



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

10801 Town Square Dr.
Blaine MN 55449

Thursday, November 3, 2011

7:30 PM

Council Chambers

1. CALL TO ORDER BY THE MAYOR

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

The meeting was called to order at 7:32 p.m. by Mayor Ryan followed by the Pledge of Allegiance and the Roll Call. Quorum present.

ALSO PRESENT: Bryan Schafer, Community Development Director; Bob Therres, Public Services Manager; Joe Huss, Finance Director; Jean Keely, City Engineer; Jim Hafner, Stormwater Manager; Roark Haver, Communications Technician; Al Thorp, Senior Engineering Technician; Jane Cross, City Clerk; and Recording Secretary, Linda Dahlquist.

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

4. APPROVAL OF MINUTES

4.-1 [MIN 11-0015](#)

WORKSHOP MEETING - OCTOBER 13, 2011

WORKSHOP MEETING - OCTOBER 20, 2011

REGULAR MEETING - OCTOBER 20, 2011

Sponsors: Cross

Attachments: [Workshop Minutes 10/13/11](#)
[Workshop Minutes 10/20/11](#)
[Regular Meeting Minutes 10/20/11](#)

Councilmember Kolb abstained from the Workshop Meeting Minutes of October 13, 2011, due to her absence. Councilmember Clark abstained from the Workshop Meeting Minutes and the Regular Meeting Minutes of October 20, 2011, due to his absence

Moved by Councilmember Swanson, seconded by Councilmember Bourke,

that the Minutes be Approved. The Motion was adopted unanimously.

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

5.-1 [RES 11-0155](#)

PROCLAMATION - PATRICK J. CORRIGAN

Mayor Ryan read a proclamation to volunteer firefighter, Patrick J. Corrigan, who retired on October 11 after 20 years of service with the Spring Lake Park-Blaine-Mounds View Fire Department.

Mr. Corrigan thanked the Mayor and City Council for their support of the fire department. He thanked Fire Chief Zikmund and the Fire Station 2 staff, and his family.

Informational: no action required

6. **COMMUNICATIONS**

[TMP 11-0187](#)

Army Major Mitchell Johnson thanked Mayor Ryan, City Manager Arneson and Police Chief Olson for talking with and agreeing to meet with his unit's soldiers. He stated he represents 32 Army reservist soldiers from Badger Company of the 407th Civil Affairs Battalion located at the Army Reserve Center in Arden Hills. He asked the City of Blaine to partner with his unit with training on interviewing, problem-solving and information management. The partnership would be 1 to 1½ yearlong with a meeting once a month on the weekends either in person or over the phone. The information shared would be on city management issues and how government works. The information shared would be valuable to the soldiers locally and other places. He stated some meetings have been set with the Fire Chief and Public Works.

Mayor Ryan asked if the information gathered would be used overseas. Major Johnson responded yes. He stated the skills that are learned will be applied overseas.

Councilmember Kolb asked if the City Council needs to take action. City Manager Arneson responded a resolution can be developed and read at the next Council meeting.

Councilmember Kolb asked if Major Johnson had special training to work with government. Major Johnson responded he had training and also experience from overseas.

Beyond the Yellow Ribbon

Master Sargent Dave Benton, Beyond the Yellow Ribbon, stated he works with all service members. He is looking for local educators, youth organizers, elected officials, employers, faith based communities, law enforcement and public safety, veterans organizations these organizations make up the Steering Committee. The Steering Committee meets on the third Monday of the month at 6:00 pm at the Blaine City Hall. Everyone is welcome to attend.

Rebecca Olson stated a billboard will advertise Blaine as a Yellow Ribbon Community. There is a web page with links and updates on the activities of the Yellow Ribbon Community. She stated families may contact the City to support with the Yellow Ribbon Community program.

Minnesota Stars Soccer Team

Mayor Ryan congratulated the Minnesota Stars Soccer Team on winning the North American Soccer League championship.

Joe Warren, goalkeeper for the Minnesota Stars, thanked the City and residents for their support and presented Mayor Ryan with a commemorative scarf.

Blaine Public Safety Association Donation

Fire Chief Zikmund announced Truck Writers has donated \$500 to Blaine's Public Safety Program. Jane Daniels accepted the donation and thanked Truck Writers for their donation and all safety personnel for keeping the residents safe.

Other:

Mayor Ryan congratulated Kevin Kelly on his retirement from the Fire Department after 30 years of service.

Mayor Ryan expressed his condolences to Lori Pacarik on the passing of her husband Ed.

Mayor Ryan attended the ground breaking of the National Sports Center. He stated the grading will start next week.

Mayor Ryan thanked the Citizens Academy, fire fighters and police officers on a successful event.

Informational: no action required

7. OPEN FORUM FOR CITIZEN INPUT

None.

8. ADOPTION OF AGENDA

Mayor Ryan removed agenda item 10.3 from the Consent Agenda.

9. 8:00 P.M. - PUBLIC HEARING AND ITEMS SET FOR A CERTAIN TIME**9.-1 [RES 11-0149](#)****ADOPTING ASSESSMENT FOR THE RECONSTRUCTION
OF 95TH AVENUE NE FROM I35W TO HAMLINE
AVENUE NE - STREET AND WATER MAIN
IMPROVEMENTS, IMPROVEMENT PROJECT NO. 07-05**

Sponsors: Keely

Attachments: [Assessment Roll](#)
[Map](#)

City Engineer Keely stated project number 07-05 involved tree clearing, grubbing, muck excavation, storm drainage, storm water quality management, water main installation, granular borrow, roadway widening, turn lanes, underground portion of a future traffic control signal at mid-block on 95th Avenue NE (CSAH 52) between I35W and Hamline Avenue NE, existing I35W/95th Avenue NE traffic signal

modifications, aggregate base course, concrete curb and gutter, concrete median, asphalt pavement, eight-foot bituminous trail, turf restoration, traffic control signage, street signing, street lighting, and related appurtenant construction for 95th Avenue NE from I35W to Hamline Ave NE. The Assessment roll has been prepared consistent with the Feasibility Report. The funding sources are 1/3 less than stated in the feasibility report.

Mayor Ryan opened the public hearing at 8:04 p.m.

There being no public input, Mayor Ryan closed the public hearing at 8:05 p.m.

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

10. APPROVAL OF CONSENT AGENDA:

Moved by Councilmember Herbst, seconded by Councilmember Swanson, that the Consent Agenda be adopted. The Motion was adopted unanimously.

10.-1 [MO 11-0027](#)

SCHEDULE OF BILLS PAID FOR NOVEMBER 3, 2011

Sponsors: Huss

Attachments: [Council List 101411](#)
[Council List 102111](#)

Approved unanimously by Consent Vote.

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

10.-2 [RES 11-0150](#)

**RECEIVE PETITION AND ORDER PUBLIC HEARING
FOR VACATION OF REAR DRAINAGE AND UTILITY
EASMENT ON LOT 12, BLOCK 1, THE SANCTUARY 5TH
ADDITION, VACATION NO. V11-06**

Sponsors: Keely

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

Adopted unanimously by Consent Vote.

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

11. DEVELOPMENT BUSINESS

11.-1 [RES 11-0151](#)

**RESOLUTION GRANTING A CONDITIONAL USE
PERMIT TO ALLOW UP TO 1,579 SQUARE FEET OF**

**GARAGE SPACE IN AN FR (FARM RESIDENTIAL)
ZONING DISTRICT AT 11670 SUNSET AVENUE NE.
RUTH AND DENNIS STEPHENS. (CASE FILE NO.
11-0035/LSJ)**

Sponsors: Schafer

Attachments: [Attachments](#)
[Minutes](#)

Community Development Director Schafer reported the applicants would like to construct an accessory building in their rear yard. They have an existing attached garage that is 619 square feet, and they are proposing to add 960 square feet with the new building for a total of 1,579 garage/accessory space. The Zoning Ordinance requires a conditional use permit for any property in the MUSA the FR (Farm Residential) district for garage/accessory space that exceeds 1,200 square feet. The Planning Commission voted unanimously to approve the conditional use permit. There were no comments at the public hearing.

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

11.-2 [RES 11-0152](#)

**RESOLUTION GRANTING A CONDITIONAL USE
PERMIT AMENDMENT TO EXTEND THE DEADLINE
FOR INSTALLATION OF FIRE SPRINKLERS AND
PARKING LOT IMPROVEMENTS AT 625 COUNTY
ROAD 10 NE. COMPANION VETERINARY HOSPITAL.
(CASE FILE NO. 07-59/SLK)**

Sponsors: Schafer

Attachments: [Attachments](#)

Community Development Director Schafer stated Companion Veterinary Hospital at 625 County Road 10 NE is requesting a two year extension to complete the conditional use permit's required improvements of fire sprinkling system and parking lot improvements including concrete curb and gutter, establishing a 10 foot side yard parking setback, and additional landscaping. These improvements were required in an existing conditional use permit to be completed one year after the original applicant purchased the property or October 31, 2007, whichever event occurred first. The applicant was not aware of the conditional use permit requirements prior to purchasing the building in 2007. Mr. Schafer stated he would like to see the improvements done within one (1) year.

Councilmember Bourke asked if the City has a loan program to help the business owner. Community Development Director Schafer stated he did cover the City's loan programs with the applicant.

Councilmember Kolb stated she supports the one year extension.

Councilmember Clark asked about the schedule of actions of amendments in 2008, 2009, and 2011. Community Development Director Schafer responded these were extensions to complete the conditional use permit requirements and 2009 was a two

year extension. He stated to date no updates have been made to the property. Councilmember Clark questioned the applicant's knowledge of the conditional use permit. Schafer responded the applicant was aware of the conditional use permit since June 2007.

Councilmember Herbst asked what the cost is for a sprinkler system and what is the square footage of the building. Community Development Director Schafer responded the building is approximately 8,000 to 9,000 square feet. Councilmember Herbst commented the cost would be approximately \$2.00 per square foot. Community Development Director Schafer responded yes, plus the cost to run a water main into the building. Councilmember Herbst commented the applicant is looking at \$40,000-\$50,000 to get the work done. He stated the applicant has had adequate time to complete the requirements.

Sharyl Gandara, co-owner of Companion Veterinary Hospital, stated she and her husband purchased the business in January 2007 and purchased the building in August 2007. She stated this is when she learned of the conditional use permit. At that time she asked for an extension. She stated the parking lot improvement is really not an improvement. The City asked us to put a green space in between our parking lot with Arby's parking lot.

Councilmember Clark stated the City has given the applicant three extensions. He asked what is the Gandara's commitment to the conditional use permit requirements. Ms. Gandara responded their cash reserves cannot support the improvements. She stated she was not aware of a matching grant program.

Councilmember Bourke asked about the square footage for the sprinkler system and the expense. Ms. Gandara responded the square footage is approximately 3,000.

Councilmember Kolb stated the fire sprinkler system is the most important requirement and not the landscaping. She stated if a plan is developed with the fire system installed first and then the rest of the work is done later.

Mayor Ryan stated he is in favor of the one year extension for the fire sprinkler system. Ms. Gandara stated they have a small occupancy load and do not board animals.

Moved by Councilmember Herbst, seconded by Councilmember Swanson, that a one year extension for the installation of the fire sprinkler system and a two year extension on the parking lot and landscaping work be approved. The amendment was adopted.

Moved by Councilmember Clark, seconded by Councilmember Herbst, that this Resolution be Adopted As Amended for the applicant to submit a plan to City staff to finance and start work on the installation of a fire sprinkler system within six months. If substantial progress has not been made within the six month period, the applicant will lose the additional year extension to complete the parking lot and landscaping work. The Amended Motion was adopted unanimously.

11.-3 [RES 11-0153](#)

**GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE
3.47 ACRES INTO TEN (10) LOTS AND TWO (2)
OUTLOTS TO BE KNOWN AS DEACON'S PONDS 2ND
ADDITION AT OWATONNA STREET/118TH LAND NE.
TJB DEVELOPMENT COMPANY. (CASE FILE NO.**

11-0041/LSJ)

Sponsors: Schafer

Attachments: [Attachments](#)

Community Development Director Schafer stated the applicant is proposing to final plat 10 lots and 2 outlots to the east of the existing Deacon's Pond plat. This new plat will be known as Deacon's Pond 2nd Addition. The plat is zoned DF (Development Flex) and development standards have previously been approved for this property through the required conditional use permit. The developer will be required to pay park dedication for this plat at the rate in effect at the time a building permit is issued and pay trunk sanitary sewer charges.

Tom Budzynski, Developer for Deacon's Ponds 2nd Addition, stated sales are going well and they have sold four units in Blaine.

Mayor Ryan commented Blaine is the leading City in the state of Minnesota for development. City Manager Arneson responded Blaine is leading with 350 single family home starts for 2011.

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

11.-4 [ORD 11-2235](#)

**FIRST READING - GRANTING A CODE AMENDMENT
TO SECTION 32.54(G)(6)(7) GASOLINE SALES
STANDARDS OF THE HIGHWAY 65 OVERLAY
DISTRICT. CITY OF BLAINE. (CASE FILE NO.
11-0040'SLK)**

Sponsors: Schafer

Attachments: [Minutes](#)

Community Development Director Schafer stated the proposed code amendment deals with two specific development standards (canopy signage and landscape quantities) of the Highway 65 Overlay District. One of the current standard states that no graphics or signage is permitted on the gas canopy. All gas stations would be limited to the Sign Ordinance standard that allows one wall sign per street frontage. In order to be consistent with all gas stations, it has been proposed to remove this standard from the Zoning Ordinance.

Councilmember Bourke asked if any other gas stations suffered because of the ordinance. Community Development Director Schafer responded no.

Moved that this Ordinance be Introduced, Read, and Placed on File for Second Reading at the November 17, 2011 Council meeting . The Motion was adopted unanimously.

11.-5 [RES 11-0154](#)

**APPROVING AN AGREEMENT WITH WOODLAND
DEVELOPMENT FOR UTILIZATION OF
PERFORMANCE BOND PROCEEDS AND OTHER CITY
FUNDS FOR THE COMPLETION OF DEVELOPMENT**

**REQUIREMENTS OF GARDENWOOD DEVELOPMENT.
(CASE FILE NO. 05-0038/BKS)**

Sponsors: Schafer

Attachments: [R11-154 Attachments.pdf](#)

Community Development Director Schafer stated the City negotiated a settlement with the bond company for the unfinished improvements in the Gardenwood development. City staff met with the current owners, Woodland Development, to develop a proposal on how to use the bond proceeds. The agreement outlines the use of the bond funds and EDA Project funds, and which party is responsible for the work.

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

12. ADMINISTRATION

12.-1 [MO 11-0029](#)

**AUTHORIZE CITY MANAGER TO ENTER INTO
CONTRACT WITH RLP SERVICES, LLC FOR THE
HIDDEN LAKES ESTATES STORM DRAINAGE AND
WATER QUALITY IMPROVEMENTS IN ACCORDANCE
WITH QUOTE DATED OCTOBER 20, 2011,
IMPROVEMENT PROJECT NO. 04-11**

Sponsors: Hafner

Attachments: [Location Map](#)

Stormwater Manager Hafner reported the existing storm drainage treatment area immediately east of Our Saviors Church and south of Woodland Drive has a history of erosion issues. Originally this area was created to treat stormwater runoff from the Hidden Lakes Estates development and 92nd Circle. An expansion of Our Saviors Church parking lot and rear driveway involved placing a 36 inch culvert under the driveway which directed additional storm water runoff from the storm sewer in Woodland Road to this area. The combined volume of runoff is more than the storm drainage treatment area and its culvert outlet were designed to handle. As a result, significant erosion has occurred in the area and the outlet culvert has failed. The proposed project would restore the eroded areas and construct a berm and rock weir to create a storm water treatment area for the runoff from the 92nd Circle/Hidden Lakes Estates. A separate channel, by passing this treatment area, would be constructed to carry the storm water runoff from the 36 inch culvert under the church driveway. Erosion protection measures will also be installed to help prevent future erosion issues. Quotes were received from three contractors. It is recommended that a contract be entered into with RLP Services, LLC. City Council is also asked to approve a 10% contingency. The project will be funded by the Stormwater Utility Fund, and there are sufficient funds to cover these costs.

Councilmember Herbst asked where does the water go after the retention area. Stormwater Manager Hafner responded the water will go into the wetland to the south and end in Rice Creek. Councilmember Herbst asked if the water goes into JD1. Stormwater Manager Hafner responded no. Councilmember Herbst asked who will

do the culvert maintenance. Stormwater Manager Hafner responded Rice Creek Watershed District.

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

13. OTHER BUSINESS

Councilmember Hovland asked for a Six Cities update. Stormwater Manager Hafner responded a public hearing was held and no one came to speak against the petition. He stated several cities spoke in favor of the petition. Mr. Hafner stated the full board meets on December 14 to approve the petition to expand the boundary of Coon Creek. Coon Creek will levy in 2012 to cover work in 2013.

Councilmember Hovland asked for an update on the Town Square development. Community Development Director Schafer responded there is no time limit on the development of the townhomes and the City has no mechanism to compel the developer to build.

14. ADJOURNMENT

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that this meeting be Adjourned. The Motion was adopted unanimously. The meeting adjourned at 8:45 p.m.