

CITY OF BLAINE  
ANOKA COUNTY, MINNESOTA  
CITY COUNCIL MEETING  
Monday, August 15, 2022

7:30PM  
Cloverleaf Farm Room A  
10801 Town Square Drive

**CALL TO ORDER BY MAYOR SANDERS**

The meeting was called to order at 7:40PM 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; City Planner Sheila Sellman; Safety Services Manager/Police Chief Brian Podany; City Fire Chief Dan Retka, City Deputy Finance Director Alison Bong; City Parks & Recreation Manager; City Engineer Dan Schluender; City Attorney Chris Nelson; City Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

**AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS**

4.1 Resolution No. 22-133, Accepting a Financial Donation from the Blaine Festival for Construction of a Band Shell in Aquatore Park.

Senior Parks and Recreation Manager Krieger stated the Festival Committee would like to donate an additional \$500,000 for the construction of a band shell in Aquatore Park. Representatives of the Committee presented the Council with a check for that amount to the Council at the August 15 meeting. This would bring total contributions from the Blaine Festival Committee for the bandshell project to \$650,000. A round of applause was offered by all in attendance.

Mayor Sanders thanked the Festival Committee for all they do for the community and for their generous donation for the bandshell. He stated he was grateful for the partnership the

City had with the Festival Committee and thanked them for their patience while the Council works through the planning process.

Councilmember Hovland thanked the Festival Committee for all their hard work on behalf of the community.

Councilmember Massoglia thanked the Blaine Festival Committee for working to build community. He stated he was looking forward to having a bandshell built within Aquatore Park.

Moved by Councilmember Hovland, seconded by Councilmember Robertson, that Resolution No. 22-133, "Accepting a Financial Donation from the Blaine Festival for Construction of a Band Shell in Aquatore Park," be approved.

Motion adopted unanimously.

## **COMMUNICATIONS**

Councilmember Newland thanked staff and election judges for a successful primary election.

## **OPEN FORUM FOR CITIZEN INPUT**

Mayor Sanders opened the Open Forum at 7:48PM.

There being no input, Mayor Sanders closed the Open Forum at 7:49PM.

## **ADOPTION OF AGENDA**

The agenda was adopted as presented.

## **APPROVAL OF CONSENT AGENDA**

Councilmember Hovland requested Item 8.2 be pulled from the consent agenda for further discussion.

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

8.1 Motion 22-139, Schedule of Bills Paid.

8.2 Motion 22-140, Approval of Minutes.

8.3 Resolution No. 22-134, Authorize Installation of Regulatory Sign at 111<sup>th</sup> Avenue and Fillmore Street.

8.4 Resolution No. 22-135, Granting Final Plat Approval to Subdivide 10.9 Acres into 30 Single Family Lots and Three Outlots to be Known as Radisson Hills at 12030 Radisson Road NE. Radisson Estates LLC (Case File No. 22-0055/SLK).

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

Motion adopted unanimously.

8.2 Motion 22-140, Approval of Minutes.

Councilmember Hovland explained he would be abstaining from voting on the July 18, 2022, meeting minutes due to his absence.

Moved by Mayor Sanders, seconded by Councilmember Jeppson, that Motion 22-140, "Approval of Minutes," be approved.

Motion adopted 6-0-1 (Councilmember Hovland abstained).

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

9.1 Resolution No. 22-136, Vacation of Drainage and Utility Easement, Lot 51, Block 6 and Outlot 3 of Donnay's Oak Park 12<sup>th</sup> Addition and Lot 11, Block 2 of Oak Park Estates, Vacation No. V22-07.

City Engineer Schluender stated the City received a petition dated June 27, 2022, from Daniel and Susan Heathfield and Gene and Gloria Perry, requesting the vacation of the existing drainage and utility easement of Lot 51, Block 6 and Outlot 3 of Donnay's Oak Park 12<sup>th</sup> Addition and Lot 11, Block 2 of Oak Park Estates; according to the recorded plat thereof, Anoka County, Minnesota. Staff commented on the proposed request and recommended approval.

Mayor Sanders opened the public hearing at 7:52PM.

There being no public input, Mayor Sanders closed the public hearing at 7:52PM.

Moved by Councilmember Robertson, seconded by Councilmember Jeppson, that Resolution No. 22-136, "Vacation of Drainage and Utility Easement, Lot 51, Block 6 and Outlot 3 of Donnay's Oak Park 12<sup>th</sup> Addition and Lot 11, Block 2 of Oak Park Estates," be approved.

Motion adopted unanimously.

9.2 Resolution No. 22-137, Granting a Conditional Use Permit Amendment to Add an Outdoor Pickleball Court to the Blaine Risor Apartment Property in a PBD (Planned Business) Zoning District at 370 125<sup>th</sup> Avenue NE. Roers Companies (PC22-0049/SLK).

City Planner Sellman stated the applicant is requesting an amendment to a conditional use permit issued in 2021 for an apartment building. The amendment would allow a pickle ball court to be constructed on the west side of the approved apartment building.

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

There being no public input, Mayor Sanders closed the public hearing at 7:54PM.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, that Resolution No. 22-137, "Granting a Conditional Use Permit Amendment to Add an Outdoor Pickleball Court to the Blaine Risor Apartment Property in a PBD (Planned Business) Zoning District at 370 125<sup>th</sup> Avenue NE," be approved.

Motion adopted unanimously.

9.3 Resolution No. 22-138, Granting a Conditional Use Permit to Allow for In-Person Pick-Up of Items Purchased on an Online Auction in an I-1 (Light Industrial) Zoning District at 1521 93<sup>rd</sup> Lane NE, #120. Daas LLC Online Sales (Case File No. 22-0053/EES).

Ms. Sellman stated the applicant is requesting a Conditional Use Permit (CUP) to allow for online purchase pick-up. Similar to previous requests, conditions have been added to ensure the use does not adversely impact neighboring businesses and traffic.

Mayor Sanders opened the public hearing at 7:55PM.

There being no public input, Mayor Sanders closed the public hearing at 7:56PM.

Moved by Councilmember Jeppson, seconded by Councilmember Robertson, that Resolution No. 22-138, "Granting a Conditional Use Permit to Allow for In-Person Pick-Up of Items Purchased on an Online Auction in an I-1 (Light Industrial) Zoning District at 1521 93<sup>rd</sup> Lane NE, #120," be approved.

Councilmember Paul asked if the City has received any complaints regarding the online pick ups that occur on this property. Safety Services Manager/Police Chief Podany reported the police department has not received any complaints. Ms. Sellman explained this property was located within an industrial area and there was no residential property near the site.

Heather Daas, applicant, reported the owner of the building has his own company in the building and she has a suite in the lower level. She described the retail online sales she conducts from her business and explained in-person pickup would allow her to expand her business. She noted in-person pickups would not be a daily occurrence but rather happen occasionally.

Councilmember Newland questioned how the City addressed businesses hours of operation. Ms. Sellman explained hours of operation were typically addressed within CUP conditions.

Motion adopted unanimously.

## **DEVELOPMENT BUSINESS**

### 10.1 Resolution No. 22-139, Granting a Variance to Locate a Detached Accessory Structure Within the 100-Foot Required Setback at 12640 Radisson Road NE. Aaron Jordan (Case File No. 22-0051/SAS).

Ms. Sellman stated the applicant is requesting a variance to the front yard setback of 100 feet for a new garage in an FR (Farm Residential) district. The request is to reduce the setback to 50 feet. After reviewing various options, it was determined to present the proposal as submitted for City Council consideration. At the July 6, 2022, City Council meeting, the Council heard the same opposition from the neighbors. The Council discussed alternative locations and recognized the constraints of the site. They discussed allowing the garage to be in the front yard which would satisfy the neighbors' concerns, and the applicant explained that was where he originally wanted to put the garage but was advised by staff that a variance would be necessary and would not be supported by staff. The Council tabled the CUP request and suggested the applicant apply for a variance to the front yard setback requirement. After the applicant revised his plans and submitted a variance request, the Planning Commission voted unanimously to approve the variance.

Moved by Councilmember Robertson, seconded by Councilmember Jeppson, that Resolution No. 22-139, "Granting a Variance to Locate a Detached Accessory Structure Within the 100-Foot Required Setback at 12640 Radisson Road NE," be approved.

Councilmember Robertson stated she fully supported this variance request. She explained this was an equitable solution to a challenging property. She thanked staff, the neighbors and applicant for working together to find a compromise.

Councilmember Newland asked if the size of the driveway was a concern. Ms. Sellman indicated staff has had discussions with the applicant and there is a condition to reduce the size of the driveway to reduce the impact on the wetlands. She stated she has not heard any objections from the applicant regarding the proposed conditions.

Councilmember Newland expressed concern with the fact the applicant was not at the meeting and the Council was uncertain if the applicant approved of all the recommended conditions.

Mayor Sanders reported the City has communicated with the applicant prior to this meeting and heard no objections prior to this meeting. Ms. Sellman reported the slight reduction in the driveway size was done to lessen the impact on the wetlands.

Councilmember Massoglia thanked Mr. Jordan for being a great neighbor. He explained he supported amending the resolution by removing Condition 5b as he believed the applicant should be allowed to determine how many square feet his driveway should be.

Substitute motion by Councilmember Massoglia, seconded by Councilmember Paul, to amend the resolution removing Condition 5b.

Councilmember Hovland reported the City had an ordinance in place that limits driveway sizes. Mr. Schluender discussed how City code addressed driveway size.

Councilmember Massoglia stated he supported the applicant being able to decide the size of his driveway.

Councilmember Jeppson indicated she did not support leaving the driveway size open ended given the proximity of this property to wetlands.

Further discussion ensued regarding the driveway size for this property and how there was a need to protect the wetlands.

Councilmember Robertson agreed the driveway size should be limited given the wetlands on this property. She commented she could support the variance but that also supported limiting the size of the driveway to 4,000 square feet. Community Development Director Thorvig explained this condition was recommended because the garage was proposed to be placed in the front yard. He noted typically front yards are full of grass and not pavement.

Councilmember Massoglia questioned again why the City was intervening. He supported the applicant having the driveway he requested.

Councilmember Robertson explained the City put the condition in place to ensure the applicant does not pave his entire front yard, which was reasonable.

Councilmember Hovland asked if the watershed district had reviewed this request. Mr. Schluender reported this planning case would have to be reviewed by the watershed district, noting the applicant was encroaching on the wetlands and there was also a floodplain on the site. He noted the applicant would have to account for both matters.

Councilmember Massoglia called the question on the substitute motion.

Substitute motion failed 2-5 (Councilmembers Robertson, Hovland, Jeppson, Newland and Mayor Sanders opposed)

Motion adopted unanimously.

10.2 Resolution No. 22-114, Granting a Conditional Use Permit to Construct a 2,613 Square Foot Detached Garage for a Total Garage Space of 2,963 Square Feet in an FR (Farm Residential) Zoning District at 12640 Radisson Road NE. Aaron Jordan (Case File No. 22-0034/EES).

Ms. Sellman stated the property owner is requesting a conditional use permit to build a 2,613 square foot detached garage. The garage location has been revised per Council direction at the July 6, 2022, meeting. The applicant originally applied for the CUP in June with the garage located behind the house about 380 feet setback from the front property line and about 30 feet from the southern property. At that time the proposed location met City code requirements. The neighbors expressed great concern with this location at the public hearing and asked that it be moved closer to Radisson Road. The Planning Commission did not provide a recommendation as it was a tie vote. At the July Council meeting the Council reviewed the request and suggested the applicant apply for a variance and move the garage to the front of the property. The applicant has applied for the variance and the plans have been updated to reflect the changes. Staff commented further on the proposed request and reported the planning commission recommended approval of the conditional use permit.

Moved by Councilmember Newland, seconded by Councilmember Jeppson, that Resolution No. 22-114, "Granting a Conditional Use Permit to Construct a 2,613 Square Foot Detached Garage for a Total Garage Space of 2,963 Square Feet in an FR (Farm Residential) Zoning District at 12640 Radisson Road NE," be approved.

Motion adopted unanimously.

## **ADMINISTRATION**

11.1 Motion 22-141, Approve hiring an Embedded Mental Health Professional.

Police Chief Podany stated Council is being asked to approve the hiring of an embedded mental health professional in the Police Department. The City currently contracts with two other agencies for this service and pays a one-quarter share of the contract cost for this individual. He reported the Council discussed hiring a full time embedded mental health professional at a recent workshop meeting and offered their support. He commented on how this position would be funded and recommended approval of the hire.

Mayor Sanders stated he supported the City pursuing a full time embedded mental health professional. He indicated he could support the City funding this position without the use of the opioid settlement dollars because the position was so beneficial to the community.

Moved by Councilmember Hovland, seconded by Councilmember Paul, that Motion 22-141, "Approve hiring an Embedded Mental Health Professional," be approved.

Councilmember Jeppson indicated her support for this position.

Councilmember Newland concurred. He appreciated how the embedded mental health professional was benefitting the residents in the community, along with the officers in the Blaine Police Department.

Motion adopted unanimously.

11.2 Motion 22-142, Authorize the Mayor and City Manager to Enter into a Contract with Short Elliott Hendrickson Inc. (SEH) for Professional Engineering Services for the 2023 Northwest Area Street Reconstructions Improvement Project, Improvement Project No. 23-06.

Mr. Schluender stated Short Elliott Hendrickson Inc. (SEH) has provided the requested letter of proposal for the 2023 Northwest Area Street Reconstruction Improvement Project, Improvement Project No. 23-06. The proposal, in the amount of \$47,660, is for preliminary design and preparation of a feasibility report for the project. Staff reviewed the proposal, compared it with previous proposals for similar projects, and determined that the fees are justified and reasonable. After completion of the feasibility report and upon ordering the improvements, a contract for final design and construction services would be negotiated with Short Elliott Hendrickson Inc. (SEH). It was noted this project will be funded through proposed project assessments, Pavement Management Program funds and Public Utility funds.

Moved by Councilmember Hovland, seconded by Councilmember Massoglia, that Motion 22-142, "Authorize the Mayor and City Manager to Enter into a Contract with Short Elliott Hendrickson Inc. (SEH) for Professional Engineering Services for the 2023 Northwest Area Street Reconstructions Improvement Project," be approved.



Councilmember Hovland asked if it was necessary to have a 10% contingency for this project. Mr. Schluender stated this was necessary to address changes in project scope that may arise as the project continues through the planning process.

Councilmember Newland questioned how often contingency funds are spent on projects like this. Mr. Schluender noted it was rare but would follow up with more specific information.

Motion adopted unanimously.

11.3 Motion 22-143, Authorize the Mayor and City Manager to Enter into a Contract with WSB for Professional Engineering Services for the 2023 Southeast Area Street Reconstructions Improvement Project, Improvement Project No. 23-08.

Mr. Schluender stated WSB has provided the requested letter of proposal for the 2023 Southeast Area Street Reconstruction Improvement Project, Improvement Project No. 23-08. The proposal, in the amount of \$72,332, is for preliminary design and preparation of a feasibility report for the project. Staff reviewed the proposal, compared it with previous proposals for similar projects, and determined that the fees are justified and reasonable. After completion of the feasibility report and upon ordering the improvements, a contract for final design and construction services would be negotiated with WSB. This project will be funded through proposed project assessments, Pavement Management Program funds and Public Utility funds.

Moved by Councilmember Newland, seconded by Councilmember Jeppson, that Motion 22-143, "Authorize the Mayor and City Manager to Enter into a Contract with WSB for Professional Engineering Services for the 2023 Southeast Area Street Reconstructions Improvement Project," be approved.

Motion adopted unanimously.

## **OTHER BUSINESS**

Councilmember Newland complimented staff on the kickball tournament promotional video and encouraged attendance.

## **ADJOURNMENT**

Moved by Councilmember Robertson, seconded by Councilmember Jeppson, to adjourn the meeting at 8:39PM.

Motion adopted unanimously.

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Tim Sanders, Mayor

ATTEST:

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Catherine Sorensen, CMC, City Clerk  
*Submitted by Minute Maker Secretarial*