



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

10801 Town Square Dr.
Blaine MN 55449

Thursday, November 7, 2013

7:30 PM

Council Chambers

Meeting Number 13-56

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.

Quorum present.

ALSO PRESENT: Bryan Schafer, Planning Director; Bob Therres, Public Services Manager; Joe Huss, Finance Director; Chris Olson, Police Chief/Safety Services Manager; Jean Keely, City Engineer; Roark Haver, Communications Technician; Al Thorp, Senior Engineering Technician; Jane Cross, City Clerk; and Recording Secretary Linda Dahlquist.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: 6 - Mayor Ryan, Mayor Pro Tem Hovland, Mayor Pro Tem Swanson, Councilmember Bourke, Councilmember Kolb and Councilmember Herbst

Absent: 1 - Councilmember Clark

4. APPROVAL OF MINUTES

4.-1 [MIN 13-26](#)

WORKSHOP MEETING - 10/10/2013
WORKSHOP MEETING - 10/17/2013
REGULAR MEETING - 10/17/2013

Sponsors: Cross

Attachments: [Workshop Minutes - 10/10/2013](#)
[Workshop Minutes - 10/17/2013](#)
[Regular Minutes - 10/17/2013](#)

Moved by Mayor Pro Tem Swanson, seconded by Councilmember Herbst, that this Minutes be Approved. Motion adopted 5-1.

Councilmember Kolb abstained from the Workshop Meeting Minutes of

October 10, 2013 due to her absence.

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

**5.1 [SPEAKER](#)
[13-01](#)**

Safety Services Manager/Police Chief Olson presented a Blaine Citizen Recognition Award to Laura Marquardt in recognition of her saving a person's life with the use of a Defibulator at King Glory Church.

Informational: no action required

6. COMMUNICATIONS

None.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:43 p.m.

Bob Erck, 9180 Xylite, stated he had paid his assessment taxes and today he watched 75 trucks drive on Xylite. He stated he does not believe the street will last 20 years because the last street only lasted 13 years. He stated he has talked to his neighbors and they are requesting stop signs be placed at 91st and 93rd. He stated he believes it would be a bigger deterrent than squad cars.

Mayor Ryan stated he does not understand why the trucks are driving on Xylite. He stated Commercial Asphalt has told their drivers to stay off the residential streets. He commented that when Rice Creek Parkway was being worked on, the detour was onto Xylite.

There being no further input, Mayor Ryan closed the Open Forum at 7:51 p.m.

8. ADOPTION OF AGENDA

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

None.

10. APPROVAL OF CONSENT AGENDA:

Approval of the Consent Agenda

Moved by Councilmember Bourke, seconded by Councilmember Herbst, that the following items be Adopted by Consent The motion carried by the following

vote

Aye: 6 - Mayor Ryan, Mayor Pro Tem Hovland, Mayor Pro Tem Swanson, Councilmember Bourke, Councilmember Kolb and Councilmember Herbst

10.-2 [MO 13-134](#)

APPROVE A TOBACCO AND TOBACCO PRODUCTS LICENSE FOR BLAINE TOBACCO, 12523 CENTRAL AVENUE NE, BLAINE

Sponsors: Cross

This that this Motion be Approved by consent roll call

10.-3 [MO 13-135](#)

APPROVE A NAME CHANGE FOR BLUCY’S ROADSIDE RESTAURANT TO BLUZY’S ROADSIDE RESTAURANT, 12530 ULYSSES STREET NE, BLAINE

Sponsors: Cross

This that this Motion be Approved by consent roll call

10.-4 [MO 13-136](#)

APPROVE A TOBACCO & TOBACCO PRODUCTS LICENSE FOR E-CIG ZONE, 398 NORTH TOWN DRIVE, BLAINE

Sponsors: Cross

This that this Motion be Approved by consent roll call

10.-1 [MO 13-133](#)

SCHEDULE OF BILLS PAID

Sponsors: Huss

- Attachments:** [10/11/13 Bills Paid](#)
- [10/25/13 Bills Paid](#)
- [10/28/13 Bills Paid](#)

Councilmember Bourke commented that 22 refunds were processed because of the overpayment of stormwater billings.

Moved by Councilmember Bourke, seconded by Councilmember Herbst, that this Motion be Approved. The Motion was adopted unanimously.

11. DEVELOPMENT BUSINESS

11.-1 [RES 13-177](#)

GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE 3.58

**ACRES INTO ONE (1) LOT AND ONE (1) OUTLOT TO BE
KNOWN AS WHITE PINES SENIOR LIVING AT THE
LAKES OF RADISSON SECOND ADDITION AT 123RD
LANE/JAMESTOWN STREET NE. WHITE PINES SENIOR
LIVING. (CASE FILE NO. 13-0055/SLK)**

Sponsors: Schafer

Attachments: [White Pines - Attachments](#)

Planning Director Schafer stated the applicant wishes to construct a senior assisted living (with memory care) facility on the northeast corner of Marina Circle NE and Harpers Street NE. He stated the site is zoned DF (Development Flex) with a current land use of HDR (High Density Residential). He stated the final plat includes one lot and one outlot with the facility located on Lot 1, Block 1. He noted that the applicant will need to work with the watershed to satisfy their minimum requirements. He also noted that Anoka County may require the City to share in the costs of future improvements to 125th Avenue and the City reserves the right to assess a portion of the improvement costs to parcels located within the plat.

Jamey Bowe, River Valley Architects representing White Pines Senior Living, stated the facility is a memory care based with single private resident rooms. He stated the residents are served 3 meals per day.

Councilmember Kolb asked if there are gathering rooms for families. Mr. Bowe replied there are rooms for families to gather.

Moved by Mayor Ryan, seconded by Councilmember Bourke, that this Resolution be Adopted. The Motion was adopted unanimously.

11.-2 [RES 13-178](#)

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW
FOR CONSTRUCTION OF A 44-UNIT ASSISTED LIVING
FACILITY AT 123RD LANE/JAMESTOWN STREET NE.
WHITE PINES SENIOR LIVING. (CASE FILE NO.
13-0055/SLK)**

Sponsors: Schafer

Attachments: [White Pines - Attachments.pdf](#)

Planning Director Schafer stated the applicant is proposing to construct 44 assisted living units building that has two levels and is 25,616 square feet. He stated the overall project density is approximately 12.3 units per acre, which is appropriate for the HDR (High Density Residential) land use and consistent with other senior facilities in the City.

Moved by Councilmember Bourke, seconded by Councilmember Herbst, that this Resolution be Adopted. The Motion was adopted unanimously.

11.-3 [RES 13-179](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR 1,182 SQUARE FEET OF GARAGE SPACE IN AN R-1 (SINGLE FAMILY) ZONING DISTRICT AT 12068 RADISSON ROAD NE. MELANIE BACKMAN (CASE FILE NO. 13-0053/SLK)

Sponsors: Schafer

Attachments: [Backman CUP - Attachments.pdf](#)

Planning Director Schafer stated the applicant wishes to construct a detached garage in the rear yard of her property measuring 640 square feet. He noted the applicant's total garage space would be 1,182.

Mayor Ryan asked if the lot is one acre. Planning Director Schafer replied yes.

Moved by Mayor Ryan, seconded by Councilmember Herbst, that this Resolution be Adopted. The Motion was adopted unanimously.

12. ADMINISTRATION

12.-1 [RES 13-180](#)

INITIATE PROJECT AND ORDER PREPARATION OF FEASIBILITY REPORT FOR THE RECONSTRUCTION OF FLOWERFIELD ROAD FROM LAKE DRIVE TO LEXINGTON AVENUE, IMPROVEMENT PROJECT NO. 13-22

Sponsors: Keely

Attachments: [Flowerfield Road location map](#)

City Engineer Keely stated the City of Lexington desires to do a joint project with the City of Blaine under a Joint Powers Agreement to reconstruct Flowerfield Road from Lake Drive to Lexington Avenue. She stated a Feasibility Report will be developed to clarify the division of costs, design and contract administration. She noted Blaine's portion of the project would be funded by assessments to benefitting property owners and the Pavement Management fund.

Councilmember Hovland commented there are homeowners that have had issues with the moving of utilities by the City of Lexington in the past.

Moved by Councilmember Herbst, seconded by Mayor Pro Tem Hovland, that this Resolution be Adopted. The Motion was adopted unanimously.

12.-2 [RES 13-181](#)

**INITIATE PROJECT AND ORDER PREPARATION OF
FEASIBILITY REPORT FOR THE MILL AND OVERLAY
OF NAPLES STREET FROM 95TH AVENUE TO THE
103RD ALIGNMENT, IMPROVEMENT PROJECT NO.
13-23**

Sponsors: Keely

Attachments: [Naples feasibility maps.pdf](#)

City Engineer Keely stated staff is recommending for 2014 a mill and overlay of Naples Street from 95th Avenue to 103rd Avenue alignment. She stated the project would be funded by using Municipality State Aid Street (MSAS) account funds, Pavement Management Program funds, and assessments to benefitting commercial properties.

Moved by Mayor Pro Tem Hovland, seconded by Councilmember Bourke, that this Resolution be Adopted. The Motion was adopted unanimously.

12.-3 [RES 13-182](#)

**INITIATE PROJECT AND ORDER PREPARATION OF
FEASIBILITY REPORT FOR THE 93RD LANE
INDUSTRIAL PARK AREA STREET IMPROVEMENTS -
PHASE 3, IMPROVEMENT PROJECT NO. 13-24**

Sponsors: Keely

Attachments: [Location Map](#)

City Engineer Keely stated one project of the 2014 Pavement Management Program (PMP) is Phase 3 of the 93rd Lane Industrial Park Area Street Improvements consists of a partial reconstruction of the streets located in the industrial park area - Eldorado Street from Radisson Road to 91st Avenue; Hastings Street from Radisson Road to the cul-de-sac; and Radisson Road from 91st Avenue to 93rd Lane Extension. She stated the project will reconstruct the roads, regrade ditches and repair or replace culverts where needed. She noted that the project would be funded by assessments to benefitting properties and the PMP capital improvement plan funds.

Moved by Mayor Pro Tem Swanson, seconded by Mayor Pro Tem Hovland, that this Resolution be Adopted. The Motion was adopted unanimously.

12.-4 [RES 13-183](#)

**INITIATE PROJECT AND ORDER PREPARATION OF
FEASIBILITY REPORT FOR THE PAVEMENT
MANAGEMENT PROGRAM - 2014 BITUMINOUS**

OVERLAYS, IMPROVEMENT PROJECT NO. 14-01

Sponsors: Keely

Attachments: [2014 Overlay location map](#)

City Engineer Keely stated staff is recommending approval of the 2014 Bituminous Overlay project of various City streets in four project locations. She stated funding for the project would be a combination of assessments to benefitting properties and the Pavement Management Program (PMP) capital improvement plan.

Moved by Councilmember Kolb, seconded by Councilmember Bourke, that this Resolution be Adopted. The Motion was adopted unanimously.

12.-5 [RES 13-184](#)

**INITIATE PROJECT AND ORDER PREPARATION OF
FEASIBILITY REPORT FOR THE PAVEMENT
MANAGEMENT PROGRAM - 2014 STREET
RECONSTRUCTIONS, IMPROVEMENT PROJECT NO.
14-07**

Sponsors: Keely

Attachments: [2014 Reconstructions location map.pdf](#)

City Engineer Keely stated staff is recommending approval of the 2014 Street Reconstruction project of various City streets in two project locations (D. Erickson 4th Addition and Jackson Place). She stated funding for the project would be a combination of assessments to the benefitting properties and the Pavement Management Program (PMP) capital improvement plan.

Moved by Mayor Pro Tem Hovland, seconded by Mayor Ryan, that this Resolution be Adopted. The Motion was adopted unanimously.

12.-6 [MO 13-137](#)

**AUTHORIZING PAYMENT IN THE AMOUNT OF \$28,227
TO THE LEAGUE OF MINNESOTA CITIES FOR 2014
ANNUAL MEMBERSHIP DUES**

Sponsors: City Manager Arneson

City Manager Arneson stated the League of Minnesota Cities is a membership organization dedicated to promoting excellence in local government and provides services in advocacy, education and training, policy development, risk management and insurance. He noted membership dues are calculated based on population.

Moved by Councilmember Kolb, seconded by Mayor Pro Tem Swanson, that this Motion be Approved. The Motion was adopted unanimously.

12.-7 [MO 13-138](#)

**AUTHORIZING PAYMENT IN THE AMOUNT OF
\$16,521.00 TO THE I-35W CORRIDOR COALITION FOR
2014 ANNUAL MEMBERSHIP DUES**

Sponsors: City Manager Arneson

City Manager Arneson stated the North Metro I-35W Corridor Coalition provides member cities and counties a venue for collaboration on transportation and economic development.

Moved by Mayor Pro Tem Swanson, seconded by Councilmember Herbst, that this Motion be Approved. The Motion was adopted unanimously.

12.-8 [MO 13-139](#)

**AUTHORIZING PAYMENT IN THE AMOUNT OF \$13,
276.00 TO METRO CITIES FOR 2014 ANNUAL
MEMBERSHIP DUES**

Sponsors: City Manager Arneson

City Manager Arneson stated Metro Cities is a service and lobbying organization for cities in the Twin Cities metropolitan area. He noted City dues are assessed based on a percentage of League of Minnesota Cities dues adjusted for population changes.

Moved by Councilmember Kolb, seconded by Mayor Ryan, that this Motion be Approved. The Motion was adopted unanimously.

12.-9 [RES 13-185](#)

**2013 BUDGET AMENDMENT FOR SNOW AND ICE
CHEMICALS**

Sponsors: Huss

Finance Director Huss stated staff is requesting funds be appropriated from the General Fund contingency reserve to the Public Works Streets Division chemical supplies account to fund a current deficit and provide for additional 2013 purchases of snow and ice chemicals.

Moved by Councilmember Kolb, seconded by Councilmember Herbst, that this Resolution be Adopted. The Motion was adopted unanimously.

12.-1 [MO 13-140](#)

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**APPROVE 2013-14 DEICING CONTRACT AND
PURCHASE FROM NORTH AMERICAN SALT**

Sponsors: Therres

Public Services Manager Therres stated staff is requesting Council approval to purchase Deicing Salt for the 2013-14 winter season from North American Salt.

Moved by Councilmember Kolb, seconded by Councilmember Bourke, that this Motion be Approved. The Motion was adopted unanimously.

12.-1 [RES 13-186](#)

1

INITIATE PROJECT FOR THE REALIGNMENT OF THE WEST CENTRAL AVENUE SERVICE ROAD FROM 85TH AVENUE TO APPROXIMATELY 600 FEET NORTH, IMPROVEMENT PROJECT NO. 13-26

Sponsors: Keely

Attachments: [Service Road Location Map](#)

City Engineer Keely stated Council directed staff to realign the West Central Avenue Service Road at 85th Avenue by moving the service road and 85th Avenue intersection to the west where a stub street exists. She stated approximately 600 feet of the service road north of 85th Avenue would be removed. She stated right of way will need to be obtained from the property owner north of the existing road. She noted the project would be funded by utilizing pooled TIF funds.

Councilmember Herbst asked if the redesign will help the neighborhood. Councilmember Hovland replied it may help a little. He suggested speed bumps on Lincoln. He asked if there would be public hearing on the project. City Engineer Keely replied since there will be no assessments, no public hearing will be held.

Councilmember Kolb stated it would be best if the project move forward before winter.

Moved by Mayor Pro Tem Hovland, seconded by Mayor Pro Tem Swanson, that this Resolution be Adopted. The Motion was adopted unanimously.

The Following Agenda Item is Scheduled for Second Reading

12.-1 [ORD 13-2273](#)

2

AN ORDINANCE AMENDING CHAPTER 42, HEALTH AND SANITATION, ARTICLE II, TOBACCO, DIVISION 1, GENERALLY, SEC. 42-32, DEFINITIONS AND INTERPRETATIONS, OF THE MUNICIPAL CODE OF THE CITY OF BLAINE

Sponsors: Cross

City Clerk Cross stated the Tobacco Modernization and Compliance Act of 2010 expanded the definition of what is regulated as tobacco and because of the expanded definition, cities may now regulate e-cigs the same way as cigarettes, cigars, snuff and chew.

Moved by Councilmember Bourke, seconded by Councilmember Herbst, that

this Ordinance be Adopted. The Motion was adopted unanimously.

13. OTHER BUSINESS

Motion by Councilmember Kolb, seconded by Councilmember Hovland, to give City Staff one half day to use during the holidays at the discretion of the City Manager.

Motion adopted unanimously.

Councilmember Swanson asked if the City is experiencing an issue with crumbling asphalt in other cities. Public Services Manager Therres replied some cities have had issues with asphalt that was used in the 90's.

Councilmember Swanson asked if the City has mobile weight scales to use for trucks on Xylite. Police Chief Olson replied yes the City has mobile weight scales.

Mayor Ryan commented that an article was published in the Blaine/Spring Lake Park Life newspaper about the proposed community center and the appointed 25-member task force that will not be used.

14. ADJOURNMENT

Moved by Councilmember Herbst, seconded by Councilmember Bourke, to adjourn the meeting at 8:45 p.m.