

City of Blaine Anoka County, Minnesota Minutes - Final

10801 Town Square Dr. Blaine MN 55449

City Council

Mayor Tom Ryan,
Councilmember Wes Hovland,
Councilmember Dick Swanson,
Councilmember Dave Clark,
Mayor Pro Tem Mike Bourke,
Councilmember Katherine Kolb,
Councilmember Russ Herbst

Thursday, July 10, 2014 7:30 PM Council Chambers

Meeting Number 14-37

1. CALL TO ORDER BY THE MAYOR

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

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Quorum present.

ALSO PRESENT: Bryan Schafer, Planning Director; Bob Therres, Public Services Manager; Joe Huss, Finance Director; Chris Olson, Police Chief/Safety Services Manager; Daniel Schluender, Assistant City Engineer; Jim Hafner, Storm Water Manager; Roark Haver, Communications Technician; Al Thorp, Senior Engineering Technician; Catherine Sorensen, City Clerk; and Recording Secretary Linda Dahlquist.

Present: 7 - Mayor Ryan, Councilmember Hovland, Councilmember Swanson, Mayor Pro Tem Bourke, Councilmember Clark, Councilmember Kolb and Councilmember Herbst

4. APPROVAL OF MINUTES

4.-1 MIN 14-25

WORKSHOP MEETING - 06/12/2014 SPECIAL COUNCIL MEETING - 06/12/2014 WORKSHOP MEETING - 06/19/2014 REGULAR MEETING - 06/19/2014

Sponsors: Sorensen

<u>Attachments:</u> Workshop Meeting - 06/12/14

Special Council Meeting - 06/12/14
Workshop Meeting - 06/19/2014
Regular Meeting - 06/19/2014

Approved

Aye: 6 - Councilmember Hovland, Councilmember Swanson, Mayor Pro Tem

Bourke, Councilmember Clark, Councilmember Kolb and Councilmember

Herbst

Abstain: 1 - Mayor Ryan

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

6. COMMUNICATIONS

Mayor Ryan stated the City's Safety Services Camp was a great success and thanked the volunteers for their work.

Mayor Ryan recognized the Trust VETS organization.

6.-1 Com 14-02

POLICE DEPARTMENT K-9 PROGRAM RECOGNITION

Sponsors: Olson

Police Chief/Safety Services Manager Olson introduced police canine Remy and handler Officer Mark Allen.

Police Chief/Safety Services Manager Olson recognized and thanked the Blaine Public Safety Committee and TJB Homes for their contribution and support of the canine program.

Police Chief/Safety Services Manager Olson recognized police canine Gunner as he retires after six years of service and thanked handler Officer Greg Rowe. Informational: no action required

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:59 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:59 p.m.

8. ADOPTION OF AGENDA

Mayor Ryan moved forward agenda item 12.1.

ADMINISTRATION

RES 14-132

AWARDING THE SALE OF \$3,420,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2014A; FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR PAYMENT

Sponsors: Huss

Attachments: Resolution (draft form)

Finance Director Huss stated Springsted, Inc. accepted bids for the sale of \$3,420,000 General Obligation Improvement Bonds, and set the sale date of the bonds to July 10, 2014. He noted proceeds from the bonds will be used to reimburse the City and fund Pavement Management Program project costs that are funded by assessments against property owners.

Terri Heaton, Springsted representative, stated the City received a positive economic report, which is due to the City's budget flexibility, stable outlook, and strong management team.

Mayor Ryan commented this bonding will pay for a portion of the Pavement Management Program.

Adopted

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

None.

10. APPROVAL OF CONSENT AGENDA:

Action 14-214 (AI 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, and 10.7)

Moved by Councilmember Swanson, seconded by Councilmember Kolb, that the following be approved:

Motion adopted unanimously.

The following Ordinance is scheduled for second reading

10.-1 ORD 14-2286

VACATION OF DRAINAGE AND UTILITY EASEMENT FOR

THE NORTHERLY 10 FEET OF THE SOUTHERLY 20 FEET OF

LOT 2, BLOCK 2, BLAINE MEADOWS 2ND ADDITION VACATION NO. V14-01

Sponsors: Schluender

Attachments: Map V14-01

Adopted

Aye: 7 - Mayor Ryan, Councilmember Hovland, Councilmember Swanson, Mayor

Pro Tem Bourke, Councilmember Clark, Councilmember Kolb and

Councilmember Herbst

10.-2 MO 14-098

AUTHORIZE TEMPORARY REMOVAL OF PARKING RESTRICTIONS ON 91ST AVENUE, 92ND AVENUE, 92ND LANE AND BALTIMORE STREET TO ACCOMMODATE LETTERMEN SPORTS TENT SALE ON JULY 31 -AUGUST 3, 2014

Sponsors: Schluender

<u>Attachments:</u> Lettermen Sports 2nd Tent Sale Request.pdf

Lettermen Sports Parking Map.pdf

Approved

10.-3 MO 14-099

AUTHORIZE TEMPORARY REMOVAL OF PARKING RESTRICTIONS ON 103RD LANE AND NATIONAL STREET FOR A CENTENNIAL ELEMENTARY SCHOOL EVENT ON SEPTEMBER 24, 2014 (RAIN DATE: OCTOBER 1, 2014)

Sponsors: Schluender

Attachments: Centennial 0924 Request.pdf

Centennial School Parking Map.pdf

Approved

10.-4 MO 14-100

APPROVE 2014 DUST CONTROL PAYMENT

Sponsors: Ulrich

Approved

10.-7 RES 14-123

APPROVE A PREMISE PERMIT FOR CHARITABLE GAMBLING FOR SPRING LAKE PARK LIONS AT GABE'S RINKSIDE BAR & GRILL IN FOGERTY ARENA, 9250 LINCOLN STREET NE

Sponsors: Sorensen

10.-5 MO 14-101

APPROVE QUOTE FROM GOODMANSON
CONSTRUCTION FOR SEALING CONCRETE FLOORS IN
CITY HALL GARAGE AREAS IN THE AMOUNT OF
\$16,026

Sponsors: Therres

Attachments: SKMBT C65214062609160

Approved

10.-6 MO 14-102

AUTHORIZE A CHANGE ORDER TO CARLSON MCCAIN IN THE AMOUNT OF \$37,500 FOR ADDITIONAL SERVICES FOR THE LEXINGTON ATHLETIC COMPLEX

Sponsors: Krieger

Attachments: Change Order

Approved

10.-7 RES 14-123

APPROVE A PREMISE PERMIT FOR CHARITABLE GAMBLING FOR SPRING LAKE PARK LIONS AT GABE'S RINKSIDE BAR & GRILL IN FOGERTY ARENA, 9250 LINCOLN STREET NE

Sponsors: Sorensen

Adopted

11. DEVELOPMENT BUSINESS

11.-1 RES 14-124

GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE
APPROXIMATELY 12.5 ACRES INTO TWO LOTS TO BE
KNOWN AS GLIMCHER NORTHTOWN MALL 5th
ADDITION AT 301 NORTHTOWN DRIVE NE. GLIMCHER
NORTHTOWN VENTURE (CASE FILE NO. 14-0024/SLK)

Sponsors: Schafer

Attachments: Glimcher 5th Addition Final Plat - Attachments

Planning and Community Development Director Schafer stated Glimcher Northtown Venture, LLC would like to replat part of the Northtown Mall property into two new lots. He stated Lot 1 will be 11.44 acres and Lot 2 will be 1.06 acres. He noted that zoning ordinance requires a conditional use permit for shared access drives and parking is needed with the development of Lot 2.

Adopted

11.-2 RES 14-125

PRELIMINARY PLAT APPROVAL TO PLAT 1.75 ACRES INTO TWO (2) LOTS TO BE KNOWN AS TYLER ADDITION AT 8780-8775 UNIVERSITY AVENUE NE. RICHARD NORDLUND. (CASE FILE NO. 14-0035/BKS)

Sponsors: Schafer

<u>Attachments:</u> <u>Tyler Addition Pre Plat - Attachments</u>

Planning and Community Development Director Schafer stated KFC and Wendy's restaurants located at 8750 and 8775 University Avenue are one common lot and the owner wishes to split the property separating the lot for each business. He noted that the property is within the city of Coon Rapids with a small portion of street frontage in Blaine. He commented staff sent notice to adjacent properties.

Adopted

11.-3 RES 14-126

GRANTING FINAL APPROVAL TO SUBDIVIDE 2.39 ACRES INTO SIX (6) LOTS TO BE KNOWN AS MADELYN COVE AT 8845 BALTIMORE STREET NE. KAYAK REMODELING AND REDEVELOPMENT. (CASE FILE NO. 14-0008/LSJ)

Sponsors: Schafer

<u>Attachments:</u> <u>Madelyn Cove Final Plat - Attachments</u>

Planning and Community Development Director Schafer stated the applicant is proposing an infill plat on a 2.39 acre property, which would require a rezoning of a portion of the property and the approval of the preliminary plat. **Adopted**

11.-4 RES 14-127

GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE 4.17 ACRES INTO 13 SINGLE FAMILY LOTS TO BE KNOWN AS HARPERS STREET WOODS 5th ADDITION AT 130th COURT/HARPERS STREET NE. HARPERS STREET WOODS, LLC. (CASE FILE NO. 14-0039/SLK)

Sponsors: Schafer

<u>Attachments:</u> Harpers St Woods 5th Final Plat - Attachments

Planning and Community Development Director Schafer stated the final plat proposal of subdividing approximately 4.17 acres into a subdivision with 13 single family lots. He commented this is the fourth and final phase of Harpers Street Woods 2nd Addition.

Adopted

The following four items are related and the Ordinance is scheduled for second reading

11.-5 RES 14-128

GRANTING A COMPREHENSIVE LAND USE PLAN AMENDMENT FROM LI (LIGHT INDUSTRIAL) TO LDR (LOW DENSITY RESIDENTIAL) AT 123rd COURT/CLOUD DRIVE NE. GORHAM DEVELOPMENT, LLC. (CASE FILE NO. 14-0029/LSJ)

Sponsors: Schafer

Attachments: Lakes 59th Comp Plan - Attachments

Planning and Community Development Director Schafer stated the five lot property is vacant land that is currently zoned I-1 (Light Industrial). He stated the applicant wishes to change the land use and zoning to LDR (Low Density Residential) and DF (Development Flex) to subdivide and construct 25 single family homes. He stated a preliminary plat and conditional use permit are required.

Adopted

11.-6 ORD 14-2285

GRANTING A REZONING FROM I-1 (LIGHT INDUSTRIAL) TO DF (DEVELOPMENT FLEX) FOR THE LAKES OF RADISSON 59th ADDITION AT 123rd COURT/CLOUD DRIVE NE. GORHAM DEVELOPMENT, INC. (CASE FILE NO. 14-0029/LSJ)

SECOND READING

Sponsors: Schafer

<u>Attachments:</u> Lakes 59th Rezone - Attachments

Planning and Community Development Director Schafer stated the five lot property is vacant land that is currently zoned I-1 (Light Industrial). He stated the applicant wishes to change the land use and zoning to LDR (Low Density Residential) and DF (Development Flex) to subdivide and construct 25 single family homes. He stated a preliminary plat and conditional use permit are required.

Adopted

11.-7 RES 14-129

GRANTING PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 14.26 ACRES INTO 25 SINGLE FAMILY LOTS AND ONE (1) OUTLOT TO BE KNOWN AS THE LAKES OF RADISSON 59th ADDITION AT 123rd COURT/CLOUD DRIVE NE. GORHAM DEVELOPMENT, LLC. (CASE FILE NO. 14-0029/LSJ)

Sponsors: Schafer

<u>Attachments:</u> <u>Lakes 59th Pre Plat - Attachments</u>

Planning and Community Development Director Schafer stated the five lot property is vacant land that is currently zoned I-1 (Light Industrial). He stated the applicant wishes to change the land use and zoning to LDR (Low Density Residential) and DF (Development Flex) to subdivide and construct 25 single family homes. He stated a preliminary plat and conditional use permit are required.

Adopted

11.-8 RES 14-130

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR CONSTRUCTION OF 25 SINGLE FAMILY HOMES IN A DF (DEVELOPMENT FLEX) ZONING DISTRICT FOR THE LAKES OF RADISSON 59th ADDITION AT 123rd COURT/CLOUD DRIVE NE. GORHAM DEVELOPMENT, LLC. (CASE FILE NO. 14-0029/LSJ)

Sponsors: Schafer

<u>Attachments:</u> <u>Lakes 59th CUP - Attachments</u>

Planning and Community Development Director Schafer stated the five lot property is vacant land that is currently zoned I-1 (Light Industrial). He stated the applicant wishes to change the land use and zoning to LDR (Low Density Residential) and DF (Development Flex) to subdivide and construct 25 single family homes. He stated a preliminary plat and conditional use permit are required.

Adopted

11.-9 RES 14-131

GRANTING FINAL PLAT APPROVAL TO COMBINE 3.42
ACRES INTO ONE LOT TO BE KNOWN AS BLAINE EDA
PARK SHORES FOR SERVICE ROAD EXPANSION AT
CENTRAL AVENUE/NORTH OF 85th AVENUE NE.
BLAINE ECONOMIC DEVELOPMENT AUTHORITY.
(CASE FILE NO. 14-0032/BKS)

Sponsors: Schafer

Attachments: EDA Park Shores Final Plat - Attachments

Planning and Community Development Director Schafer stated the Blaine EDA purchased six small parcels for redevelopment. He stated the proposed plat combines the small parcels and plats the EDA lot of 2.46 acres with the balance platted as right-of-way for reconnecting the service road from Kwik-Trip site to the front along Highway 65. He commented that the EDA will begin to market the site. He noted that approval from the City and Coon Creek Watershed will be needed once a specific commercial development plan is submitted.

Adopted

12. ADMINISTRATION

12.-1 RES 14-132

AWARDING THE SALE OF \$3,420,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2014A; FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR PAYMENT

Sponsors: Huss

Attachments: Resolution (draft form)

Agenda item 12.1 moved on the agenda to follow Adoption of Agenda.

12.-2 RES 14-133

ACCEPT BID FROM VALLEY PAVING, INC. IN THE AMOUNT OF \$539,010.18 FOR THE RECONSTRUCTION OF ABLE STREET FROM CSAH 10 TO 89TH AVENUE, IMPROVEMENT PROJECT NO. 13-19

Sponsors: Schluender

<u>Attachments:</u> <u>Exhibit 1 Able St Location with aerial</u>

Assistant City Engineer Schluender stated the City received a total of eight bids that were checked and tabulated and it has been determined that Valley Paving, Inc. of Shakopee, Minnesota is the lowest bidder. He stated the City has worked with Valley Paving, Inc. on previous contracts and recommends their bid be accepted and a contract entered into with Valley Paving, Inc. He stated the Council is also asked to approve a 10% contingency. He stated the funding sources for the project will be assessments, Public Utility funds, and Minnesota State Aid Street funds.

Adopted

12.-3 RES 14-134

ACCEPT BID FROM DOUGLAS-KERR UNDERGROUND, LLC IN THE AMOUNT OF \$301,012.55 FOR RECONSTRUCTION OF THE EAST CENTRAL AVENUE SERVICE ROAD FROM 87TH AVENUE TO 89TH AVENUE, IMPROVEMENT PROJECT NO. 13-20

Sponsors: Schluender

<u>Attachments:</u> <u>Location Map landscape.pdf</u>

Assistant City Engineer Schluender stated the City received ten bids that were checked and tabulated and it has been determined Douglas-Kerr Underground, LLC is the lowest bidder. He stated that the City has worked with Douglas-Kerr Underground, LLC on previous contracts and recommends their bid be accepted and a contract entered into with Douglas-Kerr Underground, LLC. He stated the Council is also asked to approve a 10% contingency. He stated the funding sources for the project will be assessments, Pavement Management Program funds, and Public Utility funds.

Adopted

12.-4 RES 14-135

ACCEPT BID FROM PARK CONSTRUCTION COMPANY IN THE AMOUNT OF \$518,018.45 FOR THE 93RD LANE INDUSTRIAL PARK AREA STREET IMPROVEMENTS, PHASE 3, IMPROVEMENT PROJECT NO. 13-24

Sponsors: Schluender

Attachments: location map.pdf

Assistant City Engineer Schluender stated the City received seven bids that were checked and tabulated and it has been determined Park Construction Company of Minneapolis is the lowest bidder. He stated that the City has not worked with Park Construction Company, so staff has checked their references. He stated staff recommends their bid be accepted and a contract entered into with Park Construction Company. He stated the Council is also asked to approve a 10% contingency. He stated the funding sources for the project will be assessments and Pavement Management Program funds. Adopted

12.-5 MO 14-103

ACCEPT CONCEPT DESIGN FOR OPEN SPACE IMPROVEMENTS FOR SITE NO. 7, IMPROVEMENT PROJECT NO. 14-09

Sponsors: Hafner

Attachments: SITE-7 Concept Trail-Layouts

Phased costs 071014

Storm Water Manager Hafner gave an overview of the proposed design concept plan for Site No. 7. He stated staff is seeking Council approval of the concept design plan. He noted the project would be done in phases and funding would come from the Open Space fund and wetland credits. He announced the site is named the Blaine Wetland Sanctuary.

Councilmember Swanson requested a larger accessible loop be added to the design plan.

Councilmember Herbst asked for the park's elevations and depth of the water feature. Storm Water Manager Hafner replied pond elevation is 897 feet and the water will be five to six feet deep during wet periods. He stated 61,000 cubic yards will be excavated.

Stuart Krahn, Stantec representative, stated water features deeper than 6 feet are considered deep water habitat. Storm Water Manager Hafner stated the DNR considers deep water habitat as altered wetland. He stated the goal is to enhance the wetlands, not alter the wetlands.

Councilmember Bourke asked for the estimated park maintenance costs. Storm Water Manager Hafner replied open space maintenance is approximately \$2,000 every two years. He noted that once the concept plan is approved, corporate sponsorships can be sought.

Councilmember Swanson requested staff research estimated maintenance costs and funding opportunities.

Councilmember Clark asked if the park would be open in the winter. Storm Water Manager Hafner replied yes.

Approved

12.-6 RES 14-136

APPROVE UTILITY AGREEMENT WITH CENTENNIAL UTILITIES FOR UTILITY SERVICE TO WESTON WOODS ON RICE CREEK

Sponsors: Schluender

Attachments: location map.pdf

Weston Woods Utility Agreement.pdf

Assistant City Engineer Schluender stated Weston Woods on Rice Creek development is proposing to connect to the City of Circle Pines sanitary sewer service. He noted that the agreement is modeled after two other developments that are in Blaine but connect to Circle Pines sanitary sewer. He noted that the project is served by Blaine water.

Adopted

12.-7 RES 14-137

WAIVE PAYMENT OF DELINQUENT SPECIAL ASSESSMENTS AT THE TIME OF CONFESSION OF JUDGMENT FOR 10351 NAPLES STREET, PIN 23-31-23-32-0003

Sponsors: Schluender

Attachments: CONFESSION OF JUDGMENT.pdf

Assistant City Engineer Schluender stated the property owner is delinquent on the property taxes for the parcel and as a result has requested Anoka County to process a Confession of Judgment for Delinquent Taxes. He stated that provisions must be met before the confession of judgment is entered: payment of current year taxes and penalties; down payment of current and delinquent special assessments; 20 percent of the delinquent taxes, penalties, interest and fees accrued against the parcel must be paid. He stated State statute allows the City to waive the payment of all current and delinquent special assessments at the time the confession is entered and if a waiver is granted the special assessments would be included in the installment plan along with the delinquent taxes, penalties, interest and fees.

Adopted

12.-8 MO 14-104

AUTHORIZE STAFF TO ENTER INTO A 5-YEAR SOFTWARE MAINTENANCE AGREEMENT WITH NEW WORLD SYSTEMS, INC.

Sponsors: Huss

Attachments: NWS 5-year SMA

Finance Director Huss stated New World Systems, Inc. is the software provider for the City's financial management system (FMS). He stated the agreement would be in effect from July 1, 2014 through June 30, 2019.

Approved

Aye: 6 - Mayor Ryan, Councilmember Hovland, Councilmember Swanson,

Councilmember Clark, Councilmember Kolb and Councilmember Herbst

Abstain: 1 - Mayor Pro Tem Bourke

12.-9 RES 14-138

ELECTION JUDGE APPOINTMENTS FOR THE 2014 ELECTIONS

Sponsors: Sorensen

Attachments: 2014 Election Judges

City Clerk Sorensen stated pursuant to Minnesota election law and City Charter, Council must appoint election judges, set their salary, and schedule a special meeting to canvass the August 12, 2014, Primary election results. She stated staff is also requesting authority to appoint election judges during the time preceding the election.

Councilmember Bourke returned to the meeting at 9:08 p.m.

City Clerk Sorensen set the canvass meeting for August 15, 2014 at 8:00 a.m. She noted four Councilmembers are needed for a quorum.

Adopted

Aye: 5 - Mayor Ryan, Councilmember Hovland, Councilmember Swanson, Mayor Pro Tem Bourke and Councilmember Herbst

Abstain: 2 - Councilmember Clark and Councilmember Kolb

12. <u>MO 14-105</u>

-10

AUTHORIZING REIMBURSEMENT TO ANOKA COUNTY FOR BADC LOAN

Sponsors: Schafer

Planning and Community Development Director Schafer stated BADC authorized an unprotected loan to Eagle Golf. He stated Eagle Golf closed after less than two years of business. He stated the loan was audited by HUD. He stated HUD is asking Anoka County to repay the remaining loan of \$47,000 and Anoka County will reclaim the funds from the City. He commented Anoka County has already paid HUD.

Approved

MO 14-106

-11

AMEND THE 2014 COMMUNITY DEVELOPMENT BUDGET TO ADD A RESIDENTIAL BUILDING INSPECTOR POSITION

Sponsors: Schafer

Finance Director Huss stated staff is requesting the addition of a full-time residential building inspector. He stated the position is a grade 8 on the City's Adopted Pay Plan and would require an appropriation of \$35,000 to fully fund the position through the end of 2014.

Approved

13. OTHER BUSINESS

Motion

14. ADJOURNMENT

Adjourned