



City of Blaine
Anoka County, Minnesota
Minutes
City Council

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Wednesday, January 18, 2023

7:30 PM

Council Chambers

1. CALL TO ORDER BY THE MAYOR

The meeting was called to order at 7:33PM by Mayor Sanders followed by the Pledge of Allegiance and the Roll Call.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

PRESENT: Mayor Tim Sanders, Councilmembers Terra Fleming, Chris Massoglia, Tom Newland, Jess Robertson, and Lori Saroya.

ABSENT: None.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Eric Thorvig; Safety Services Director/Police Chief Brian Podany; Finance Director Joe Huss; City Engineer Dan Schluender; City Attorney Tom Loonan; Communications Manager Ben Hayle; Deputy Finance Director Ali Bong; Community Development Director Elizabeth Showalter; and City Clerk Catherine Sorensen.

Present: 3 - Councilmember Robertson, Councilmember Massoglia and Mayor Sanders

Excused: 2 - Councilmember Jeppson and Councilmember Paul

4. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

4.-1 Resolution in Appreciation of Councilmember Julie Jeppson

Mayor Sanders read a resolution of appreciation in full recognizing Councilmember Julie Jeppson for her dedicated service to the City of Blaine. He explained he appreciated how deeply Councilmember Jeppson cared for the City and its residents and wished her all the best in her new position as an Anoka County Commissioner.

Councilmember Robertson thanked Councilmember Jeppson for always showing up and representing the City. She also thanked Councilmember

Jeppson's family for supporting her in her service.

Councilmember Massoglia thanked Councilmember Jeppson for her service and for deeply caring for the community. He stated he appreciated the fact she would now be serving the residents of Blaine on the Anoka County Board.

Mayor Sanders presented Councilmember Jeppson with a plaque on behalf of the City and thanked her again for her dedicated service to the City of Blaine.

Councilmember Jeppson stated this was bittersweet for her. She commented she never dreamed of being an elected official, but this has been some of the best years of her life. She reported it has been an honor and a privilege to serve this community and was thankful that she can continue to do this on another level. She encouraged the Council to continue serving the City with pride to the best of their ability. She commented there have been some tough times over the past six years, but the good times far outweigh the bad. She stated it has been a privilege to work with City staff and the Councilmembers. She thanked each Councilmember for bringing their unique gifts to the City and for being leaders in the community. She explained she appreciated how the Council worked together and had deep pride for this community. She encouraged the new Councilmembers to make decisions that were best for the community. She thanked the residents of Blaine for supporting her over the past six years and now as a County Commissioner. A round of applause and standing ovation was offered by all in attendance.

Moved by Councilmember Robertson, seconded by Councilmember Newland, that Resolution No. 23-11, "Resolution in Appreciation of Councilmember Julie Jeppson," be approved.

Motion adopted unanimously.

Aye: 3 - Councilmember Robertson, Councilmember Massoglia and Mayor Sanders

4.-2

Introduction/Recognition of SBM Fire Chief Dan Retka and staff

Safety Services Director/Police Chief Podany recognized Fire Chief Dan Retka on his recent promotions to the position of Fire Chief. He discussed how strong the SBM Fire Department was as an organization and thanked Fire Chief Retka for his strong leadership.

Fire Chief Retka discussed his history with the SBM Fire Department. He explained the SBM Fire Department services the communities of Blaine, Spring Lake Park, Mounds View, along with Centerville and Circle Pines. He stated he was honored to serve as the SBM leader. He then recognized Lieutenant Tim Retka (Station 1), Lieutenant Rob

Payment (Station 2), Lieutenant Mark Pennoyer (Station 3), Captain Jeff Frahm (Station 3), Captain Chris Smith (Station 4), and Deputy Fire Chief Matt Grantz on their recent promotions and thanked them for their valuable service to the community. He thanked all the fire families for supporting their firefighter and allowing them to serve this community. A standing ovation and round of applause was offered by all in attendance.

Mayor Sanders thanked Fire Chief Retka for taking charge of the SBM Fire Department and congratulated each of the Lieutenants, Captains, and Deputy Fire Chief on their promotions. He stated he was grateful for the service of each member of the SBM Fire Department and for putting the community first.

Informational: no action required

5. COMMUNICATIONS

None.

6. OPEN FORUM

Mayor Sanders opened the Open Forum at 8:10PM.

There being no input, Mayor Sanders closed the Open Forum at 8:11PM.

7. ADOPTION OF AGENDA

The agenda was adopted as presented.

8. APPROVAL OF CONSENT AGENDA:

Moved by Councilmember Robertson, seconded by Councilmember Newland, that the following be approved: Motion adopted unanimously.

Aye: 3 - Councilmember Robertson, Councilmember Massoglia and Mayor Sanders

8.-1 Schedule of Bills Paid

Attachments: [December 23, 2022 Bills Paid](#)
 [December 23, 2022 Subset of Bills Paid](#)
 [December 30, 2022 Bills Paid](#)
 [December 30, 2022 Subset of Bills Paid](#)
 [December 2022 P/R Checks and Wire Transfers](#)

Approved

8.-2 Approval of Minutes

Attachments: [12-19-22 Council Minutes](#)
[12-19-22 Workshop Minutes](#)

Approved

**8.-3 Payment to Intuitive Municipal Solutions for Software License,
Cloud Hosting, Technical Support and Maintenance for 2023**

Attachments: [2023 iMS Invoice](#)
[iMS/Blaine Annual Licensing Agreement](#)

Approved

**8.-4 Amendment to Appointments of Liaisons/Members to Various
Boards and Commissions**

Attachments: [2023 Council Liaison Appointments](#)

Approved

9. 7:30 P.M. - PUBLIC HEARING AND ITEMS PUBLISHED FOR A CERTAIN TIME

None.

10. DEVELOPMENT BUSINESS

**10.-1 Granting a Conditional Use Permit to Operate an Approximately 3,000
Square Foot Event Center in a B-2 (Community Commercial) Zoning
District at 1250 126th Avenue NE. Blaine Event Venue (Case File No.
22-0079/EES)**

Attachments: [Attachments](#)
[Draft Resolution of Approval](#)
[Unapproved PC Minutes 121322](#)
[Presentation](#)
[2023 01 17 Letter to Blaine City Council - Blaine Event Center.pdf](#)

**Moved by Councilmember Robertson, seconded by Councilmember Massoglia,
to remove this item from the table.**

Motion adopted unanimously.

Aye: 3 - Councilmember Robertson, Councilmember Massoglia and Mayor Sanders

Community Development Director Thorvig stated this was the continuation of an item the Council considered at the January 4 City Council meeting. He explained the applicant is requesting a conditional use permit for a 3,000 square foot event center. The venue is currently in operation. During a routine fire inspection, staff identified that the space

was being occupied without the required Certificate of Occupancy, which is required for any change in use or tenancy and without a CUP. The parking analysis was described, and it was noted the parking analysis shows the site should have 77 parking stalls and the site would have 81. Staff commented further on the request and explained the Planning Commission recommends denial. Staff reported the Council could deny the application with findings, approve the application with conditions previously listed, or approve the application with additional conditions.

Councilmember Fleming stated she understood the complexity of this unique request. She reported she lives nearby and frequents the strip mall. She noted she spoke to most of the business owners within the strip mall and the majority did not have a problem with the event center. She did not believe it was fair to penalize the applicant for the previous business owner not doing their due diligence. She discussed the improvements and investments the applicant has made in the space, and believed she was doing everything she could to make this project work. She supported the CUP being approved if the applicant abides by the hours of operation and by providing the shuttle service.

Councilmember Newland explained he appreciated the discussion the landlord brought forward after speaking with each of the tenants. He understood parking was the big concern and appreciated the fact that the landlord talked through the concern with the tenants. He stated he would be offering his support to the event space through the CUP request.

Councilmember Robertson stated she was having difficulty with how future tenants may be impacted by the event space. She appreciated the fact there was dialogue between the landlord and the tenants after the last Council meeting. However, she received a call yesterday from one of the tenants asking if a new plan was in place. She discussed how sensitive this neighborhood was with respect to the strip mall and adjacent restaurant. While she believed in small businesses and women-owned businesses, she was concerned that approving the CUP request would create additional hardships on the tenants in this strip mall. She was of the opinion this was not the right fit for event space and should not have been allowed at this location in the first place.

Councilmember Fleming stated in speaking with adjacent restaurant owner she would be continuing her lease in this strip mall and opening a new site. She understood the restaurant owner's only concern was if there would be all day events within the event space.

Councilmember Massoglia indicated this was difficult because he felt for the applicant as he understood she has invested a great deal of time and

money in the event space. He reported he spoke to the business owners as well and asked about traffic and parking concerns. He understood the tenants were more understanding once they were told guests would be shuttled in for larger events. He explained there were a few owners who still opposed the event space. He stated that he understood that CUPs had to be considered if the use was a good fit for the zoning. He noted this was not a planned business district along Highway 65 or University Avenue. Rather, this was a strip mall adjacent to a neighborhood. For this reason, he would not be able to support the request because it was not the right fit for community commercial. He supported the Council reviewing the City's parking requirements.

Councilmember Saroya reported this business has been functioning as an event center for some time now. She understood there was opposition from some businesses, but she believed a compromise could be reached. She stated she was hesitant to reject this business, especially considering the investment the applicant has made in the space. She discussed how the applicant has gone above and beyond to meet the conditions recommended by staff. She believed the business was a good fit for Blaine that could bring corporate clients and small weddings to the community. She appreciated the fact that the applicant was willing to provide a shuttle service for larger events. She indicated she would be offering her support for the CUP request.

Councilmember Robertson agreed there may be a way to resolve the issues but did not support approving the CUP before these issues have been resolved. She commented she would like more information regarding the offsite parking and what type of shuttle would be used to move people from the lot to the strip mall and what the route would be. She stated she would be voting to deny the request before the Council and supported the Council taking a closer look at the City's parking requirements.

Councilmember Fleming noted she has spoken at length with the applicant regarding the off-site parking. She reported the applicant owns a property off Main Street in Coon Rapids that would accommodate the overflow parking. She indicated vans would be used to move people back and forth from the lot to the strip mall. She reiterated that the business has been operating and the City has not had any complaints. She reported the applicant would be scaling the business back and was offering to provide a shuttle service. For this reason, she did not see why the Council wouldn't support the request.

Mayor Sanders stated he appreciated the fact the landlord and the tenants had a chance to speak about the parking concerns. He explained this matter was before the Council because there was a complaint. He

asked that Mr. Gus come forward and speak to the conversations he had with the landlord.

Mr. Gus, a tenant within the strip mall, explained neither the landlord nor the applicant had reached out to him since the last meeting. He reported the space in question has not been operating as an event space the whole time, rather it was previously serving as a church space. He stated he has been in his space for the past 20 years and there has never been an event center. He indicated he did not object to the space being used as a church because this did not interfere with the adjacent businesses.

Mayor Sanders stated he was frustrated by the fact the landlord had not reached out tenants as he promised to do.

Mr. Gus questioned who would be patrolling the event space and the number of spaces they are using, adding he did not want to be managing this situation.

Mayor Sanders explained he was very sympathetic to Ms. Rice and her situation. He stated he appreciated the type of business she was trying to bring to the City of Blaine. He indicated he was having difficulty with the fact not all parties had come together and reached an agreement. He believed the property owner should have assured the proper licenses were in order before signing a lease with Ms. Rice. He reported he would not be able to support the CUP that was before the Council.

City Attorney Loonan explained a fourth option available to the Council would be to remand the request to the Planning Commission.

Mayor Sanders asked when the 60-day deadline was up for this planning case. Mr. Thorvig reported the 60-day deadline was up January 27. He stated the applicant would have to voluntarily extend the deadline if the matter were extended beyond this meeting. He indicated if the Council were to deny the request, staff would like to better understand what the concerns were regarding the CUP. Mr. Loonan commented further on the requirements the Council had to consider when considering a CUP.

Councilmember Robertson stated the Council was belaboring this so long because the Council did not want to tell business owners to leave. She was of the opinion there were mitigating factors, which included the landlord and his inability to communicate with his tenants. She indicated she did not like these requests and the fact that the Council was being asked to do the work that should have been done by the landlord.

Councilmember Newland indicated he was comfortable moving this item

forward at this time with the four additional conditions from staff.

Councilmember Massoglia asked if the CUP would be approved on a split 3-3 vote. Mr. Loonan reported a 3-3 vote would cause the motion to fail and findings would need to be adopted.

Councilmember Massoglia called the question.

Moved by Councilmember Newland, seconded by Councilmember Fleming, to approve the Conditional Use Permit to Operate an Approximately 3,000 Square Foot Event Center in a B-2 (Community Commercial) Zoning District at 1250 126th Avenue NE with the four conditions listed in the staff report.

Motion failed 3-3 (Councilmembers Massoglia, Robertson and Mayor Sanders opposed).

10.-2

Second Reading

Granting a Code Amendment to Section 30.80 B-5 (Town Commercial). City of Blaine. (Case File No. 22-0075/SAS)

Attachments: [Unapproved PC Minutes 121322](#)

Mr. Thorvig stated the proposed ordinance amendment removes dry cleaning and laundry from the permitted use section 30.82 and removes animal hospital/clinics and commercial daycare from the conditional uses section 30.83, per Council direction.

Moved by Councilmember Robertson, seconded by Councilmember Newland, that Ordinance No. 23-2520, "Granting a Code Amendment to Section 30.80 B-5 (Town Commercial)," be approved.

Motion adopted unanimously.

Aye: 3 - Councilmember Robertson, Councilmember Massoglia and Mayor Sanders

10.-3

Second Reading

Granting a Rezoning of Certain Properties from B-2 (Community Commercial) to R-4 (Mobile Homes), from B-2 (Community Commercial) to B-5 (Town Commercial), and from I-I (Light Industrial) to B-5 (Town Commercial). City of Blaine (Case File No. 22-0075/SAS)

Attachments: [Zoning Map](#)
 [Unapproved PC Minutes 121322](#)

Mr. Thorvig stated this area is part of the redevelopment priority areas identified by Council. Part of the process is to rezone certain properties to B-5 (Town Commercial) and to bring the BIV property into

conformance with the comprehensive plan by rezoning to R-4 (Mobile Homes).

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, that Ordinance No. 23-2519, "Granting a Rezoning of Certain Properties from B-2 (Community Commercial) to R-4 (Mobile Homes), from B-2 (Community Commercial) to B-5 (Town Commercial), and from I-I (Light Industrial) to B-5 (Town Commercial)," be approved.

Motion adopted unanimously.

Aye: 3 - Councilmember Robertson, Councilmember Massoglia and Mayor Sanders

10.-4

Granting a Comprehensive Plan Amendment to Land Use Designation from CC (Community Commercial) to PC (Planned Commercial) for Property Located at 10278 Central Avenue NE. City of Blaine. (Case File No. 22-0075/SAS)

Attachments: [proposed land use](#)
 [PPT CC second reading](#)

Mr. Thorvig stated this area is part of the redevelopment priority areas identified by Council. Part of the process is to change the land use designation to PC (Planned Commercial) to be consistent with the rezoning.

Moved by Councilmember Newland, seconded by Councilmember Massoglia, that Resolution No. 23-12, "Granting a Comprehensive Plan Amendment to Land Use Designation from CC (Community Commercial) to PC (Planned Commercial) for Property Located at 10278 Central Avenue NE," be approved.

Motion adopted unanimously.

Aye: 3 - Councilmember Robertson, Councilmember Massoglia and Mayor Sanders

10.-5

Resolution Finding No Need for an Environmental Impact Statement (EIS) for the Park Construction Environmental Assessment Worksheet (EAW) (Carlson Group LLC) (Case File No. 22-0076)

Attachments: [Agency Comments](#)

Mr. Thorvig stated the Carlson Group LLC has prepared and submitted an Environmental Assessment Worksheet (EAW) for the proposed Park Construction Office, Warehouse and Storage Development. The EAW is intended to determine if an Environmental Impact Statement (EIS) is required. This industrial development is proposed to be approximately three buildings with associated parking areas, gravel surface process areas, storage areas, and stormwater basins on approximately 20 acres.

Councilmember Massoglia asked if the environmental assessment worksheet needed to be completed in more detail. Mr. Thorvig stated

these concerns were noted by staff. He explained statute does allow the Council to postpone their decision for not more than 30 days for further information. Otherwise, the DNR will be involved in the permitting process and staff anticipated the City's concerns would be addressed through this process.

Councilmember Massoglia stated he could support this item moving forward with the understanding the DNR would be reviewing this item further.

Councilmember Robertson explained she did not see a need to delay action on this item because there would be many layers of government that would be reviewing this project. She indicated she wanted the City of Blaine to be a good neighbor to Park Construction.

Moved by Councilmember Robertson, seconded by Councilmember Newland, that Resolution No. 23-13, "Resolution Finding No Need for an Environmental Impact Statement (EIS) for the Park Construction Environmental Assessment Worksheet (EAW)," be approved.

Motion adopted unanimously.

Aye: 3 - Councilmember Robertson, Councilmember Massoglia and Mayor Sanders

11. ADMINISTRATION

11.-1

First Reading

Amending Sec. 2-33. Rules of Order and Procedure

City Clerk Sorensen stated Council provided direction to bring forward an ordinance amendment to amend the start time of regular Council meetings from 7:30PM to 7:00PM. In late 2022, discussions had occurred regarding amending the start time of Council meetings from 7:30PM to 7:00PM and moving Council workshops to 5:30PM. A review of peer cities shows most meetings begin at 7:00PM and amending the start time would be consistent with current boards and commissions.

Declared by Mayor Sanders that Ordinance No. 23-2521, "Amending Sec. 2-33. Rules of Order and Procedure," be introduced and placed on file for second reading at the February 6, 2023, Council meeting.

12. OTHER BUSINESS

None.

13. ADJOURNMENT

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to adjourn the meeting at 9:13PM.

Motion adopted unanimously.

Aye: 3 - Councilmember Robertson, Councilmember Massoglia and Mayor Sanders