



City of Blaine Anoka County, Minnesota Minutes City Council

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Monday, February 3, 2020

7:30 PM

Council Chambers

1. CALL TO ORDER BY THE MAYOR

The meeting was called to order at 7:37 p.m. by Mayor Ryan followed by the Pledge of Allegiance and the Roll Call.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; 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 Engineer Dan Schluender; Deputy Police Chief Dan Szykulski; Community Standards Director Robert Fiske; Communications Technician Roark Haver; and City Clerk Catherine Sorensen.

Present: 5 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Robertson and Councilmember Paul

Absent: 2 - Councilmember Jeppson and Councilmember Garvais

4. APPROVAL OF MINUTES

None.

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

None.

6. COMMUNICATIONS

Councilmember Paul explained he attended the League of Minnesota Cities Elected Leaders Institute Conference. He stated he appreciated the information he gained from this event.

Mayor Ryan discussed the utility break that occurred on the 35W Service Drive at 93rd Avenue NE. He reported it would take approximately one month to fix the

sewer break.

7. OPEN FORUM

Mayor Ryan opened the Open Forum at 7:41 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:42 p.m.

8. ADOPTION OF AGENDA

The agenda was adopted as presented.

9. APPROVAL OF CONSENT AGENDA:

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

Aye: 5 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Robertson and Councilmember Paul

9.-1

SCHEDULE OF BILLS PAID

Attachments: [01-17-20 Bills Paid](#)

[01-24-20 Bills Paid](#)

Approved

9.-2

**AUTHORIZE TEMPORARY REMOVAL OF PARKING
RESTRICTIONS ON 103RD LANE AND NATIONAL
STREET FOR CENTENNIAL ELEMENTARY SCHOOL
EVENT ON MAY 20, 2020 (INCLEMENT WEATHER
DATE: MAY 21, 2020)**

Attachments: [Centennial Parking Request 2020](#)

[Centennial School Parking Map](#)

Approved

9.-3

**APPROVING AN AMENDMENT TO THE
CONNECTIVITY SERVICES AGREEMENT WITH
COMMUNITY ANCHOR INSTITUTION(S) FOR
BROADBAND SERVICES AT CO-LOCATION SERVICE
SITE(S)**

Attachments: [Proposed Amendment](#)

Approved

9.-4

**ACCEPT PROPOSAL FOR 2020 CITY NEWSLETTER
AND RECREATION CONNECTION PRINTING**

Attachments: [2020 Printing RFP Totals](#)

Approved

9.-5

**APPROVE PREMISES PERMIT FOR LAWFUL
GAMBLING ACTIVITY FOR SPRING LAKE PARK
LIONS CLUB AT MINI MART #5, 9850 POLK STREET
NE, BLAINE**

Attachments: [Application](#)
 [2020 PREMISE PERMIT LIST](#)

Adopted

9.-6

**ELECTION JUDGE APPOINTMENTS FOR THE 2020
PRESIDENTIAL NOMINATION PRIMARY ELECTION**

Attachments: [Election Judge Report](#)

Adopted

9.-7

**RECEIVE PETITION AND ORDER PUBLIC HEARING
FOR VACATION OF PARCEL 14A, CITY OF BLAINE
HIGHWAY RIGHT-OF-WAY PLAT NO. 3, VACATION
NO. V20-01**

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

Adopted**10. 7:30 P.M. - PUBLIC HEARING AND ITEMS PUBLISHED FOR A CERTAIN TIME****10.-1**

**AUTHORIZING THE ISSUANCE NOT TO EXCEED
\$4,000,000 OF A RECREATIONAL FACILITY REVENUE
REFUNDING NOTE, SERIES 2020 (FOGERTY ARENA,
“THE ICE HOUSE” PROJECT) BY THE BLAINE
ECONOMIC DEVELOPMENT AUTHORITY**

Finance Director Huss stated Fogerty Arena will be making some improvements to its facility in 2020 including the replacement or renovation of the arena's compressor system. Fogerty representatives are requesting the issuance of a recreational facility note to finance the project. In addition to financing the improvement, Fogerty would also refund existing debt and they are requesting that a portion of the proceeds of the note be used for this purpose. The note will be issued through the Blaine Economic Development Authority (EDA) pursuant to Minnesota Statutes, Sections 469.152 to 469.1655, as amended. Authorization to issue the debt will be addressed under a separate EDA action to take place at an EDA meeting. The Project will be owned and operated by Fogerty and the notes are repayable solely from sums collected by Fogerty pursuant to a revenue agreement. The EDA would issue what is commonly known as a Conduit Debt note. The note or other obligations will not constitute a charge, lien or encumbrance upon any property of the City or the EDA, except the Facilities, and such note or obligations will not be a charge against the EDA or City's general credit or taxing powers.

Mayor Ryan opened the public hearing at 7:45 p.m.

Rob Hall, Fogerty Arena Executive Director, discussed the proposed work that would occur on the compressors for the north rink.

There being no further public input, Mayor Ryan closed the public hearing at 7:45 p.m.

Councilmember Robertson stated she has served on the Fogerty board for the past two years. She explained she appreciated how well run this group was and noted they were fiscally responsible as well.

Moved by Councilmember Robertson, seconded by Councilmember Swanson, that Resolution 20-20, “Authorizing the Issuance Not to Exceed \$4,000,000 of a Recreational Facility Revenue Refunding Note, Series 2020 (Fogerty Arena, “The Ice House” Project) by the Blaine Economic Development Authority,” be approved.

Motion adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland,
Councilmember Robertson and Councilmember Paul

11. DEVELOPMENT BUSINESS

11.-1

GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE 42 ACRES INTO 59 SINGLE FAMILY LOTS AND 3 OUTLOTS TO BE KNOWN AS LEXINGTON COVE 1ST ADDITION, LOCATED AT 12801 AND 12847 LEXINGTON AVENUE NE. LENNAR CORPORATION (CASE FILE NO. 19-0040/LSJ)

Attachments: [Attachments - Final Plat](#)

City Planner Johnson stated Lennar Corporation is proposing to develop 42 acres on the east side of Lexington Avenue and north of 125th Avenue for the purpose of constructing 97 single family homes. The proposed plat lies to the west of Lennar's other single family project, Woodridge, that is accessed via Lever Street. This plat, with 59 lots, will be known as Lexington Cove 1st Addition. The 59 lots will be used for single family homes, while the outlots will be used for future development of single family homes and for storm water/drainage purposes. It was noted the final plat was compatible with the preliminary plat.

**Moved by Mayor Ryan, seconded by Councilmember Robertson, that
Resolution No. 20-21, "Granting Final Plat Approval to Subdivide 42 Acres into
59 Single Family Lots and 3 Outlots to be known as Lexington Cove 1st
Addition located at 12801 and 12847 Lexington Avenue NE," be approved.**

Motion adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland,
Councilmember Robertson and Councilmember Paul

11.-2

FIRST READING

GRANTING A CODE AMENDMENT TO THE PBD (PLANNED BUSINESS DISTRICT) ZONING DISTRICT TO ADD MEETING/ASSEMBLY HALLS UNDER 6,000 SQUARE FEET AS A USE ALLOWED BY A CONDITIONAL USE PERMIT. (CASE FILE NO. 19-0050/SLK)

Attachments: [Code Amendment](#)

Ms. Johnson stated the PBD (Planned Business District) was created as a higher standard zoning district for commercial and industrial uses in the 1990's. In general

there are various commercial areas (Victory Village, National Market Center, 117th and Ulysses St.) and industrial parks (Blaine Preserve and Lexington Preserve) that are zoned PBD. Since the establishment of the district a number of amendments have been made to either modify some of the standards or add to the list of allowed uses within the district. The last amendment was in August 2019 to add ground mounted solar as an accessory use. The City has been presented with an application by Exquisite Receptions, an event center to be located in the Royal Lakes Retail Center at the corner of Lexington Avenue and Main Street. Currently, the zoning ordinance does not support such use in the PBD zoning district.

Christine Kendall, 12356 Ghia Street, expressed concern with the limited site access, traffic and impacts of the proposed use that included excessive parking, outdoor seating and alcohol. She commented this site was not made for a lot of vehicles and indicated the proposed event center was not compatible with the adjacent neighborhood. She urged the Council not to support the proposed code amendment.

Kathie Kelly, 4285 124th Avenue, stated she was concerned with how the excess traffic from the church, daycare and the proposed event center would impact her neighborhood. She noted she lived four houses from the proposed entrance to the event center. She explained the Planning Commission recommended denial of the ordinance amendment and encouraged the Council to do the same because event centers should not be considered neighborhood uses.

Roger Meyer, 12311 Ghia Street, discussed how the proposed density within this strip mall would adversely impact his neighborhood. He cautioned the Council from making an exception for this development. He believed the site was not large enough for the proposed uses.

Jason Lohre, Exquisite Receptions, resident of 3305 120th Circle, explained he was the applicant. He shared traffic study numbers and impacts with the Council for the proposed event center and stated the numbers for an event center would be less than a restaurant. He noted an event center would not operate everyday but a restaurant would and encouraged the neighbors to keep this in mind.

Another resident requested the Council consider how traffic from an event center would impact the adjacent neighborhood and the surrounding private roadways. He feared a large amount of traffic would be flowing into the residential area and onto private roads. He recommended all of the traffic flow out onto Main Street or Lexington Avenue.

Lenny Leezer, property owner at Lexington Avenue/125th Avenue, explained he had tried to get a bar/restaurant to locate at this site and has been unsuccessful. He

discussed how restaurants in the area were struggling at this time and indicated there was a need for an event center in Blaine and this space will allow for catering opportunities. He noted the traffic for an event center would be less than a bar/restaurant and explained it was not his choice on how Anoka County determined site access.

Mayor Ryan stated he wanted to see a viable business locate in this area.

Councilmember Robertson clarified the Council was holding first reading of the ordinance amendment and further discussion on this item would be held on February 19. City Manager Wolfe encouraged residents with further questions to contact City staff.

Declared by Mayor Ryan that Ordinance No. 20-2444, "Granting a Code Amendment to the PBD (Planned Business District) Zoning District to Add Meeting/Assembly Halls under 6,000 Square Feet as a Use Allowed by a Conditional Use Permit," be introduced and placed on file for second reading at the February 19, 2020 Council meeting.

12. ADMINISTRATION

12.-1

APPROVE PLANS AND SPECIFICATIONS AND ORDER ADVERTISEMENT FOR BIDS FOR 2020 CLOVER LEAF PARKWAY STREET RECONSTRUCTIONS, IMPROVEMENT PROJECT NO. 18-18

Attachments: [2020 Location Map](#)

City Engineer Schluender stated the Public Hearing for the proposed improvement project was held on March 7, 2019, and the City Council ordered the preparation of plans and specifications. The Clover Leaf Parkway Area Street Reconstructions Project, which reconstructs various City streets, is to be constructed over two years (2019 and 2020). The construction project for 2020 will reconstruct Clover Leaf Parkway from Polk Street to 99th Avenue. The proposed improvements to the Clover Leaf Parkway Area include repair/replacement of concrete curb and gutter and sidewalk, minor storm drainage improvements, asphalt surface replacement, traffic control signage, and appurtenant construction.

Councilmember Hovland commented on the slow work was conducted by a previous contractor and stated he would like to see this project done in a more timely manner. Mr. Schluender reported the project timeline had been streamlined to eliminate this concern.

Councilmember Paul questioned why some City streets were deteriorating faster than others. Mr. Schluender explained this was a function of the age of the road, how it was constructed and how much traffic each roadway has.

Moved by Councilmember Hovland, seconded by Councilmember Robertson, that Resolution 20-22, "Approve Plans and Specifications and Order Advertisement for Bids for 2020 Clover Leaf Parkway Street Reconstructions," be approved.

Motion adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Robertson and Councilmember Paul

12.-2

**RECEIVE FEASIBILITY REPORT AND ORDER PUBLIC
HEARING FOR THE RECONSTRUCTION OF
UNIVERSITY AVENUE FROM 125TH LANE TO BENGAL
DRIVE, IMPROVEMENT PROJECT NO. 19-22**

Attachments: [Exhibit 1 Location Map](#)
 [Feasibility Report](#)

Mr. Schluender stated the proposed joint project between the City of Blaine and the City of Coon Rapids would reconstruct University Avenue from 125th Lane, approximately 340 feet north of 125th Avenue, to Bengal Drive. The work will consist of reclaiming the existing bituminous pavement, removal of all existing concrete curb and gutter, minor storm sewer improvements, aggregate base, installation of new concrete curb and gutter and bituminous pavement and appurtenant construction. The estimated cost of improvements is \$447,400.00. The estimated cost split is 43.3% of the costs to the City of Blaine and 56.7% of the costs to the City of Coon Rapids. The estimated City of Blaine portion of the cost of improvements is \$193,750.00 with \$67,812.50 proposed to be assessed over a fifteen-year period. The remaining portion of \$125,937.50 is proposed to be paid from the City's Pavement Management Program Funds.

Moved by Councilmember Robertson, seconded by Councilmember Paul, that Resolution 20-23, "Receive Feasibility Report and Order Public Hearing for the Reconstruction of University Avenue from 125th Lane to Bengal Drive," be approved.

Motion adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Robertson and Councilmember Paul

12.-3

**EXTENDING THE PERIOD OF A MAYOR-DECLARED
LOCAL EMERGENCY FOR A UTILITY BREAK AT 35W
SERVICE DRIVE AND 93RD AVENUE**

Attachments: [Staff Memo](#)
 [Declaration](#)

Public Works Director Haukaas stated staff is requesting a Declaration of a State of Local Emergency be issued for the January 25 utility break on 35W Service

Drive at 93rd Avenue NE. Per Article II, Sec. 30-35 of the Blaine Code of Ordinances, any declaration of an emergency in excess of three days must receive the consent of the City Council.

Mayor Ryan stated the equipment and workers were in place to make this repair and stated safety would be of the utmost importance given the depth of the repair.

Moved by Councilmember Hovland, seconded by Mayor Ryan, that Resolution 20-24, "Extending the Period of a Mayor-Declared Local Emergency for a Utility Break at 35W Service Drive and 93rd Avenue," be approved.

Motion adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Robertson and Councilmember Paul

12.-4

FIRST READING

AN ORDINANCE AMENDING THE BUILDING INSPECTION SECTION OF ORDINANCE NO. 19-2441 ADOPTED ON DECEMBER 16, 2019, AND TITLED "APPENDIX D - FEE SCHEDULE OF THE MUNICIPAL CODE OF THE CITY OF BLAINE"

City Clerk Sorensen stated Ordinance 19-2441, adopted on December 16, 2019, amended the City's fee schedule. The amendment increasing license fees to \$70 inadvertently affected all City contractor license fees outlined in Sec. 18-121, including sign/billboard and automatic sprinkler system contractors. These two license types do not require the same level of administrative review as the other contractor licenses outlined in this section therefore staff is recommending adding another fee tier for these license types maintaining the current fee of \$35.

Declared by Mayor Ryan that Ordinance No. 20-2445, "An Ordinance Amending the Building Inspection Section of Ordinance No. 19-2441 Adopted on December 16, 2019, and Titled "Appendix D – Fee Schedule of the Municipal Code of the City of Blaine", be introduced and placed on file for second reading at the February 19, 2020 Council meeting.

13. OTHER BUSINESS

Mayor Ryan spoke about the Board/Commission interviews and stated if this item were delayed into March he would like to arrange appointments of the new Fire Board members separately. Ms. Sorensen stated this item would be scheduled for further discussion for the Council at the February 10 workshop meeting.

14. ADJOURNMENT

Moved by Councilmember Robertson, seconded by Councilmember Paul, to adjourn the meeting at 8:40 p.m.

Aye: 5 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland,
Councilmember Robertson and Councilmember Paul