



City of Blaine Anoka County, Minnesota Minutes City Council

Blaine City Hall
10801 Town Sq Dr NE
Blaine, MN 55449

Thursday, April 5, 2018

7:30 PM

Council Chambers

1. **CALL TO ORDER BY THE MAYOR**

The meeting was called to order at 7:40 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: Planning and Community Development Director Bryan Schafer; Public Works Director Jon Haukaas; Police Chief/Safety Services Manager Brian Podany; Finance Director Joe Huss; Economic Development Coordinator Erik Thorvig; Public Services Manager/Assistant City Manager Bob Therres; City Attorney Patrick Sweeney; City Engineer Jean Keely; Communications Technician Roark Haver; Senior Engineering Technician Al Thorp; and City Clerk Catherine Sorensen.

Present: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

4. **APPROVAL OF MINUTES**

4.-1 **RECENTLY HELD MEETINGS**

Attachments: [03-08-18 Workshop Minutes](#)
 [03-15-18 Workshop Minutes.pdf](#)
 [03-15-18 Council Minutes](#)

Moved by Councilmember Jeppson, seconded by Councilmember Hovland, that the Minutes of the Workshop Meeting of March 8, 2018, the Minutes of the Workshop Meeting of March 15, 2018 and the Minutes of the Regular Meeting of March 15, 2018 be approved.

Motion adopted. Councilmember Clark abstained on the March 8, 2018 Workshop meeting minutes due to his absence. Councilmember Garvais abstained on the March 15, 2018 Workshop and Regular meeting minutes due to his absence.

Aye: 5 - Mayor Ryan, Councilmember Swanson, Councilmember King,
Councilmember Hovland and Councilmember Jeppson

Abstain: 2 - Councilmember Clark and Councilmember Garvais

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

None.

6. COMMUNICATIONS

Mayor Ryan recognized Roark Haver for 30 years of dedicated service to the City of Blaine.

Councilmember Hovland commented he and the Mayor recently instructed seniors at Blaine High School during a social studies class. He stated he appreciated these students and their interest in local government.

Police Chief/Safety Services Manager Podany announced the Blaine Explorer's won four of the 14 events at the St. Paul Explorer's Cup.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:45 p.m.

Jim Bebeau, 4800 125th Avenue, expressed concerns about water that was being displaced onto his property. He stated he is concerned the development to the east of his property was pushing water onto his property. He noted all of the conversations he has held with City staff and explained he has received no response. He requested the Council address this matter at a future worksession meeting.

City Engineer Keely reported she sent an email with the staff notes as requested by Mr. Bebeau. Councilmember Hovland requested these notes be forwarded to the entire City Council.

Further discussion ensued regarding the dewatering that occurred on the property to the east.

Councilmember Clark recommended staff sit down and have a face to face meeting with Mr. Bebeau as well.

Councilmember King requested this item be addressed by the Council at an upcoming worksession meeting.

Mayor Ryan closed the Open Forum at 7:58 p.m.

Discussed; direction provided to staff.

8. ADOPTION OF AGENDA

The agenda was adopted as amended, postponing Item 12.10 to the April 19, 2018 City Council meeting.

Adopted as amended.

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

None.

10. APPROVAL OF CONSENT AGENDA:

Councilmember Hovland requested the removal of agenda item 10.2.

Moved by Councilmember Garvais, seconded by Councilmember Swanson, that the following be approved:

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

10.-1

SCHEDULE OF BILLS PAID

Attachments: [03/09/18 Bills Paid](#)
 [03/16/18 Bills Paid](#)
 [03/23/18 Bills Paid](#)

Approved

**10.-3 APPROVE 2018 BUILDING INSPECTION DEPARTMENT
CAPITAL EQUIPMENT PURCHASES IN THE AMOUNT
OF \$85,472.20**

Attachments: [UV20 Explorer 4x4 Base 1-29-18](#)

Approved

**10.-4 105TH AVENUE EASEMENT ACQUISITION,
IMPROVEMENT PROJECT NO. 14-11**

Attachments: [Easement Values](#)
 [Easement Areas](#)

Approved

**10.-5 APPROVE PAYMENT OF \$43,182.00 TO
BERGERSON-CASWELL, INC. FOR EMERGENCY
REPAIRS TO WELL #3**

Attachments: [Well #3 Emergency Repair](#)

Approved

10.-6 APPROVE TEMPORARY NURSERY SALES LICENSES

Approved

**10.-7 APPROVE A TEMPORARY ON-SALE INTOXICATING
AND 3.2 PERCENT MALT LIQUOR LICENSE FOR
CHURCH OF ST. TIMOTHY'S PARISH DINNER, 707 -
89TH AVENUE NE**

Approved

**10.-8 GRANTING APPROVAL TO CONDUCT OFF-SITE
GAMBLING AT THE TPC TWIN CITIES ON APRIL 30,**

2018 FOR THE SPRING LAKE PARK LIONS

Attachments: [LG230.pdf](#)

Adopted

10.-9

**AWARD CONTRACT FOR METAL ROOF REPAIR AT
LEXINGTON ATHLETIC COMPLEX AND TOWN
SQUARE PARK TO NORDSTROM ARCHITECTURAL
SHEET METAL IN THE AMOUNT OF \$219,200**

Attachments: [Nordstrom bid.pdf](#)
 [G & V bid.pdf](#)
 [Atomic bid.pdf](#)
 [Innovative bid.pdf](#)

Approved

**10.
-10**

**ACCEPT THE PROPOSAL FROM SRF CONSULTING
GROUP TO BE THE CONSULTANT FOR THE
SANCTUARY PRESERVE PARK IN THE AMOUNT OF
\$21,978.**

Attachments: [SRF proposal.pdf](#)
 [SRF Bid sheet.pdf](#)

Approved

**10.
-11**

**ACCEPTING THE PROPOSAL FOR REPLACEMENT
PLAYGROUND EQUIPMENT IN THE AMOUNT NOT TO
EXCEED \$79,527.75 FROM FLAGSHIP RECREATION
FOR CARRARA EAST PARK**

Attachments: [CarraraEast Flagship](#)

Approved

**10.
-12**

**ACCEPTING THE PROPOSAL FOR REPLACEMENT
PLAYGROUND EQUIPMENT IN THE AMOUNT NOT TO**

**EXCEED \$40,000 FROM ST. CROIX RECREATION FOR
MARY ELIZABETH PARK**

Attachments: [Mary Elizabeth Design St. Croix](#)
 [Mary Elizabeth St. Croix](#)

Approved

**10. ACCEPTING THE PROPOSAL FOR REPLACEMENT
-13 PLAYGROUND EQUIPMENT IN THE AMOUNT NOT TO
 EXCEED \$40,000 FROM ST. CROIX RECREATION FOR
 SWAN PARK**

Attachments: [Swan Park Design St. Croix](#)
 [Swan Park St. Croix](#)

Approved

**10. RECEIVE PETITION AND ORDER PUBLIC HEARING
-14 FOR VACATION OF DRAINAGE AND UTILITY
 EASEMENT FOR OUTLOTS E, F & G, SPRINGBROOK
 ADDITION, VACATION NO. V18-02**

Attachments: [Petition_3-1-18](#)
 [Location Map2.pdf](#)

Adopted

**10.-2 APPROVE PURCHASE FROM KELTEK INC. FOR
 SEMI-RUGGED LAPTOP COMPUTERS AND VEHICLE
 MOUNTING HARDWARE**

Councilmember Hovland requested further information regarding the proposed purchase. Mr. Podany explained staff was requesting to purchase eleven semi-rugged laptop computers and vehicle mounting hardware. He reported these laptops were within the four-year replacement schedule.

Councilmember Hovland asked if these computers were the same manufacturer as those currently installed in the City's squad cars. Mr. Podany stated the computers were Panasonic which was the same manufacturer as the current squad car computers.

Councilmember Hovland questioned if the existing mounting hardware could be reused. Mr. Podany stated he would reuse whatever hardware he could to keep costs down, however he noted the units were different models and the sizes may be different.

Moved by Mayor Ryan, seconded by Councilmember King, that Motion 18-51, "Approve Purchase from Keltek, Inc. for Semi-Rugged Laptop Computers and Vehicle Mounting Hardware," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

11. DEVELOPMENT BUSINESS

11.-1

GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE APPROXIMATELY 28.05 ACRES INTO 31 SINGLE FAMILY LOTS AND SIX (6) OUTLOTS TO BE KNOWN AS SPRINGBROOK 2ND ADDITION, LOCATED AT 129TH LANE/DUNKIRK STREET NE. SPRINGBROOK LAND, LLC. (CASE FILE NO. 18-0001/SLK)

Attachments: [Springbrook 2nd Final Plat - Attachments.pdf](#)

Planning and Community Development Director Schafer stated this final plat proposal consists of subdividing approximately 28 acres into a subdivision with a total of 30 new dwelling units and one lot for the existing home that will remain. This application proposes single-family homes for the new lots.

Moved by Councilmember King, seconded by Councilmember Jeppson, that Resolution No. 18-48, "Granting Final Plat Approval to Subdivide Approximately 28.05 Acres into 31 Single Family Lots and Six (6) Outlots to be known as Springbrook 2nd Addition, located at 129th Lane/Dunkirk Street NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

11.-2

GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE .1 ACRES INTO 1 LOT AND ONE OUTLOT, TO BE KNOWN AS AMEN CORNER 3RD ADDITION, LOCATED AT 11039 AMEN CIRCLE. PAULSON CONSTRUCTION. (CASE FILE NO. 18-0021/LSJ)

Attachments: [Amen Corner 3rd - Attachments.pdf](#)

Mr. Schafer stated Paulson Construction is coming to the end of the build out in Amen Corner 1st and 2nd Additions, which were platted in 1998 and 2002. The Amen Corner development is located on the northwest corner of Radisson Road and 109th Avenue. Paulson Construction is proposing to replat one of the two remaining vacant lots in Amen Corner 2nd Addition because locating a house pad on the existing lot has proven difficult given setback requirements in this development. The vacant lot that is being replatted has an address of 11039 Amen Circle and it is directly adjacent to a portion of the common lot (outlot in Amen Corner 2nd Addition) that surrounds the detached townhomes in this development. The outlot is owned by the Amen Corner homeowner's association. What is being proposed at this time is replatting the existing lot and incorporating a portion of the outlot that is adjacent to the lot to provide enough room for a house pad in this location.

Moved by Mayor Ryan, seconded by Councilmember King, that Resolution No. 18-49, "Granting Final Plat Approval to Subdivide .1 Acres into 1 Lot and One Outlot, to be known as Amen Corner 3rd Addition, located at 11039 Amen Circle," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

11.-3

**GRANTING A WAIVER OF PLATTING TO SUBDIVIDE A
58 ACRE OUTLOT AND CREATE A NEW 12.754 ACRE
PARCEL FROM OUTLOT D, QUAIL CREEK 10TH
ADDITION, LOCATED AT XYLITE STREET NE/129TH
LANE NE. NEWMARK HOMES. (CASE FILE NO.
18-0007/NBL)**

Attachments: [Newmark Homes - Attachments CC.pdf](#)

Mr. Schafer stated the City Council approved a Final Plat for Quail Creek 10th Addition (Paul Gagnon) at the September 7, 2017 City Council meeting. The applicant, Newmark Homes, Inc., is requesting that a 12.754-acre portion of Outlot D, Quail Creek 10th Addition, be subdivided so that a property sale can occur as well as future development. The remaining portion of Outlot D, Quail Creek 10th Addition (approximately 45 acres) will remain as Outlot D, Quail Creek 10th Addition. This is a simple request for a waiver of platting to subdivide an Outlot to facilitate the sale of property.

Moved by Councilmember King, seconded by Councilmember Jeppson, that Resolution No. 18-44, "Granting a Waiver of Platting to Subdivide a 58 Acre Outlot and Create a New 12.754 Acre Parcel from Outlot D, Quail Creek 10th Addition, located on Xylite Street NE/129th Lane NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

11.-4

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF A 4,007 SQUARE FOOT TACO BELL RESTAURANT WITH A DRIVE-THROUGH IN A PBD (PLANNED BUSINESS DISTRICT) ZONING DISTRICT, LOCATED AT 11665 ULYSSES STREET NE. BFI REAL ESTATE HOLDINGS, INC./RYAN COMPANIES US INC. (CASE FILE NO. 18-0009/LSJ)

Attachments: [Taco Bell - Attachments.pdf](#)

Mr. Schafer stated the applicant is proposing to construct a 4,007 square foot Taco Bell restaurant on a lot in Central Avenue Acres 3rd Addition, which is east of the Lowe's home improvement store on 117th Avenue and Highway 65. The site is zoned PBD (Planned Business District) and every use in this district requires a conditional use permit. The drive-thru being proposed wraps around the west side of the building. The site requires 40 parking stalls to be consistent with ordinance requirements and there are 42 parking stalls provided on site.

Barbara Schneider, Border Foods Representative, thanked the Council for their consideration and noted she was available for comments or questions.

Councilmember Clark asked when this site would be open for business. Ms. Schneider stated it was her hope to have this facility open by fall.

Councilmember King questioned what the hours of operation would be for this Taco Bell. Ms. Schneider explained the hours would be dependent upon the needs of the community.

Moved by Councilmember Hovland, seconded by Mayor Ryan, that Resolution No. 18-47, "Granting a Conditional Use Permit to Allow for the Construction of a 4,007 Square Foot Taco Bell Restaurant with a Drive-Through in a PBD (Planned Business District) Zoning District, located at 11665 Ulysses Street NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

11.-5

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR GASOLINE SALES AND OUTDOOR DINING IN A

**PBD (PLANNED BUSINESS DISTRICT) ZONING
DISTRICT, LOCATED AT 11736 ULYSSES LANE NE.
KWIK TRIP, INC/NORTH CENTRAL PROPERTIES.
(CASE FILE NO. 18-0008/SLK)**

Attachments: [Kwik Trip 1022 - Attachments.pdf](#)

Mr. Schafer stated Kwik Trip is proposing to locate on the northeast corner of Ulysses Street NE and 117th Avenue NE. The site is zoned PBD (Planned Business District) and will require a Conditional Use Permit to allow a gas station/convenience store in this zoning district. The site is guided in the comprehensive plan as CC (Community Commercial). The proposed convenience store is a 7,914 square foot building. No car wash is proposed with this application as the small site does not support that use. All setbacks have been met for this site. Site access will be located on Ulysses Court on the north side of the site. The 8 gasoline pumps are designed to serve 16 vehicles at one time. The gas pumps are located on the north side of the building adjacent to Ulysses Court. A canopy is provided over the gas pumps, and is approximately 18 feet in height from the ground to the top of the canopy.

Dean George, Kwik Trip representative, thanked the Council for their consideration and noted this would be the fifth Kwik Trip in Blaine.

Mayor Ryan appreciated the fact that Kwik Trip operates a really clean organization.

Moved by Mayor Ryan, seconded by Councilmember Clark, that Resolution No. 18-45, "Granting a Conditional Use Permit to Allow for Gasoline Sales and Outdoor Dining in a PBD (Planned Business District) Zoning District, located at 11736 Ulysses Lane NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

11.-6

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW
FOR OUTSIDE STORAGE OF SEMI TRAILERS AND
TRUCKS FOR A TRAILER REPAIR BUSINESS, NAFTA
SOLUTIONS, INC., AT 10122 NAPLES STREET NE.
FERNANDO VEGA. (CASE FILE NO. 18-0013/NBL)**

Attachments: [Nafta Solutions - Attachments.pdf](#)

Mr. Schafer stated the applicant is requesting a conditional use permit to allow for outside storage of trailers and semi-trucks. The I-2A (Heavy Industrial) zoning district requires a conditional use permit if the number of trucks and/or trailers to be

stored outside exceeds the number of docks and/or bay doors on site. The applicant is proposing to build a 7,000 square foot building for a trailer repair business called Nafta Solutions, Inc. The plans submitted show two (2) loading dock doors and three (3) bay doors for service repair, for a total of five (5) dock/bay doors. The applicant has indicated that there would be up to 15 to 20 trailers and trucks stored at one time. The requested outside storage area will be paved and the area will be limited to not more than one acre to allow for a smaller building size of 7,000 square feet. Due to the size and location of this lot, a smaller building size is necessary. If the outside storage area were to exceed one acre in size, then a 20,000 square foot building would be required.

Russ Rosa, architect for the applicant, thanked the Council for their consideration and noted he was available for questions.

Mayor Ryan stated he believed this business would fit well onto this Heavy Industrial parcel.

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that Resolution No. 18-52, "Granting a Conditional Use Permit to Allow for Outside Storage of Semi Trailers and Trucks for a Trailer Repair Business, Nafta Solutions, Inc., at 10122 Naples Street NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

11.-7

FIRST READING

REZONING FROM FR (FARM RESIDENTIAL) TO DF (DEVELOPMENT FLEX) TO ALLOW FOR THE CONSTRUCTION OF SINGLE FAMILY HOMES ON 38.24 ACRES, LOCATED AT 12944 LEVER STREET NE. LENNAR CORPORATION. (CASE FILE NO. 18-0003/LSJ)

Attachments: [Woodridge - Attachments.pdf](#)

Mr. Schafer stated Lennar Corporation is proposing to develop 38 acres on the west side of Lever Street for the purpose of constructing 56 single family homes on this property. Staff noted Lever Street is being reconstructed in 2018 and sewer and water is being installed as part of that project. Other recent projects that have received approval in this area include the new elementary school on the northwest corner of Lever Street and 125th Avenue and Oakwood Ponds on the east side of Lever Street. Lennar's request includes a rezoning, a preliminary plat and a conditional use permit.

Councilmember Hovland stated this was a beautiful piece of land that was going to be developed.

Mayor Ryan requested staff work with the developer on the oak tree removal.

Declared by Mayor Ryan that Ordinance No. 18-2402, "Rezoning from FR (Farm Residential) to DF (Development Flex) to allow for the Construction of Single Family Homes on 38-24 Acres, located at 12944 Lever Street NE," be introduced and placed on file for second reading at the April 19, 2018 Council meeting.

11.-8

**GRANTING A WAIVER OF PLATTING TO SEPARATE
AN APPROXIMATELY 4,200 SQUARE FOOT PARCEL
FROM LOT 1, BLOCK 1, VICTORY VILLAGE 4TH
ADDITION TO ADD TO THE PARCEL LOT 2, BLOCK 1,
VICTORY VILLAGE 4TH ADDITION, AT 1530 109TH
AVENUE NE FOR PANERA BREAD. THE AVALON
GROUP. (CASE FILE NO. 18-0010/LSJ)**

Attachments: [Panera - Attachments.pdf](#)

Mr. Schafer stated the applicant is proposing to split an approximately 4,200 square foot portion off of Lot 1, Block 1, Victory Village 4th Addition, and adding that portion to Lot 2, Block 1, Victory Village 4th Addition. The waiver of platting would approve the split and would approve a new legal description for both lots (Parcel A and Parcel B). The split needs to occur so there is enough area on the new Parcel B to develop the Panera building and all associated site improvements.

Brian Barnard, Panera Bread representative, thanked the Council for their consideration. He stated it was his hope construction would begin shortly in hopes of having this site open by Thanksgiving.

Councilmember King requested the pedestrian crosswalk be painted well given the high levels of traffic that would visit this restaurant during summer tournaments.

Moved by Councilmember Jeppson, seconded by Councilmember Hovland, that Resolution No. 18-46, "Granting a Waiver of Platting to Separate an Approximately 4,200 Square Foot Parcel from Lot 1, Block 1, Victory Village 4th Addition to Add to the Parcel Lot 2, Block 1, Victory Village 4th Addition at 1530 109th Avenue NE for Panera Bread," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

11.-9

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW
FOR THE CONSTRUCTION OF A 4,628 SQUARE FOOT**

**PANERA BREAD RESTAURANT WITH A
DRIVE-THROUGH, SHARED ACCESS, AND OUTDOOR
DINING IN A PBD (PLANNED BUSINESS DISTRICT)
ZONING DISTRICT, LOCATED AT 1530 109TH AVENUE.
THE AVALON GROUP/VICTORY VILLAGE LLC. (CASE
FILE NO. 18-0010/LSJ)**

Mr. Schafer stated Panera is proposing to build a 4,628 square foot building. The building itself is being constructed with brick and glass, which does not meet the Highway 65 Overlay District requirements for the number of materials used on the building. The Highway 65 Overlay District comes into play because of the site's proximity to Highway 65 and the need for a conditional use permit for the use. The ordinance requires 3 enhanced materials to be used on the building and in this case, there is only two materials used. Staff is recommending that an element of stucco or stone is added to all four sides of the building.

Moved by Councilmember King, seconded by Councilmember Jeppson, that Resolution No. 18-50, "Granting a Conditional Use Permit to Allow for the Construction of a 4,628 Square Foot Panera Bread Restaurant with a Drive-Through, Shared Access, and Outdoor Dining in a PBD (Planned Business District) Zoning District located at 1530 109th Avenue," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

11.
-10

**VARIANCE TO THE 25-FOOT PARKING/DRIVEWAY
FRONT YARD SETBACK ALONG A PORTION OF
XYLITE STREET NE, LOCATED AT 8600 XYLITE
STREET NE. LORENZ BUS SERVICE. (CASE FILE NO.
17-0042/NBL)**

Attachments: [Lorenz Bus - Attachments.pdf](#)

Mr. Schafer stated the existing parking and driveway along Xylite Street (between the building and east property line) is placed very near the property line with little or no setback. The setback requirement along this front yard area is 25-feet. The site plan for the new construction shows a consistent 12.5-foot setback between the new south driveway and middle driveway. This area will be curbed and landscaped. Staff is recommending that this frontage receive a 7-foot high PVC coated chain link fence. The fence would be placed at or just inside the property line and would help screen the reduced setback. The variance that has been requested would allow the 12.5-foot setback and is supported by staff given the need to provide adequate paved surface to allow buses reasonable access to the overhead doors on the building.

Ben Canine, Lorenz Bus Service, stated his family owns Lorenz Bus Service. He explained his company has grown from eight buses to over 200. He reported during the Minnesota State Fair his buses move 2.2 million people in less than two weeks. He thanked staff for the thorough report and thanked the Council for their consideration.

Councilmember Clark stated he appreciated the proposed plans and believed the expansion would be a good fit for this property.

Moved by Councilmember Hovland, seconded by Councilmember Swanson, that Resolution No. 18-43, "Variance to the 25-Foot Parking/Driveway Front Yard Setback along a Portion of Xylite Street NE located at 8600 Xylite Street NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

11.
-11

**GRANTING A CONDITIONAL USE PERMIT
AMENDMENT TO ALLOW FOR EXPANSION OF
OUTSIDE STORAGE OF BUSES AS PART OF A
TRANSPORTATION TERMINAL AT 8600 XYLITE
STREET NE. LORENZ BUS SERVICE. (CASE FILE NO.
17-0042/NBL)**

Mr. Schafer stated Lorenz Bus has operated their bus service garage and parking facility from 8600 Xylite Street for over 30 years. The business has grown over the years and they have run out of parking areas for both buses as well as employee vehicles. The use was issued a CUP (Conditional Use Permit) in 1988 for an expansion that will now be amended to allow for continued operation as well as the significant expansion of parking areas for buses and cars. The new site plan shows two large parking expansions. The bus parking lot will be expanded to the rear (west) of the buildings and will be sized to handle 95 full size buses (generally 45-feet). This will eliminate most if not all of the bus parking that occurs up around the building sites and along Xylite Street. The new employee parking lot will be placed along the south side of the site closer to 85th Avenue. This new lot will access Xylite Street and will be sized to handle 200 stalls. This is larger than what is needed on a day to day basis but is sized to better handle the peak employee parking that occurs every August during the MN State Fair as well as other large metro wide events such as the recent Super Bowl.

Moved by Councilmember Hovland, seconded by Councilmember Jeppson, that Resolution No. 18-51, "Granting a Conditional Use Permit Amendment to Allow for Expansion of Outside Storage of Busses as Part of a Transportation Terminal at 8600 Xylite Street NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

12. ADMINISTRATION

12.-1

FIRST READING

AMENDING CHAPTER 18 ARTICLE X. - LICENSES FOR RENTAL DWELLINGS, SEC. 18-504. - TERM OF LICENSE AND SEC. 18-505. - LICENSE FEES

City Clerk Sorensen stated at the January 18, 2018, workshop Council directed staff to move forward with staff's recommendation to amend the rental licensing license period from June 1 to January 1. In order to make this possible, this year's license renewal period will be for 19 months starting June 1, 2018 and would be valid until December 31, 2019. Beginning in 2020 residential rental licenses will be issued for a licensing period from January 1st to December 31st annually. The City will not be charging a fee for the 19th month; this will be a one-time change and will revert back to the 12-month fee for the 2020 license year.

Declared by Mayor Ryan that Ordinance No. 18-2403, "Amending Chapter Article X.-Licenses for Rental Dwellings, Sec. 18-504.-Term of License and Sec. 18-505.-License Fees," be introduced and placed on file for second reading at the April 19, 2018 Council meeting.

12.-2

ACCEPTING THE PROPOSAL FROM ST. CROIX RECREATION IN THE AMOUNT OF \$120,000 FOR PLAYGROUND EQUIPMENT AND SHELTER AT SANCTUARY PRESERVE PARK

Attachments: [St. Croix bid.pdf](#)

Public Services Manager/Assistant City Manager Therres stated RFP's were sent out to St. Croix Recreation, Minnesota/Wisconsin Playground and Landscape Structures for new playground equipment and a shelter at Sanctuary Preserve Park. The budget for the equipment and shelter was \$120,000 to all three companies. A list of items that needed to be included in the proposal was included along with the size of the play area. Each company had their chance to show the City their best design for the equipment. Staff explained they had discussed the proposed park plans with Pulte Homes and the Park Board and recommended St. Croix Recreation be selected for Sanctuary Preserve Park.

Moved by Councilmember Hovland, seconded by Mayor Ryan, that Motion 18-62, "Accepting the Proposal from St. Croix Recreation in the Amount of \$120,000 for Playground Equipment and Shelter at Sanctuary Preserve Park," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

12.-3

**ACCEPTING THE PROPOSAL FOR A PARK SYSTEM
MASTER PLAN IN THE AMOUNT NOT TO EXCEED
\$89,981 FROM WSB & ASSOCIATES, INC.**

Attachments: [BLAINE Master Parks RFP](#)
[WSB Park System Master Plan and Aquatore-Happy Acres Master Plan](#)

Mr. Therres stated staff sent out an RFP to multiple consulting firms in February for a Park System Master Plan and Aquatore and Happy Acres Park Master Plan. Two proposals were submitted. The City has worked with both WSB and SRF in the past. Funds for this project will come from the Parks CIP which council approved on February 1 of this year. WSB & Associates came in with the low bid and has extensive background with many other cities doing not only park system master planning but “Signature Park” planning and redevelopment.

Moved by Councilmember Swanson, seconded by Councilmember Jeppson, that Motion 18-63, “Accepting the Proposal for a Park System Master Plan in the Amount Not to Exceed \$89,981 from WSB & Associates, Inc.,” be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

12.-4

**APPROPRIATE SPECIFIC FUNDS FOR THE
MANAGEMENT OF THE BLAINE WETLAND
SANCTUARY AND APPROVE THE CAPITAL
IMPROVEMENT PLAN FOR THE OPEN SPACE FUND**

Attachments: [2040 Open Space CIP](#)

Finance Director Huss stated financial assurance is part of the permitting requirements for the establishment of the Site 7 Wetland Bank. To meet this requirement, the City has chosen to appropriate specific funds to be set aside for the management of the Site 7 Wetland Bank. The City Council approved the financial assurance appropriation at the January 18, 2018 meeting. However, the U.S. Army Corps of Engineers (Corps) deemed Blaine's submission to be insufficient in that the approved plan did not extend far enough. The Legislative Appropriation provides assurance that, should the City's efforts on wetland mitigation for Site 7 fall short of Corps standards, the City would be able to draw on funds to correct the mitigation deficiencies or provide alternative compensatory

mitigation. This alternative requires a line-item appropriation in an adopted government budget. Staff has amended the Open Space Capital Improvement Plan to extend to 2040 and that plan requires Council approval. The plan provides an appropriation of funds to cover the costs of the management of Site 7 through 2040.

Moved by Councilmember Hovland, seconded by Councilmember King, that Resolution 18-39, "Appropriate Specific Funds for the Management of the Blaine Wetland Sanctuary and Approve the Capital Improvement Plan for the Open Space Fund," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

12.-5

FIRST READING

AMENDING CHAPTER 86 - UTILITIES

Public Works Director Haukaas stated a review of existing City Code identified clarifications and improvements to three Code Sections that are seen as being necessary to successfully complete the implementation of the Advanced Metering Infrastructure communication module upgrade program. The suggested language is based on research of similar Ordinances from several municipalities around the Twin Cities, selecting the best and most effective wording.

Declared by Mayor Ryan that Ordinance No. 18-2404, "Amending Chapter 86 – Utilities," be introduced and placed on file for second reading at the April 19, 2018 Council meeting.

12.-6

REJECT BID FOR WATER METER RADIO REPLACEMENT IMPROVEMENT PROJECT NO. 16-16

Mr. Haukaas stated bids were received on March 20th for Project No. 16-16. Three bids were received with a bid price range of \$40,145.85 - \$738,063.99. After reviewing the bids and talking with contractors, it became apparent that there was a misunderstanding with the bidding documents. To provide for a fairer bidding process, an addendum will be issued to provide clarification of the bidding documents. Staff recommends that the bids be rejected, the bid bonds be returned, and the project be re-bid.

Moved by Mayor Ryan, seconded by Councilmember King, that Resolution 18-53, "Reject Bid for Water Meter Radio Replacement," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

12.-7

RESOLUTION OF SUPPORT TO MNDOT FOR PROPOSED 2018 CORRIDORS OF COMMERCE PROGRAM

Attachments: [MNDOT Letter on 2018 Corridors of Commerce Program](#)

Ms. Keely stated the 2013 Minnesota Legislature created the Corridors of Commerce program, authorizing the sale of trunk highway bonds for construction, reconstruction and improvement of trunk highways for projects not already in the State Transportation Improvement Program. In 2017, the Minnesota Department of Transportation (MNDOT) decided to select \$400 million of projects for the 2018 Corridors of Commerce Program. MNDOT solicited the public for project recommendations to be considered. Five projects were submitted for consideration for TH 65 and one in the I35W/CSAH 32 (CR J) area. MNDOT has asked the City to provide a Resolution of support for the public's recommended projects in Blaine that will be used in the scoring process during project selection. This approval does not bind the City to a specific project, but shows the City acknowledges that future improvement projects should be considered for TH 65 and the I35W/CSAH 32 (CR J) area.

Mayor Ryan stated he was pleased two extended turn lanes would be installed in Blaine this summer as this would improve safety.

Councilmember King questioned the purpose of this Resolution. Ms. Keely reported the City would score more points on their projects if a Resolution of Support was submitted to MNDOT.

Councilmember Clark believed it would benefit Blaine to offer their support to MNDOT given the amount that would be spent by MNDOT on the TH65 corridor. He stated he offered his full support to the Resolution.

Moved by Councilmember Hovland, seconded by Councilmember Jeppson, that Resolution 18-54, "Resolution of Support to MNDOT for Proposed 2018 Corridors of Commerce Program," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

12.-8

ACCEPT BID FROM PEARSON BROS., INC., IN THE AMOUNT OF \$86,874.20 FOR THE 2018 SEAL COAT PROGRAM, IMPROVEMENT PROJECT NO. 18-02

Attachments: [2018 Seal Coat Plan](#)

Ms. Keely stated bids were received on March 21st for Project No. 18-02. Bids

have been checked and tabulated, and it has been determined that Pearson Bros., Inc. of Hanover, Minnesota is the lowest bidder. It was noted the Engineering Department has worked with Pearson Bros., Inc. on previous contracts. Staff recommends the low bid be accepted and a contract entered into with Pearson Bros., Inc. City Council is also asked to approve a 10% contingency to bring the total project budget to \$95,561.62. The funding source for this project is the General Fund and there are sufficient funds to cover these costs.

Moved by Councilmember Hovland, seconded by Councilmember Swanson, that Resolution 18-55, "Accept Bid from Pearson Bros., Inc. in the Amount of \$86,874.20 for the 2018 Seal Coat Program," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

12.-9

**ACCEPT BID FROM WARNING LITES OF MINNESOTA,
INC. IN THE AMOUNT OF \$68,836.69 FOR THE 2018
PAVEMENT MARKINGS, IMPROVEMENT PROJECT
NO. 18-03**

Ms. Keely stated bids were received on March 21st for Project No. 18-03. A total of two bids were received ranging from \$68,836.69 to \$73,630.79. Bids have been checked and tabulated, and it has been determined that Warning Lites of Minnesota, Inc. is the lowest bidder. The Engineering Department has worked with Warning Lites of Minnesota, Inc. on previous contracts and recommends that the low bid be accepted. City Council is also asked to approve a 5% contingency to bring the total project budget to \$72,278.52. The funding source for this project is the General Fund and there are sufficient funds to cover these costs.

Councilmember Hovland expressed concern with the fact not all intersections in the City had painted arrows on the pavement. He feared this was creating confusion and recommended staff address this concern.

Moved by Mayor Ryan, seconded by Councilmember Swanson, that Resolution 18-56, "Accept Bid from Warning Lites of Minnesota, Inc. in the Amount of \$68,836.69 for the 2018 Pavement Markings," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

12.
-10

**ACCEPT BID FROM SR WEIDEMA, INC. IN THE
AMOUNT OF \$2,958,989.31 FOR THE
RECONSTRUCTION OF LEVER STREET FROM 125TH**

**AVENUE TO THE 132ND AVENUE ALIGNMENT,
IMPROVEMENT PROJECT NO. 17-07**

Attachments: [Lever Street Project Map](#)

This item was postponed to the April 19, 2018 City Council meeting.

Tabled to April 19, 2018.

12.
-11

**2018 BOARD/COMMISSION MAYORAL
APPOINTMENTS - PARK ADVISORY AND NATURAL
RESOURCES CONSERVATION BOARD**

Councilmember King requested the Council take separate roll call votes for the Board appointments.

Ms. Sorensen reviewed the Park Advisory Board appointments as proposed by the Mayor.

Moved by Councilmember Swanson, seconded by Councilmember King, that Motion 18-64, "2018 Board/ Commission Mayoral Appointments – Park Advisory Board," be approved.

**Councilmember Clark – aye
Councilmember Garvais – aye
Councilmember Hovland – aye
Councilmember Jeppson – aye
Councilmember King – nay
Councilmember Swanson – aye
Mayor Ryan – aye**

Motion adopted 6-1 (Councilmember King opposed).

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

Nay: 1 - Councilmember King

Ms. Sorensen reviewed the Natural Resources Conservation Board appointments as proposed by the Mayor. She noted Ward 3 did not have a vacancy in 2018.

Mayor Ryan stated he was interested in the Council considering a reduction in the size of this Board in the future.

Moved by Councilmember Swanson, seconded by Councilmember King, that Motion 18-64, "2018 Board/ Commission Mayoral Appointments – Natural Resources Conservation Board," be approved.

**Councilmember Clark – aye
Councilmember Garvais – nay
Councilmember Hovland – aye**

Councilmember Jeppson – aye
Councilmember King – nay
Councilmember Swanson – aye
Mayor Ryan – aye

Motion adopted 5-2 (Councilmembers Garvais and King opposed).

Aye: 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark,
Councilmember Hovland and Councilmember Jeppson

Nay: 2 - Councilmember King and Councilmember Garvais

13. OTHER BUSINESS

Ms. Sorensen noted staff would be bringing forward a Resolution at the April 19th meeting to cancel the July 5, 2018 City Council meeting.

Moved by Councilmember King, seconded by Councilmember Clark, to hold a Closed Session meeting on April 12, 2018 to allow the Council to receive an update on the pending litigation.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark,
Councilmember King, Councilmember Hovland, Councilmember Garvais and
Councilmember Jeppson

14. ADJOURNMENT

Moved by Councilmember Hovland, seconded by Councilmember Jeppson, to adjourn the meeting at 9:09 p.m.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark,
Councilmember King, Councilmember Hovland, Councilmember Garvais and
Councilmember Jeppson