Final Plan Approval as Part of a Conditional Use Permit Approval Under the DF (Development Flex) Zoning District to Allow for Construction of One (1) Apartment Building with up to 112 Units at 126th Avenue/Central Avenue NE. Kason, Inc.," be postponed to the May 7, 2015 Council meeting.

Motion adopted unanimously.

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

[RES 15-059](#)

GRANTING PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 8.73 ACRES INTO 8 LOTS AND 1 OUTLOT TO BE KNOWN AS WOODLAND VILLAGE 10TH ADDITION AT 121ST AVENUE/WOODLAND PARKWAY. WOODLAND DEVELOPMENT. (CASE FILE NO. 15-0013/SLK)

[RES 15-060](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR 8

SINGLE FAMILY HOMES IN A DF (DEVELOPMENT FLEX) ZONING DISTRICT FOR WOODLAND VILLAGE 10TH ADDITION AT 121ST AVENUE/WOODLAND PARKWAY. WOODLAND DEVELOPMENT. (CASE FILE NO. 15-0013/SLK)

Agenda items 11.7 and 11.8 were considered following agenda item 10.6.

12. ADMINISTRATION

12.-1 [ORD 15-2312](#) FIRST READING

LICENSING AND REGULATION OF THERAPEUTIC MASSAGE

City Clerk Sorensen stated the City currently has 23 therapeutic massage enterprise licenses and four of them are home-based occupations. She stated staff is proposing limiting the number of licenses to one license for every 2,500 in population, including home-based licenses. She noted the City's current population is 62,018, which would allow for only one more license. She stated hours of operation would be restricted to 8:00 a.m. and 10:00 p.m.

Danielle Holten, Essentially Massage, stated the proposed hours of operation restrictions is not conducive to her clientele. She stated she has clients that want to come in at 7:00 a.m. before they go to work.

City Clerk Sorensen stated the exception language needs to be further researched and finalized.

Councilmember Hovland requested a Workshop on Massage Therapist licensing and the allowed exceptions.

Declared by Mayor Ryan that Ordinance 15-2312, "Licensing and Regulation of Therapeutic Massage" be introduced and placed on file for second reading at the April 16, 2015, Council meeting.

12.-2 [MO 15-044](#) AUTHORIZE CITY MANAGER TO ENTER INTO CONTRACT WITH PIONEER ENGINEERING IN A NOT-TO-EXCEED AMOUNT OF \$17,085 FOR PROFESSIONAL SERVICES FOR HARPERS PARK (CITY PROJECT NO. 15-06)

Councilmember Clark left at 10:51 p.m.

City Manager Arneson stated staff received and reviewed four proposals. He stated staff is recommending the Council accept the proposal from Pioneer Engineering in the amount not-to-exceed \$17,085.

Moved by Councilmember Swanson, seconded by Councilmember King, that Motion 15-044, "Authorize City Manager to Enter into Contract with Pioneer Engineering in a Not-to-Exceed Amount of \$17,085 for Professional Services for Harpers Park, "be approved.

Motion adopted 6-0-1 (Councilmember Clark absent for vote).

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

Abstain: 1 - Councilmember Clark

12.-3 [MO 15-045](#)

APPROVE CHANGE ORDER NO. 1 IN THE AMOUNT OF \$74,163 FOR IMPROVEMENT PROJECT NOS. 13-10 AND 14-08

City Engineer Keely stated work on Lift Station No. 13 was not included in the original award of contract. She stated staff has worked with the contractor to revise the proposed work and agree on an amount to complete the work, which includes installation of a back-up generator and new control panel. She stated the amount is over the 10% Council approved with the original contract amount. She stated the change order will increase the contract amount by \$74,163.

Moved by Councilmember Swanson, seconded by Mayor Ryan, that Motion 15-045, "Approve Change Order No. 1 in the Amount of \$74,163 for Improvement Project Nos. 13-10 and 14-08., "be approved.

Motion adopted 6-0-1 (Councilmember Clark absent for vote).

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

Abstain: 1 - Councilmember Clark

12.-4 [RES 15-061](#)

INITIATE PROJECT AND ORDER PREPARATION OF A FEASIBILITY REPORT FOR PARTIAL RECONSTRUCTION OF 87TH AVENUE IN THE CITY OF CIRCLE PINES, IMPROVEMENT PROJECT NO. 15-11

Councilmember Clark returned at 10:53 p.m.

City Engineer Keely stated the City of Circle Pines has asked the City of Blaine to assess a portion of their project cost to the three parcels in Blaine that benefit from their project.

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that Resolution 15-061, "Initiate Project and Order Preparation of a Feasibility Report for Partial Reconstruction of 87th Avenue in the City of Circle Pines, "be approved.

Motion adopted unanimously.

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

12.-5 [MO 15-046](#)

ACCEPT QUOTE FROM KEVIN CASEY, LLC IN THE AMOUNT OF \$18,916.50 FOR THE 2015 DITCH CLEANING, IMPROVEMENT PROJECT NO. 15-09

City Engineer Keely stated there is a City owned ditch that runs along the rear

property lines from Baltimore Street to Goodhue Street midway between 93rd Lane and 94th Lane. She stated the ditch requires cleaning and regrading to restore flow and prevent storm water runoff from backing up into the roadside ditches. She stated staff received and reviewed three proposals and recommends the Council accept the proposal from Kevin Casey, LLC. She stated staff is also asking the Council to approve a 10% contingency. She noted the funding source for the project is the Stormwater Utility Fund.

Moved by Councilmember Swanson, seconded by Councilmember Herbst, that Motion 15-046, "Accept Quote from Kevin Casey, LLC in the Amount of \$18,916.50 for the 2015 Ditch Cleaning," be approved.

Motion adopted unanimously.

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

12.-6 [MO 15-047](#)

ACCEPT QUOTE FROM KEVIN CASEY LLC IN THE AMOUNT OF \$45,411.00 FOR MEADOWBROOK PARK CULVERT REPLACEMENT, IMPROVEMENT PROJECT NO. 15-08

City Engineer Keely stated two culverts under the trails in Meadowbrook Park are failing. She stated the project includes replacement of failing culverts and repaving a portion of the trail. She stated staff received and reviewed four proposals and recommends the Council accept the proposal from Kevin Casey, LLC. She stated staff is also asking the Council to approve a 10% contingency. She noted the funding source for the project is the Stormwater Utility Fund.

Moved by Councilmember King, seconded by Councilmember Herbst, that Motion 15-047, "Accept Quote from Kevin Casey LLC in the Amount of \$45,411.00 for Meadowbrook Park Culvert Replacement, "be approved.

Motion adopted unanimously.

12.-7 [RES 15-062](#)

RECEIVE FEASIBILITY REPORT AND ORDER PUBLIC HEARING FOR HARPERS STREET AREA REGIONAL STORM DRAINAGE IMPROVEMENTS, IMPROVEMENT PROJECT NO. 13-12

Councilmember Herbst stated this project is near his son's residence and will therefore be abstaining from voting on this item.

City Engineer Keely stated the proposed improvements include construction of a regional storm water pond and trunk storm sewer to serve properties surrounding Harpers Street and Flanders Street south of 128th Avenue. She stated the project is proposed to be assessed among benefitting properties over a ten-year period and a portion of the project will be paid from the Public Utility Fund.

Moved by Councilmember Bourke, seconded by Mayor Ryan, that Resolution 15-062, "Receive Feasibility Report and Order Public Hearing for Harpers Street Area Regional Storm Drainage Improvements, "be approved.

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

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

Abstain: 1 - Councilmember Herbst

12.-8 [RES 15-063](#)

APPROVE AN OFF-SITE GAMBLING PERMIT FOR SPRING LAKE PARK LIONS AT TPC TWIN CITIES 11444 TOURNMENT PLAYERS PARKWAY

City Clerk Sorensen stated the Spring Lake Park Lions has submitted an application for an Off-Site Gambling permit to allow charitable gambling be conducted at the TPC Twin Cities on April 27, 2015.

Moved by Councilmember Hovland, seconded by Councilmember Bourke, that Resolution 15-063, "Approve an Off-Site Gambling Permit for Spring Lake Park Lions at TPC Twin Cities, 11444 Tournament Players Parkway, "be approved.

Motion adopted unanimously.

12.-9 [RES 15-064](#)

APPROVE A PREMISES PERMIT FOR CHARITABLE GAMBLING FOR BLAINE YOUTH HOCKEY AT AXEL'S BONFIRE, 4365 PHEASANT RIDGE DRIVE NE

City Clerk Sorensen stated Blaine Youth Hockey has submitted an application for a new premises permit to allow charitable gambling be conducted at Axel's Bonfire in Blaine.

Moved by Councilmember Swanson, seconded by Councilmember Clark, that Resolution 15-064, "Approve a Premises Permit for Charitable Gambling for Blaine Youth Hockey at Axel's Bonfire, 4365 Pheasant Ridge Drive NE, "be approved.

Motion adopted unanimously.

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

12.-10 [RES 15-065](#)

ABATE 2015 ASSESSMENT FOR DELINQUENT UTILITIES AND CERTIFY DELINQUENT UTILITIES FOR COLLECTION WITH ANOKA COUNTY

Finance Director Huss stated the Council adopted Resolution 14-222 which certified delinquent utility bills for 2015 collection with Anoka County. He stated there was an error in the certified list for an assessment for parcel 06-31-23-14-0090. He stated the correct parcel is 33-31-23-14-0038.

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that Resolution 15-065, "Abate 2015 Assessment for Delinquent Utilities and Certify Delinquent Utilities for Collection with Anoka County, "be approved.

Motion adopted unanimously.

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

12. [MO 15-048](#)
-11

APPROVING AN AMENDMENT TO THE CONNECTIVITY SERVICES AGREEMENT WITH COMMUNITY ANCHOR INSTITUTION(S) FOR BROADBAND SERVICES AT CO-LOCATION SERVICE SITE(S)

City Manager Arneson stated the City's agreement with Anoka County to participate in the ConnectAnokaCounty Network expires on August 16, 2015, with three five-year renewal terms upon written notice from both parties. She stated the written notice needs to be made no less than 180 days prior to termination, which is February 17, 2015.

Moved by Councilmember King, seconded by Councilmember Herbst, that Motion 15-048, "Approving an Amendment to the Connectivity Services Agreement with Community Anchor Institution(s) for Broadband Services at Co-Location Service Site(s), "be approved.

Motion adopted unanimously.

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

12. [MO 15-038](#)
-12

NORTH METRO MAYORS' ASSOCIATION MEMBERSHIP

City Manager Arneson stated North Metro Mayor's Association (NNMA) serves as a legislative and policy advocate for 14 northern metropolitan communities. He stated NNMA also has a cooperative purchasing program. He noted annual membership is capped at \$25,000, but would be prorated for 2015.

Moved by Mayor Ryan, seconded by Councilmember Herbst, that Motion 15-038, "North Metro Mayors' Association Membership, "be approved.

Motion adopted unanimously.

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

13. OTHER BUSINESS

None.

14. ADJOURNMENT

Moved by Councilmember Hovland, seconded by Councilmember King, to adjourn the meeting at 11:12 p.m.

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