

CITY OF BLAINE
ANOKA COUNTY, MINNESOTA
CITY COUNCIL MEETING
Monday, August 1, 2022

7:30PM
Council Chambers
10801 Town Square Drive

CALL TO ORDER BY MAYOR SANDERS

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

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mayor Tim Sanders, Councilmembers Wes Hovland, Julie Jeppson, Chris Massoglia, Tom Newland, Richard Paul, and Jess Robertson.

ABSENT: None.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; Public Works Director Jon Haukaas; Safety Services Manager/Police Chief Brian Podany; Finance Director Joe Huss; City Engineer Dan Schluender; Senior Parks and Recreation Manager Jerome Krieger; City Attorney Chris Nelson; Deputy Finance Director Allison Bong; and City Clerk Catherine Sorensen.

AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

None.

COMMUNICATIONS

Safety Services Manager/Police Chief Podany encouraged the public to participate in Night to Unite which would be held August 2. He reported the City had 113 parties registered across the City and noted officers would be out visiting with the community.

Councilmember Hovland thanked Public Works and Police departments for another successful 3M Open.

OPEN FORUM FOR CITIZEN INPUT

Mayor Sanders opened the Open Forum at 7:35PM.

Kathy Johnson, 16130 Naples Street in Ham Lake, expressed concerns regarding the Anoka Hennepin School Districts discipline and suspension policies. She described an event that occurred at the end of March that involved her son being assaulted by three other boys that resulted in her son being disciplined. She encouraged the Police Department to increase their presence at the Blaine High School, that she had pressed charges against the youth and pleaded with the City to help her take action in order to address the violence occurring at the school.

Councilmember Hovland encouraged Ms. Johnson to contact Bikers Against Bullies or similar groups to speak to the students and commended Ms. Johnson for pressing charges.

Giessi Lopez, 3623 112th Circle NE, requested on behalf of his neighborhood that the City reopen the barricades on 114th Lane to ensure connectivity and safety for the neighborhood. He stated he had concerns with how the barricades would impact deliveries, bus safety, snow removal and emergency response services. He recommended an electronic gate not be considered.

Ann Lopez, 3623 112th Circle NE, thanked the Council for their time and asked that 114th Lane be reopened. She explained the school district would like the roadway reopened for bus safety purposes. She commented on how the barricade was impacting ambulances and police officers working in emergency situations. She stated she did not support the installation of a permanent electronic gate as she believed this was a conflict of interest and misuse of power. She encouraged the Council to revisit this issue in order to vote to reopen this road because this was in the best interest of connectivity, emergency vehicles, school bus drivers and the overall community.

There being no further input, Mayor Sanders closed the Open Forum at 7:52PM.

ADOPTION OF AGENDA

The agenda was adopted as amended moving Administration Item 11.3 after Item 11.6.

APPROVAL OF CONSENT AGENDA

Moved by Councilmember Jeppson, seconded by Councilmember Newland, that the following be approved:

8.1 Motion 22-133, Schedule of Bills Paid.

8.2 Motion 22-134, Approval of Minutes.

Motion adopted unanimously.

7:30PM - PUBLIC HEARINGS AND ITEMS SET FOR A CERTAIN TIME

9.1 Resolution No. 22-126, Granting a Conditional Use Permit Amendment to Add One Additional Unit to an Existing Approval in a PBD (Planned Business) Zoning District at 9460 Ulysses Street NE. Arris II Apartments (SEQR Blaine LLC) (Case File No. 22-0046/EES).

Community Development Director Thorvig stated on May 22, 2021, the City Council approved a conditional use permit to allow for the construction of a four-story apartment building with 64 units called Arris II Apartments (Resolution 21-090). Earlier in 2022, an amendment to that CUP was approved to allow for 65 units. At this time, the applicant is requesting another amendment to allow for 66 units. It was noted the site had enough parking to support this change.

Mayor Sanders opened the public hearing at 7:54PM.

Mark Ouellette, 1336 95th Avenue, stated he had concerns with the parking proposed within this development along with the differing setbacks. He questioned if the units would be less than 20 feet from the property line once the balconies were constructed.

Mr. Thorvig reported the site would have 113 parking stalls and 111 were required for 66 units. He explained he did not have the setback information in front of him but noted this was reviewed before the building permit was issued. He stated he would follow up with Mr. Ouellette on this matter.

There being no additional public input, Mayor Sanders closed the public hearing at 7:57PM.

Moved by Councilmember Jeppson, seconded by Councilmember Paul, that Resolution No. 22-126, "Granting a Conditional Use Permit Amendment to Add One Additional Unit to an Existing Approval in a PBD (Planned Business) Zoning District at 9460 Ulysses Street NE," be approved.

Councilmember Newland asked if the only change that was being made to the plans was the additional unit. Mr. Thorvig reported this was the case.

Councilmember Newland indicated he had spoken to Mr. Ouellette regarding the parking concerns on the site. He noted he did not have any concerns about adding one more unit to the apartment building.

Motion adopted unanimously.

DEVELOPMENT BUSINESS

10.1 Resolution No. 22-127, Granting Approval for a Preliminary Plat to Subdivide Two Lots and One Outlot into Two Lots to be Known as Perry Heathfield Preserve at 11511 7th Street NE. Lake & Land Surveying, Inc. (Case File No. 22-0041/EES).

Mr. Thorvig stated the applicant is proposing a plat to split an outlot along a ditch line to allow for ownership to be split between two homes, one on each side of the ditch. No development or construction is proposed. The proposed plat replats the existing lots and outlot to combine the northern half of the outlot with the northern parcel and the southern half of the outlot with the southern parcel (with the split occurring at the ditch line). This will allow for the properties to be sold with the portions of the outlot that have been understood by the property owners to be part of each property included in the sale. This will also allow for fences and sheds to be located in the area currently platted as outlot. No site work or construction is proposed as part of this plat. Staff commented further on the request and reported the planning commission recommended approval.

Moved by Councilmember Robertson, seconded by Councilmember Newland, that Resolution No. 22-127, "Granting Approval for a Preliminary Plat to Subdivide Two Lots and One Outlot into Two Lots to be Known as Perry Heathfield Preserve at 11511 7th Street NE," be approved.

Motion adopted unanimously.

10.2 Resolution No. 22-128, Granting a Conditional Use Permit Amendment for a Building Addition of Eight Classrooms with a Storm Shelter Area in a DF (Development Flex) Zoning District at 12576 Lever Street NE. Sunrise Elementary School (Anoka-Hennepin Independent School District 11) (Case File No. 22-0042/SAS).

Mr. Thorvig stated the conditional use permit (CUP) amendment is to add eight classrooms to the north side of Sunrise Elementary, a storm shelter area and additional parking stalls in the existing bus area. Staff commented further on the request and noted the planning commission recommended approval.

Moved by Councilmember Massoglia, seconded by Councilmember Paul, that Resolution No. 22-128, "Granting a Conditional Use Permit Amendment for a Building Addition of Eight

Classrooms with a Storm Shelter Area in a DF (Development Flex) Zoning District at 12576 Lever Street NE," be approved.

Councilmember Massoglia questioned if this motion could be amended to include portable classrooms should the school district find this necessary as he wanted to ensure the elementary school had enough space to meet the needs of the residents of Blaine. Mr. Thorvig stated he reviewed the zoning code and explained portables were not listed as an allowed or specific use. He understood the high school had portables in the past but noted these were sometimes contentious. He recommended the Council not amend the motion but rather that the school make a request in the future should the need arise to have portables.

City Attorney Nelson advised the request before the Council was for a building expansion CUP and modifying this request to include portable classrooms could be deemed an entirely different use that did not have a public hearing. He reported he supported staff's recommendation and suggested a request for portables be made at a future date.

Councilmember Massoglia thanked staff for their comments then indicated he would support the use of portables in the future should the need arise.

Mayor Sanders encouraged the school district to consider their current and future needs for this school. He reported a lot more homes would be built in this area which would bring in more families and children.

Councilmember Newland questioned when this project would begin. Mr. Thorvig stated work would begin this fall in order to have the new space available for the fall of 2023.

Councilmember Paul commented on how fast this area of Blaine was growing. He stated he was pleased to see the school district responding to support the growth.

Motion adopted unanimously.

ADMINISTRATION

11.1 Motion 22-135, Accept Bid from Sunram Construction in the amount of \$524,433 for the Blaine Court Projects.

Senior Parks and Recreation Manager Krieger stated staff is bringing forward a bid from Sunram Construction for the proposed reconstruction of three Blaine courts projects. Staff commented further on the proposed project and recommended approval.

Moved by Councilmember Jeppson, seconded by Councilmember Robertson, that Motion 22-135, "Accept Bid from Sunram Construction in the amount of \$524,433 for the Blaine Court Projects," be approved.

Councilmember Jeppson asked if court materials could be used to extend the life of these tennis courts. She questioned if maintenance was deferred on these courts which led to their poor condition. Mr. Krieger explained the courts from this era used very little asphalt. He noted the new courts had better soils, more class five and thicker asphalt.

Councilmember Hovland stated he understood soil correction was important. He inquired if the billboard revenues were still being set aside for park improvements. Mr. Krieger reported this was the case.

Councilmember Massoglia questioned if the Lexington Athletic Complex and Happy Acres parks improvements would be completed in 2022. Mr. Krieger indicated the Lexington Athletic Complex tennis courts have been completed and noted the Happy Acres playground would be installed this week. He stated the only project that would not be completed was the Carrara East tennis courts.

Councilmember Newland commended staff for their efforts to complete projects within budget. He indicated he fully supported the proposed plan.

Motion adopted unanimously.

11.2 Motion 22-136, Accept Change Order Deduction from Sunram Construction in the Amount of \$144,250 for the Blaine Court Projects.

Mr. Krieger stated pursuant to the City's purchasing rules, staff is bringing forward a bid from Sunram Construction for professional services for the proposed Blaine Courts projects. He explained staff is seeking Council's approval of a change order for a \$144,250 reduction to the project cost. It was noted with the reduction, staff will be able to complete the Territorial and Centennial Green Park courts and be within budget.

Moved by Councilmember Massoglia, seconded by Councilmember Robertson, that Motion 22-136, "Accept Change Order Deduction from Sunram Construction in the Amount of \$144,250 for the Blaine Court Projects," be approved.

Motion adopted unanimously.

11.4 Resolution No. 22-129, Initiate Project and Order Preparation of Feasibility Report for the 2023 Northwest Area Street Reconstruction, Improvement Project No. 23-06.

City Engineer Schluender stated Council is being asked to initiate a 2023 Pavement Management Program project for the 2023 Northwest Area Street Reconstructions, Improvement Project No. 23-06. This proposed street project was identified as a part of the 2023 Pavement Management Program (PMP). Staff reviewed the roadways included in this project. It was noted the project consists of city streets with concrete curb and gutter, except for 131st Avenue which has a rural section and no curb and gutter. The method of reconstruction will vary between the streets and will be further explained in the feasibility report. If approved, this Resolution initiates the proposed 2023 Northwest Area Street Reconstructions and orders the preparation of a feasibility report.

Moved by Councilmember Massoglia, seconded by Councilmember Jeppson, that Resolution No. 22-129, "Initiate Project and Order Preparation of Feasibility Report for the 2023 Northwest Area Street Reconstruction," be approved.

Councilmember Hovland asked if curb and gutter would be added to 131st Avenue. Mr. Schluender reported curb and gutter would be installed.

Councilmember Newland questioned if staff had an estimate for this project. Mr. Schluender commented he had a rough number but noted this report would help better define the actual costs.

Motion adopted unanimously.

11.5 Resolution No. 22-130, Initiate Project and Order Preparation of Feasibility Report for the 2023 Southwest Area Street Reconstructions, Improvement Project No. 23-07.

Mr. Schluender stated Council is being asked to initiate a 2023 Pavement Management Program project for the 2023 Southwest Area Street Reconstructions, Improvement Project No. 23-07. This proposed street project was identified as a part of the 2023 Pavement Management Program (PMP). Staff reviewed the streets included in the project area. It was noted the project consists of city streets with rural sections and no curb and gutter. The method of reconstruction will be a full reconstruction to the City standard residential street with concrete curb and gutter and will be further explained in the feasibility report. If approved, this Resolution initiates the proposed 2023 Southwest Area Street Reconstructions and orders the preparation of a feasibility report.

Moved by Councilmember Hovland, seconded by Councilmember Newland, that Resolution No. 22-130, "Initiate Project and Order Preparation of Feasibility Report for the 2023 Southwest Area Street Reconstructions," be approved.

Motion adopted unanimously.

11.6 Resolution No. 22-131, Initiate Project and Order Preparation of Feasibility Report for the 2023 Southeast Area Street Reconstructions, Improvement Project No. 23-08.

Mr. Schluender stated Council is being asked to initiate a 2023 Pavement Management Program project for the 2023 Southeast Area Street Reconstructions, Improvement Project No. 23-08. This proposed street project was identified as a part of the 2023 Pavement Management Program (PMP). Staff reviewed the streets included in the project. It was noted the project consists of city streets with concrete curb and gutter, except for West 35W Service Drive which has a rural section and no curb and gutter. The method of reconstruction will vary between the streets and will be further explained in the feasibility report. If approved, this Resolution initiates the proposed 2023 Southeast Area Street Reconstructions and orders the preparation of a feasibility report.

Moved by Councilmember Robertson, seconded by Councilmember Jeppson, that Resolution No. 22-131, "Initiate Project and Order Preparation of Feasibility Report for the 2023 Southeast Area Street Reconstructions," be approved.

Councilmember Hovland recommended the storm drains be reviewed within this project area. Mr. Schluender stated staff would be looking into the storm sewer within the older parts of Blaine.

Motion adopted unanimously.

11.3 Motion 22-137, Authorize the Mayor and City Manager to Enter into a Contract with Bolton & Menk, Inc. for Professional Engineering Services for the 2023 Southwest Area Street Reconstructions Improvement Project, Improvement Project No. 23-07.

Mr. Schluender stated Council is requested to approve a contract for professional services for preliminary design and preparation of a feasibility report for the 2023 Southwest Area Street Reconstructions, Improvement Project No. 23-07. The Engineering Department has identified three separate street improvement projects for the 2023 pavement management program. For each of these projects, staff requested a letter of proposal from an engineering firm that is in the consultant pool that the City Council adopted on August 2, 2021, with Motion 21-114.

Moved by Councilmember Newland, seconded by Councilmember Paul, that Motion 22-137, "Authorize the Mayor and City Manager to Enter into a Contract with Bolton & Menk, Inc. for Professional Engineering Services for the 2023 Southwest Area Street Reconstructions Improvement Project," be approved.

Motion adopted unanimously.

11.7 First Reading – Ordinance No. 22-2509, Ordinance Amendment to Article III. General Rules of Vehicle Operation, Division 1. Generally, Sec. 82-91, Unreasonable Acceleration.

Safety Services Director/Police Chief Podany stated Council is asked to hold first reading of an ordinance amendment to Article III. General Rules of Vehicle Operation, Division 1. Generally, Section 82-91, Unreasonable Acceleration is being requested. This amendment would prohibit exhibition driving and street racing in the City of Blaine. There have been ongoing problems related to street racers in the City of Blaine and across the metro area. The problems are generally not with things like car shows/gatherings, and street rods, but rather with groups who are reckless, damage property, and have been involved with violence, including shootings. This problem is not isolated to Blaine, but rather occurs across the metro. Currently, the tools available to manage and deal with this problem are limited and this ordinance would provide a measure to deal with this issue more effectively. This proposed ordinance was discussed at Council workshop and there was consensus to bring it forward for a regular meeting.

Declared by Mayor Sanders that Ordinance No. 22-2509, "Ordinance Amendment to Article III. General Rules of Vehicle Operation, Division 1. Generally, Sec. 82-91, Unreasonable Acceleration," be introduced and placed on file for second reading at the August 15, 2022, Council meeting.

11.8 Resolution No. 22-132, Adoption of Updated City Flag Design.

City Manager Wolfe requested this item be removed from the agenda.

OTHER BUSINESS

None.

ADJOURNMENT

Moved by Councilmember Robertson, seconded by Councilmember Newland, to adjourn the meeting at 8:33PM.

Motion adopted unanimously.

Tim Sanders, Mayor

ATTEST:

Catherine Sorensen, CMC, City Clerk

Submitted by Minute Maker Secretarial