



**City of Blaine**  
**Anoka County, Minnesota**  
**Minutes**  
**City Council**

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

*Public comment options prior to the meeting must be received  
by noon on Monday June 15. Email comments to:  
PublicComment@BlaineMN.gov or phone 763-717-2782.*

*Zoom is for members of the public who want to comment  
during the meeting on an agenda item. Join Zoom Webinar at  
<https://blainemn.zoom.us/j/93136264336>*

*Ways to watch if not commenting on an agenda item:  
BlaineMN.gov/Video or North Metro TV on Comcast, Apple TV,  
or Roku*

*Questions? Email - [Communications@BlaineMN.gov](mailto:Communications@BlaineMN.gov)*

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Monday, April 20, 2020

7:30 PM Due to the COVID-19 pandemic, city meetings will now be  
held as virtual meetings until further notice.

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**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. Due to the COVID-19 crisis this meeting was held virtually.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

Quorum Present.

**ALSO PRESENT:** City Manager Michelle Wolfe; Community Development Director Erik Thorvig; City Planner Lori Johnson; Public Works Director Jon Haukaas; Police Chief/Safety Services Manager Brian Podany; Finance Director Joe Huss; Public Services Manager/Assistant City Manager Bob Therres; City Attorney Patrick Sweeney; Human Resources Director Cassandra Tabor; Communications Coordinator Ben Hayle; City Engineer Dan Schluender; Senior Engineering Technician Jason Sundeen; Communications Technician Roark Haver; and City Clerk Catherine Sorensen.

**Present:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

**4. APPROVAL OF MINUTES**

None.

**5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS**

None.

**6. COMMUNICATIONS**

Mayor Ryan thanked staff for continuing to work diligently on behalf of the community during the COVID-19 crisis. He thanked all of the Blaine residents for adhering to the Stay at Home order.

Councilmember Swanson reminded the public to complete the 2020 Census information as soon as possible. He commented on how important it was for every resident in Blaine to be counted.

Police Chief/Safety Services Manager Podany provided the Council with an update from the Police Department. He stated the Emergency Management Team has been doing a phenomenal job serving the community. He appreciated all of the donations that have been made to the Police Department then thanked the residents of Blaine for adhering to the Stay at Home order and for finding safe, new ways to recreate.

**7. OPEN FORUM**

Mayor Ryan opened the Open Forum at 7:34 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:34 p.m.

**8. ADOPTION OF AGENDA**

The agenda was adopted as presented.

**9. APPROVAL OF CONSENT AGENDA:**

Councilmember Hovland requested the removal of agenda item 9.2.

Mayor Ryan requested the removal of agenda item 9.4.

**Moved by Councilmember Robertson, seconded by Councilmember Jeppson, that the following be approved: A roll call vote was taken. Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

**9.-1****SCHEDULE OF BILLS PAID**



for roadway projects.

Mr. Schluender reported the City contracted with WSB & Associates for professional services to create an ADA transition plan. There were several steps that the draft plan was required to go through to collect public input regarding accessibility concerns on the City's existing network of sidewalks, trails and outlined timelines and strategies to address non-compliant pedestrian facilities within the city-owned right-of-way. Staff commented the draft ADA Transition Plan was also available for review on the City's website at blainemn.gov from December 10, 2019 to January 10, 2020. The City's sidewalk and trail network includes curb ramps, traffic signals, and other amenities that assist individuals traveling by foot, wheelchair, or other non-motorized methods. The American Disability Act sets design standards for public right of way to meet the needs of people of all abilities. The Transition Plan has inventoried these items and identified the deficiencies with associated costs to correct. The plan outlines that the city will correct these items in coordination with street projects that contain the deficiencies.

Councilmember Hovland clarified that the city has a plan in place, but reported the State requires a written plan to be in place. Mr. Schluender explained this was the case.

**Moved by Councilmember Hovland, seconded by Councilmember Jeppson, that Motion 20-54, "Adopt ADA Transition Plan," be approved.**

**A roll call vote was taken. Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

#### 9.-4

### **ESTABLISHING ENDOWMENT FUND FOR THE MARY ANN YOUNG CENTER**

**Attachments:** [Mary Ann Young Center Endowment Fund](#)

Mayor Ryan recognized Mr. Odegard and his estate for the generous donation of \$250,000 to the Mary Ann Young Center. He requested staff speak with Mr. Odegard's church in order to obtain a picture of him to have displayed at the senior center.

**Moved by Mayor Ryan, seconded by Councilmember Swanson, that Resolution 20-58, "Establishing Endowment Fund for the Mary Ann Young Center," be approved.**

**A roll call vote was taken. Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

**10. 7:30 P.M. - PUBLIC HEARING AND ITEMS PUBLISHED FOR A CERTAIN TIME****10.-1****VACATION OF DRAINAGE EASEMENT OF LOT 1,  
BLOCK 1, SUNSET POND SECOND ADDITION,  
VACATION NO. V20-03**

**Attachments:**     [Petition](#)  
                                  [Location Map](#)

Mr. Schluender stated a petition received February 25, 2020, was submitted to the City by Nicholas Ostman, requesting vacation of the drainage easements on Lot 1, Block 1, Sunset Pond Second Addition. The vacation is necessary due to a building construction error that caused the house on the lot to be constructed on a portion of the easement. The Engineering Department has reviewed this request and concurs with the vacation.

Mayor Ryan opened the public hearing at 7:43 p.m.

There being no additional public input, Mayor Ryan closed the public hearing at 7:43 p.m.

**Moved by Councilmember Robertson, seconded by Councilmember Hovland, that Resolution 20-59, "Vacation of Drainage Easement of Lot 1, Block 1, Sunset Pond Second Addition," be approved.**

**A roll call vote was taken. Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

**11. DEVELOPMENT BUSINESS****11.-1****SECOND READING**

**GRANTING A REZONING FROM FR (FARM RESIDENTIAL) TO DF (DEVELOPMENT FLEX) FOR 174 ACRES AT LEXINGTON AVENUE AND 109TH AVENUE NE. ALLIANCE BANK (NORTH MEADOWS/WELLINGTON MANAGEMENT INC.) (CASE FILE NO. 19-0043/LSJ)**

**Attachments:**    [Attachments](#)  
[Letter - Sanctuary Preserve](#)  
[UPDATED Remove Townhome Masonry Requirement](#)  
[Lennar Product Lineup](#)

City Planner Johnson stated Wellington Management, Inc. has requested approval for the development of land north of 109th Avenue at the Austin Street alignment. The proposal includes 258 lots on 174 acres. The majority of the lots will be residential lots of varying types, with three of the lots planned for commercial/ industrial uses in the future. The development will be known as North Meadows. Lennar is the proposed home builder within this plat. Staff provided a brief history of the land uses on the northwest corner of 109th Avenue and Lexington Avenue, to compare those land uses to what is being proposed at this time and recommended approval of the Rezoning.

Councilmember Hovland questioned if the large green area west of Lexington Avenue was a wetland. Mr. Schluender reported this was a designated wetland.

**Moved by Councilmember Hovland, seconded by Mayor Ryan, that Resolution No. 20-2446, "Granting a Rezoning from FR (Farm Residential) to DF (Development Flex) for 174 Acres at Lexington Avenue and 109th Avenue NE," be approved.**

**A roll call vote was taken. Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

11.-2

**GRANTING PRELIMINARY PLAT APPROVAL TO  
SUBDIVIDE 174 ACRES INTO 259 LOTS AND 5  
OUTLOTS TO BE KNOWN AS NORTH MEADOWS,  
LOCATED AT LEXINGTON AVENUE NE AND 109TH  
AVENUE NE. ALLIANCE BANK (WELLINGTON  
MANAGEMENT, INC.) (CASE FILE NO. 19-0043)**

Ms. Johnson stated a total of 258 lots are being proposed in the North Meadows plat. The lots can be broken down as 72 single family lots (60-foot wide lots, approx.), 54 twinhome lots (40-50-foot wide lots, approximately), 128 townhome lots, 3 commercial/industrial/high density residential lots, 1 common lot (for townhome area), and 6 outlots (will be used for ponding/storm water purposes and one for a trail access). It was noted all residential lots will be developed by Lennar. Lennar has a well-established presence in the City with many different lot sizes and products available. The commercial lots, while not being developed at this time, are being platted and rezoned for future commercial use. Staff comment on a proposed parking area for the Blaine Wetland Sanctuary that would be accessed through this development and recommended approval of the Preliminary Plat.

Mr. Schluender discussed the traffic studies that have been completed for this area. He stated in 2017 the south side of 109th Avenue was brought forward with a concept plan and the developer was required to produce a traffic study for the intersections at Austin Street/109th Avenue, 109th Avenue/Lexington Avenue, 112th/Lexington Avenue and the intersection at Pheasant Ridge. The results of this study showed the intersection of Austin Street and 109th Avenue could function as it was today. He commented the mitigation measures from the study were to add turn lanes, and lengthen the turn lanes at Lexington Avenue and 109th Avenue. He stated signal timing at Pheasant Ridge and Lexington Avenue was also to be reconsidered.

Mr. Schluender explained the traffic study recommended the intersection of Austin Street and 109th Avenue be reanalyzed if different uses came in with different densities. Staff requested the developer amend the original traffic study given the fact different uses were being proposed, such as an apartment complex. He reported the amended traffic study were to add signalization to the Austin Street/109th Avenue intersection. He explained the City was still waiting to receive concurrence from Anoka County. He stated staff understood the County would be adding a third lane in each direction to Lexington Avenue in 2024 or 2025. He believed this would be the opportune time to introduce a signal at Austin Street/109th Avenue.

Councilmember Paul discussed how traffic volumes would increase after this development was completed. He asked if there were any discussions to expand 109th Avenue. Mr. Schluender stated the County's 2040 Traffic Plan has proposed to expand 109th Avenue from Radisson Road to Lexington Avenue. He noted the County was soliciting federal funds for this project.

Mayor Ryan recommended representatives from Lennar be allowed to speak at this time.

Josh Spetzer, Lennar, spoke to the stone/masonry requirement. He requested this requirement be removed or be modified due to the cost increase per unit that this would create. He discussed how the masonry requirement would increase the price per unit which would reduce their affordability. He reported the adjacent single family homes were approximately 800 feet from this development. He commented on the City's tree planting requirements and noted this development would have a very nice buffer along the property lines. He stated if the stone requirement were to move forward he requested that it only be for the units directly adjacent to public right-of-way.

Councilmember Jeppson understood the concerns being raised by Lennar, however

indicated this was a community development and believed the community needed to be taken into consideration. She supported the stone/masonry requirement remaining in place.

Mr. Spetzer stated all of the townhomes would have stone on the front of the units, but not on the side and rear. He indicated this was typical for all single-family homes as well. He speculated that the homes within The Sanctuary do not have stone on the rear of the units.

Councilmember Robertson stated she agreed with Councilmember Jeppson on this matter and wanted to see the look and feel of the neighborhood to remain consistent. She commented on the drastic changes The Sanctuary neighbors would have after this development was completed.

Todd Kaufman, developer, discussed the retail projects that were coming into this area of Blaine. He understood the residents in this neighborhood were looking for a grocer but stated this area needed greater density in order to draw a grocer. He commented the proposed development would assist with bringing a grocer and other vendors to the area. He stated he looked forward to beginning this project later this year.

Mayor Ryan agreed increased number of rooftops were key to attracting a grocer to this area.

John Wenholz, 11061 Flanders Court NE, stated there was a need to increase household income levels in order to attract a grocer such as Whole Foods or Trader Joe's. He indicated there would be a benefit to allow more time for the community to comment further on this project and thanked the Council and staff for the information he had received to date. He expressed concern with how his property would be impacted by light along the western portion of his property and recommended a berm with trees be installed by the developer.

Mr. Schluender discussed the grading plan and stated the City did not have the opportunity to place fill within the Blaine Wetland Sanctuary. He commented staff also looked at putting a 20-foot berm on the west side of the developers parcel and noted drainage would become a big concern for the townhome lots.

Mr. Wenholz stated he would support even a three- or four-foot berm with pine trees to assist with breaking up lighting that would be coming from the townhomes. He questioned what type of trees would be planted in the rear yards of the townhomes. Ms. Johnson explained City staff would suggest six- to eight-foot conifer trees planted for screening purposes.

Mr. Wenzholz commented on the trailhead/parking lot area and requested further information from staff. He discussed how all of the vehicle light wash from residents parking in this area would impact his neighborhood. He stated he was against the parking lot until the trail was installed. He raised concerns about the type of activity that would occur in this cul-de-sac until a trail was in place. He recommended the parking lot be placed next to 109th Avenue instead of being placed in the middle of a development.

Clement Vaccaro, 3645 112th Avenue, explained he was the Vice President of the Pulte Homeowners Association. He thanked the City Council for allowing him to speak. He recommended stone or masonry materials be installed within the proposed townhome development. He indicated this was a community that would be seen by a great deal of passing traffic and neighbors. He believed there would be a need to reevaluate the use of 112th Avenue and the proposed road closure after the development was completed.

Ms. Johnson explained the closure of 112th Avenue was a condition for approval. She noted the road would remain closed until the development was completed.

Mayor Ryan stated 112th Avenue would reopen after the project was complete.

Glessi Lopez, 3623 112th Circle, commented on the road closure and thanked the City for putting this closure in place. He was of the opinion that without a signal, traffic issues would arise. He discussed the traffic concerns that were occurring at the 35W bridge at Lexington Avenue.

Mayor Ryan noted a traffic signal would be installed at 112th Avenue and Lexington Avenue at some point in the future. Mr. Schluender commented on the history of the I-35W and Lexington Avenue bridge.

Councilmember Robertson asked if it was Lennar's intention to move forward with the proposed units. Mr. Spetzer reported this was Lennar's intention even with the uncertainty in the housing market.

Councilmember Hovland supported the wetland sanctuary access being moved with the trail being modified in order to eliminate the extra traffic that would have to go through the neighborhood. He recommended staff consider this change. Mr. Schluender explained this would require an extension of the boardwalk by 1200 feet in order for residents to walk to 109th Avenue, which would add additional costs. Ms. Johnson clarified that no trees would be taken down in the parking lot area.

Councilmember Swanson stated he was concerned with Wetland Sanctuary

parking. He supported the parking area being moved or that the proposed area be screened by evergreen trees. Ms. Johnson indicated the cul-de-sac was more of a turnaround for emergency vehicles. She noted six-foot vinyl fences and landscaping would be installed on both sides of the outlot. She explained staff did not anticipate the parking lot would be heavily used during the evening hours. She commented staff believes this was the best location for the Wetland Sanctuary parking area.

Mayor Ryan questioned if this parking lot was necessary. He is concerned that this parking area would funnel a great deal of traffic through the neighborhood.

Councilmember Jeppson commented she supported the project overall and she loved the greenspace that was being preserved. She indicated she would not support the parking area given the amount of traffic that would be driving into this neighborhood. She did not recommend more traffic be pushed into this densely populated neighborhood. She suggested a separate parking lot be created for residents that does not involve driving through the neighborhood.

Mayor Ryan agreed.

Councilmember Robertson stated she was not supportive of the Wetland Sanctuary parking area either and thanked staff for being cost conscience but indicated she would prefer this parking to be located directly off of 109th Avenue.

Councilmember Garvais agreed with the comments that have been made regarding the development. He supported the masonry being installed and appreciated the fact conifers would be installed along the western property line. He recommended the parking lot be moved out of the neighborhood and that it be placed along 109th Avenue. While he understood this would cost the City more money, he believed the City had wetland credits to assist with this expense.

Mayor Ryan agreed and suggested this item be further addressed at a future Council workshop meeting.

Councilmember Paul asked if the parking lot area can be redesigned and discussed at a future meeting. Ms. Johnson explained the City did not have time to extend the application per Statute then commented staff could find another location for the parking space without extending the deadline.

Councilmember Hovland proposed the parking area be located on the southwest corner of the development. He stated this would eliminate additional traffic from flowing through this neighborhood while still providing the neighborhood with access to the Wetland Sanctuary.

**Amendment moved by Councilmember Swanson, seconded by Mayor Ryan, to amend Condition 19, allowing the City to action this clause within 120 days of**

this vote to direct the developer to retain the parking lot or leave as an outlot.

A roll call vote was taken. Amendment adopted unanimously.

Moved by Mayor Ryan, seconded by Councilmember Robertson, that Resolution No. 20-42, "Granting Preliminary Plat Approval to Subdivide 174 Acres into 259 Lots and 5 Outlots to be known as North Meadows located at Lexington Avenue NE and 109th Avenue NE," be approved.

A roll call vote was taken. Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

11.-3

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW  
FOR THE CONSTRUCTION OF 72 SINGLE FAMILY  
HOMES, 54 TWINHOMES AND 128 TOWNHOMES IN A  
DF (DEVELOPMENT FLEX) ZONING DISTRICT,  
LOCATED AT LEXINGTON AVENUE AND 109TH  
AVENUE NE. ALLIANCE BANK (NORTH  
MEADOWS/WELLINGTON MANAGEMENT, INC.)  
(CASE FILE NO. 19-0043/LSJ)**

Ms. Johnson stated a conditional use permit is required for the residential construction through the DF zoning district. This conditional use permit will set up the standards for approval for the single family homes, the twin homes and the town homes. She commented further on the units that would be constructed and recommended approval of the conditional use permit.

Ms. Johnson explained a condition for approval had been added to the conditional use permit requiring all units facing the exterior of the townhome development should have a masonry product added to the elevation. Staff noted Lennar had submitted a letter requesting this condition not be approved.

Ms. Johnson reported the City had received a letter from the Sanctuary Preserve Townhome Association noting this organization has requested the closure of Austin Street and 112th until the development was complete. She noted staff had included this as a condition for approval.

Councilmember Jeppson asked if the backyards on the western most part of the townhomes would have one additional tree per parcel. Ms. Johnson stated this was the City's recommendation.

Mr. Thorvig requested clarification from the Council on what type of trees should be planted along the western townhome property line. The Council recommendation was to require conifers.

Councilmember Hovland questioned if the masonry was required on the western rear elevations given the fact conifers would be planted along this property line. Ms. Johnson stated this was staff's requirement for the townhomes and not the villas.

**Moved by Councilmember Jeppson, seconded by Councilmember Robertson, that Resolution No. 20-43, "Granting a Conditional Use Permit to Allow for the Construction of 72 Single Family Homes, 54 Twinhomes and 128 Townhomes in a DF (Development Flex) Zoning District located at Lexington Avenue and 109th Avenue NE," be approved.**

**A roll call vote was taken. Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

## 12. ADMINISTRATION

### 12.-1

### **RATIFICATION OF INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 49 LABOR AGREEMENT FOR 2020-2022**

**Attachments:**     [Contract](#)

Human Resources Director Tabor stated the City of Blaine and the International Union of Operating Engineers, Local No. 49, have reached agreement on the labor contract covering the three years beginning January 1, 2020 through December 31, 2022. Staff reviewed the adjustments that were made to the agreement in detail with the Council and recommended approval.

Mayor Ryan thanked staff for working so diligently on this contract. He stated he really appreciated the work that was done by these City staff members.

Councilmember Garvais commented he believed this agreement was fair and reasonable and thanked the Public Works staff members for the great work they complete on behalf of the City of Blaine. He expressed concern with the fact the union originally declined the offer but now given the COVID-19 crisis was taking place the offer was amenable. He encouraged staff to keep in mind the Council cares about its employees and that tough decisions have to be made at times.

**Moved by Councilmember Swanson, seconded by Councilmember Jeppson, that Motion 20-57, "Ratification of International Union of Operating Engineers, Local 49 Labor Agreement for 2020-2022," be approved.**

**A roll call vote was taken. Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

12.-2

**ADOPT RESOLUTION CHOOSING NOT TO EXECUTE  
RIGHT OF RENEWAL FOR NATIONAL SPORTS  
CENTER ICE ARENA MASTER AGREEMENT**

Public Services Manager/Assistant City Manager Therres stated in 1997, the City entered into an Ice Arena Master Agreement with the National Sports Center, Ramsey County, and the City of Coon Rapids for the construction of the first four (4) rinks of the National Sports Center Super Rink. In the agreement, all parties guaranteed the sale of a minimum amount of ice time and if this ice time were not sold the parties would make up the difference. To date, no party to the agreement has had to contribute funds. The minimum amount of ice time has been sold. It was noted the Master Agreement is set to expire January 1, 2024. In the agreement, a clause allows the parties the ability to renew this agreement with a majority vote of the parties involved in five-year increments with no further financial obligations. To date, the National Sports Center and the City of Coon Rapids have indicated that they will not be renewing the current agreement. The National Sports Center is requesting that all parties to the original master agreement pass the proposed resolution indicating their intent not to execute the right of renewal in the Master Ice Agreement.

Mayor Ryan stated this was a great thing for the City and appreciated the fact the rinks at the NSC were being fully utilized.

**Moved by Mayor Ryan, seconded by Councilmember Robertson, that Resolution 20-60, "Adopt Resolution Choosing not to Execute Right of Renewal for National Sports Center Ice Arena Master Agreement," be approved.**

**A roll call vote was taken. Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

12.-3

**AUTHORIZING THE EXECUTION OF A CONSENT TO  
MORTGAGE RELATING TO THE FOGERTY ARENA  
"THE ICE HOUSE" PROJECT**

Finance Director Huss stated the EDA and the City have previously approved the issuance of conduit debt for Fogerty Arena to finance improvements at the arena as well as refinance existing debt. In addition to and independent of this debt, Fogerty also proposes to obtain a taxable loan from Village Bank (the issuer of the conduit note) to refinance existing taxable debt. The taxable loan will be secured by the same property as that of the previously issued conduit debt. While neither the City nor the EDA is a party to the new debt, as the owner of the property, its issuance is subject to the City's consent. The new debt does not subordinate the previous conduit debt to a standing below the new issuance and thus provides no additional

risk to the City or the EDA.

**Moved by Councilmember Paul, seconded by Councilmember Jeppson, that Resolution 20-61, "Authorizing the Execution of a Consent to Mortgage relating to the Fogerty Arena "The Ice House" Project," be approved.**

**A roll call vote was taken. Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

12.-4

**DECLARE COST TO BE ASSESSED, ORDER  
PREPARATION AND CALL FOR HEARING ON  
PROPOSED ASSESSMENT FOR LEVER STREET AREA  
RECONSTRUCTIONS, IMPROVEMENT PROJECT NO.  
18-16**

**Attachments:**     [Location Map](#)  
                                  [Proposed final assessment roll.pdf](#)

Mr. Schluender stated Improvement Project No. 18-16 included reclaiming existing bituminous pavement and adding curb and gutter, and additional storm sewer catch basins and piping along 103rd Lane, National Street, 104th Avenue, 104th Lane, Rockney Street, Quito Street and 101st Lane. Lever Street improvements included reclaiming of existing bituminous pavement and curb and gutter replacement, storm sewer installation, spot curb and gutter replacement, and spot sidewalk replacement. Ball Road included reclaiming existing bituminous pavement and added ribbon curb. Staff reviewed the project costs and reported the Assessment Roll has been prepared consistent with the Feasibility Report. Of the total cost, the amount to be assessed is \$1,003,725.38. The Public Utility Fund will contribute \$205,372.89 for water and sewer improvements. Municipal State Aid System (MSAS) funds will contribute \$1,000,000.00 and Pavement Management Program funds will contribute \$1,871,509.60.

Mayor Ryan stated the contractor did a great job on these streets.

**Moved by Mayor Ryan, seconded by Councilmember Hovland, that Resolution 20-62, "Declare Cost to be Assessed, Order Preparation and Call for Hearing on Proposed Assessment for Lever Street Area Reconstructions," be approved.**

**A roll call vote was taken. Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

12.-5

**APPROVE PLANS AND SPECIFICATIONS AND ORDER  
ADVERTISEMENT FOR BIDS FOR 2020 STREET**

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**RECONSTRUCTIONS - AREA 2 (IMPROVEMENT  
PROJECT NO. 19-18) AND RECONSTRUCTION OF  
UNIVERSITY AVENUE FROM 125TH LANE TO BENGAL  
DRIVE (IMPROVEMENT PROJECT NO. 19-22)**

**Attachments:**     [Location Map 19-18](#)  
                                  [Location Map 19-22.pdf](#)

Mr. Schluender stated MN Statutes 429.021 Subd. 2 and 435.56 permit the combining of improvement projects. If approved, the attached resolution will combine the 2020 Street Reconstructions - Area 2 project (Improvement Project No. 19-18) and the Reconstruction of University Avenue from 125th Lane to Bengal Drive (Improvement Project No. 19-22). The Public Hearings for the proposed improvement projects were held on March 2, 2020 (Improvement Project No. 19-18) and February 19, 2020 (Improvement Project No. 19-22), and the City Council ordered the preparation of plans and specifications. Proposed improvements include reclaiming existing bituminous pavement and reconstructing all curb and gutter, hydrant replacements, minor storm sewer additions, asphalt surface replacement, traffic control signage and appurtenant construction.

Councilmember Robertson asked if the drainage concerns that were raised by the residents had been addressed by staff. Mr. Schluender reported all of the drainage concerns that were received at the Public Hearing were built into the project plans.

**Moved by Councilmember Hovland, seconded by Councilmember Jeppson, that Resolution 20-63, "Approve Plans and Specifications and Order Advertisement for Bids for 2020 Street Reconstructions – Area 2 (Improvement Project No. 19-18) and Reconstruction of University Avenue from 125th Lane to Bengal Drive (Improvement Project No. 19-22)," be approved.**

**A roll call vote was taken. Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

### 13. OTHER BUSINESS

Councilmember Robertson stated this action would discredit all of the time this neighborhood had put in to reach a resolution on this project. She understood the property owner was having a difficult time, however, she did not support the Council taking this action in the shadows without the public being aware of the action. She indicated this action really frustrated her.

Mayor Ryan commented on the developer's actions and stated he may lose the entire thing. He understood the neighbors were frustrated but they had no skin in the game. He reported the developer was about to lose everything. He indicated a restaurant at this location was not going to happen.

Councilmember Garvais stated the City has poured thousands of dollars into this project, with the removal of the tanks, with the plan this site would become a restaurant and some other neighborhood businesses. He did not want the City Council to undo what has already been voted on. He anticipated this action was more about a friendship and explained he did not support an event center at this location.

Councilmember Hovland indicated this was not about a friendship, but rather was about changing the City's development environment. He stated he was looking out for the investment in the City and feared several other restaurants may be lost if this does not go through. He was of the opinion an event center was a better fit for this neighborhood than a bar/restaurant.

Councilmember Robertson commented this was not about an event center but about amending the City's zoning code to allow for one business in a manner that was not transparent. She said she would not support this action and stated it was not fair to take this action without notifying the neighbors. She stated she felt bad for the developer but explained this was not the way to address this matter. She indicated actions like this were the reason people did not trust government.

Mayor Ryan disagreed, stating he would like to support the retail center even if that meant an event center. He indicated the developer was not a longtime friend of his but clarified the developer was a local business owner who could end up losing his business.

Councilmember Paul stated the City Council supported businesses in Blaine but there were too many issues surrounding the proposed event center. He discussed how the traffic from the event center would have flowed through the adjacent neighborhood. He indicated this development would greatly benefit from having access to Lexington Avenue. He recommended this issue be deferred and conversations held with Anoka County regarding access to Lexington Avenue. He stated at this time he could not support the motion on the floor.

Councilmember Hovland explained this was not an attempt to go behind the backs of the community. He proposed the previous action of the Council be rescinded and that the matter be further discussed by the City Council and at a workshop.

Councilmember Jeppson stated much of the frustration about this project could have been addressed had the developer spoken with the neighborhood and shared her frustration that this item was being further discussed. She understood that Councilmember Hovland's motive was not deceptive however this would be the perception of the public. She explained her heart went out to the landowner but

stated this was not the right project for this site.

Councilmember Hovland reported the sentiment of the neighborhood may have been different if more information had been made available to them and if the misinformation had been clarified and for this reason believed the item should be revisited by the City Council at a workshop.

Councilmember Swanson agreed the neighborhood did not fully understand the issue but also agreed this was the wrong way to address the matter.

Mayor Ryan stated the developer was not asking for any money from the City but rather was asking for reconsideration.

Councilmember Robertson commented the City of Blaine or the EDA was not a stop gap for local businesses and did not want this to become a widespread notion amongst local business owners.

Councilmember Swanson moved to postpone consideration on this motion to the next City Council meeting to inform the neighborhood and developer of the potential of reconsideration. Motion failed for lack of a second.

Mayor Ryan called the question.

**Moved by Councilmember Hovland, seconded by Mayor Ryan, to rescind the Council's previous action related to granting a Code Amendment to the PBD Zoning District to add meeting/assembly halls under 6,000 square feet as a use allowed by a Conditional Use Permit as stated in Ordinance No. 20-2444 and the Conditional Use Permit to Operate a 5,500 square foot event center and outdoor dining associated with an Event Center/Restaurant in a PBD (Planned Business District) zoning district located at 12475 Lexington Avenue NE, PLL Properties LLC (Exquisite Receptions Event Center) and direct staff to schedule a workshop to further review this item.**

**A roll call vote was taken. Motion failed 2-5 (Councilmembers Garvais, Jeppson, Paul, Robertson and Swanson opposed).**

**Aye:** 2 - Mayor Ryan and Councilmember Hovland

**Nay:** 5 - Councilmember Swanson, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

#### 14. ADJOURNMENT

**Moved by Councilmember Robertson, seconded by Councilmember Jeppson, to adjourn the meeting at 10:00 p.m.**

**A roll call vote was taken. Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul