

UNAPPROVED

**CITY OF BLAINE
ANOKA COUNTY, MINNESOTA
CITY COUNCIL MEETING
Monday, July 8, 2019**

7:30 P.M.
Council Chambers
10801 Town Square Drive

CALL TO ORDER BY MAYOR RYAN

The meeting was called to order at 7:34 p.m. by Mayor Ryan followed by the Pledge of Allegiance and the Roll Call.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mayor Tom Ryan, Councilmembers Andy Garvais, Wes Hovland, Julie Jeppson, Richard Paul, Jess Robertson, and Dick Swanson.

ABSENT: None.

Quorum Present.

ALSO PRESENT: City Manager Clark Arneson; 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 Dan Schluender; Senior Engineering Technician Al Thorp; Communications Technician Roark Haver; Communications Coordinator Ben Hayle; and City Clerk Catherine Sorensen.

APPROVAL OF MINUTES

Workshop Meeting – June 10, 2019

Workshop Meeting – June 17, 2019

Regular Meeting – June 17, 2019

Moved by Councilmember Garvais, seconded by Councilmember Jeppson, that the Minutes of Workshop Meeting of June 10, 2019, the Minutes of Workshop Meeting of June 17, 2019, and the Minutes of the Regular Meeting of June 17, 2019 be approved.

Motion adopted unanimously.

AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

None.

COMMUNICATIONS

Mayor Ryan and the entire Council thanked all involved in planning an extremely successful 3M Open PGA event. He reported the attendance was great at this event. Police Chief/Safety Services Manager Podany explained he had 40 to 80 officers working the event at all times, along with volunteers, reserves and police explorers. He was pleased to report no major events occurred, only minor health issues occurred due to weather and thanked Captain Pelkey in particular for his tremendous efforts during this event.

Mayor Ryan and the entire Council thanked the Blaine Festival Committee for their hard work on the 50th Anniversary celebration.

Mayor Ryan thanked retiring City Manager Arneson and Planning and Community Development Director Schafer for their hard work and years of dedicated service to the City of Blaine.

OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:50 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:51 p.m.

ADOPTION OF AGENDA

The agenda was adopted as amended adding Item 12.6 – Approve City Manager Employment Contract.

APPROVAL OF CONSENT AGENDA:

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

9.1 Motion 19-121, Schedule of Bills Paid.

9.2 Motion 19-122, Approve a Tobacco and Tobacco Products License for Nova Way, LLC DBA Nova Way Food & Fuel, 601 125th Avenue NE.

9.3 Second Reading - Ordinance 19-2430, Ordinance Repealing Article IV. -Fire, Going Out of Business, Other Sales.

9.4 Resolution 19-96, Publication of the Title and Summary of Ordinance 19-2430 Repealing Article IV. -Fire, Going Out of Business, Other Sales, City Code of the City of Blaine.

9.5 Resolution 19-97, Updated Polling Place Designation for the 2019 Special Election for Anoka County Commissioner District 6.

9.6 Motion 19-123, Authorize Temporary Removal of Parking Restrictions on 103rd Lane and National Street for a Centennial Elementary School Event on October 2, 2019 (Rain Date October 3, 2019).

9.7 Motion 19-124, Amend the Agreement with Short Elliot Hendrickson, Inc. (SEH) for the Blaine Comprehensive Sanitary Sewer Plan.

9.8 Resolution 19-98, Receive Petition and Order Public Hearing for Vacation of Drainage and Utility Easement for Lot 7, Block 4, Coopers Meadows, Vacation No. V19-03.

9.9 Resolution 19-99, Receive Petition and Order Public Hearing for Vacation of Drainage and Utility Easement for Section 1, Mill Pond, Vacation No. V19-06.

9.10 Resolution 19-100, Receive Petition and Order Public Hearing for Vacation of Drainage and Utility Easement for Lots 7 and 8, Block 2, The Sanctuary 8th Addition, Vacation No. V19-05.

9.11 Resolution 19-101, Receive Petition and Order Public Hearing for Vacation of Drainage and Utility Easement, Outlot D, National Market Center, Vacation No. V19-04.

9.12 Motion 19-125, Approve Use of Charitable Gambling Funds for Salvation Army Food Shelf.

9.13 Motion 19-126, Approve of Workstation Improvements at Public Works Building in the Amount of \$29,744.75.

9.14 Motion 19-127, Approve of Restroom Improvements in the City Hall Fire Garage in the Amount of \$26,906.

Motion adopted unanimously.

7:30 P.M. - PUBLIC HEARINGS AND ITEMS SET FOR A CERTAIN TIME

10.1 Resolution 19-102, Vacation of Drainage and Utility Easement for Lot 2, Block 1, Shamrock Industrial Park, Vacation No. V19-02.

City Engineer Schluender stated a petition received May 16, 2019, was submitted to the City by Bill Keegan, requesting vacation of drainage and utility easements for the purposes of relocating storm water features covered by the easements. The Engineering Department has reviewed this request and concurs with the vacation.

Mayor Ryan opened the public hearing at 7:52 p.m.

There being no additional public input, Mayor Ryan closed the public hearing at 7:52 p.m.

Moved by Councilmember Hovland, seconded by Councilmember Garvais, that Resolution 19-102, "Vacation of Drainage and Utility Easement for Lot 2, Block 1, Shamrock Industrial Park," be approved.

Motion adopted unanimously.

DEVELOPMENT BUSINESS

11.1 Resolution No. 19-103, Granting a Waiver of Platting to Divide a 1.196 Acre Parcel into Two 0.598 Acre Parcels in an R-1 (Single Family) Zoning District located at 1088 89th Avenue NE. Jason Bebeau (Everpine Custom Homes). (Case File No. 19-0024/EES).

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that Resolution No. 19-103, "Granting a Waiver of Platting to Divide a 1.196 Acre Parcel into Two 0.598 Acre Parcels in an R-1 (Single Family) Zoning District located at 1088 89th Avenue NE," be approved.

Mr. Schafer stated the applicant has requested a waiver of platting to subdivide an existing lot on the north side of Laddie Lake Park on 89th Avenue NE. The lot has an existing home built in 1956, a detached garage, and two accessory structures. All structures on the property will be removed and both lots will be used for new single-family homes. The 1.196-acre lot is 137 feet wide, therefore an even split results in two 68.5-foot-wide lots. The minimum lot width in the R-1 zoning district is 80 feet. The proposed lots will exceed the depth (125 feet) and area (10,000 square feet) requirements. Since all other standards for lot size and dimension are met and the width is consistent with other nearby properties previously subdivided, staff supports granting the waiver with an 11.5-foot shortfall from the minimum width requirement. The submitted site plan shows locations for homes on each lot that comply with the setback requirements of the R-1 district.

Motion adopted unanimously.

11.2 Resolution No. 19-104, Granting a Conditional Use Permit to Allow for the Construction of a 10,060 Square Foot Day Care/Early Education Center in a DF (Development Flex) Zoning District located at 12612 Central Avenue NE. The Goodard School (Twin Cities Brothers, LLC). (Case File No. 19-0025).

Moved by Councilmember Hovland, seconded by Councilmember Paul, that Resolution No. 19-104, "Granting a Conditional Use Permit to Allow for the Construction of a 10,060 Square Foot Day Care/Early Education Center in a DF (Development Flex) Zoning District located at 12612 Central Avenue NE," be approved.

Mr. Schafer stated the Goddard School is proposing to locate a new early education center just south of the Emberwood Apartments. As a reminder this site is on the northwest corner of the frontage road (126th Avenue) that is located behind the multi-tenant building on the corner of Highway 65 and 125th Avenue. The site is zoned DF (Development Flex) and a conditional use permit is required for all uses in this zoning district. The Goddard School is considered an early education center with the possibility of enrollment reaching 150 students. The hours of operation will be Monday through Friday from 6:30 a.m. to 6:00 p.m. The school will be closed on the weekends and will have minimal staff before and after the previously mentioned times. The school will serve infants through preschool students.

Mayor Ryan stated he would like staff to investigate the traffic and sight line concerns at the corner near the proposed daycare.

Councilmember Garvais agreed especially given the fact a daycare would be going into this area.

Brian Johnston, Goddard Systems, Inc., thanked the Council for their time and consideration. He reported he would work with the City to address any sight line concerns. He explained the daycare would serve infants through preschool aged children. He commented on the drop off/pick up situation noting parents would have to park and walk their children into the facility.

Mike Silco introduced himself to the Council and stated he would be owner and manager of the Blaine Goddard School. He noted there was a high demand for infant daycare in the City of Blaine. He reported his facility would be open in six weeks after receiving approval from the City.

Motion adopted unanimously.

11.3 Resolution No. 19-105, Granting a Conditional Use Permit that would allow for a Shared Private Access Between Home Depot/Northtown Mall and a new 4,982 Square Foot Spire Credit Union in a B-3 (Regional Commercial) Zoning District located on the Northeast Corner of University Avenue NE and 86th Lane NE. Spire Credit Union. (Case File No. 19-0027/LSJ).

Moved by Mayor Ryan, seconded by Councilmember Paul, that Resolution No. 19-105, “Granting a Conditional Use Permit that would allow for a Shared Private Access Between Home Depot/Northtown Mall and a new 4,982 Square Foot Spire Credit Union in a B-3 (Regional Commercial) Zoning District located on the Northeast Corner of University Avenue NE and 86th Lane NE,” be approved.

Mr. Schafer stated Spire Credit Union is proposing to construct a building on the northeast corner of University Avenue NE and 86th Lane NE, which is directly to the northwest of, and immediately adjacent to the Northtown Home Depot. In order to develop this site, the applicant is required to obtain a conditional use permit for the private access that this site will share with Northtown and Home Depot. The proposed building is 4,982 square feet and will include a drive thru on the west side of the building. All setbacks are being met on site. The site provides 50 parking spaces for the bank building, and only 13 are required. This will be helpful should the building ever be reused at any time in the future.

Pat McCann, Spire Credit Union, thanked the Council for their consideration and stated his staff and members were ecstatic to be moving into a new building.

Mayor Ryan commented this would be a great improvement for the Spire Credit Union.

Motion adopted unanimously.

11.4 Resolution No. 19-106, Granting a Conditional Use Permit to Allow for an Outdoor Patio/Dining Space Adjacent to a New Pizza Restaurant in a B-2 (Community Commercial) Zoning District located at 8683 Central Avenue NE. Fresh Picked Pizza. (Case File No. 19-0028/LSJ).

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that Resolution No. 19-106, “Granting a Conditional Use Permit to Allow for an Outdoor Patio/Dining Space Adjacent to a New Pizza Restaurant in a B-2 (Community Commercial) Zoning District located at 8683 Central Avenue NE,” be approved.

Mr. Schafer stated the owner of Fresh Picked Pizza, which is currently located in the Shoreview Village Mall, has purchased the old nursery site on the southeast corner of Highway 65 and 87th Avenue for the purpose of opening a second pizza restaurant with a drive thru. The narrative that has been provided explains the concept of the restaurant and its offerings. The restaurant will be open from 6:00 a.m. to 9:00 p.m. daily. While the restaurant itself is a permitted use under the B-2 zoning, the applicant is also proposing to have outdoor dining, which requires a conditional use permit. All of the existing buildings on this site will be removed and the site will be completely redeveloped, which will be a great improvement for this site. The site currently includes two separate parcels. A requirement of obtaining a building permit will be to combine the two parcels at Anoka County. Evidence of this combination must be presented prior to issuance of a building permit. The proposed building for Fresh Picked Pizza (and a tenant space) will be 5,000 square feet with the drive thru running along the north and west sides of the site adjacent to Highway 65. All setbacks are being met on site.

Lee Anderson, Fresh Picked Pizza, thanked the Council for their consideration and stated he looked forward to opening a new location in Blaine.

Motion adopted unanimously.

11.5 First Reading – Ordinance No. 19-2431, Chapter 6 – Alcoholic Beverages Article II. -Intoxicating Liquor and 3.2 Percent Malt Liquor and Chapter 10 – Amusements and Entertainments – Article II. – Amusement Centers and Amusement Devices.

City Clerk Sorensen stated at the May 20 workshop the Council reviewed a proposal for X-Golf to operate a golf simulator center and a restaurant with alcohol in the vacant tenant space next to Best Buy at Northtown Mall. The proposed use would require an amusement center license and an on-sale intoxicating liquor license, both of which are currently not allowed by City Code because of the Paladin Career and Technical High School located within the mall. After discussion, Council directed staff to bring forward a code amendment that would remove the restriction of an amusement center within 1,500 feet from a school and the alcohol license restriction within 500 feet of a school if located within a regional mall. Those amendments were reviewed by staff in detail with the Council.

Benjamin Feret, President of RMA Investments, stated he was excited to bring an indoor golf concept to Blaine. He noted this use would cater to corporate events, leagues, youth programs, and the everyday user. He explained the concept would offer a full bar and moderate food options.

Laura Boyd, Alcohol Compliance Services, asked if the City Council would consider exempting a golf simulator use from the amusement center license as was done for bowling centers.

Ms. Sorensen stated if the Council were to support this change, a new First Reading would have to be held but that construction on the project would not be delayed.

Mayor Ryan questioned when the applicant hoped to begin construction. Mr. Fare explained he hoped to begin construction at the end of July or early August with an opening date of October 1.

Councilmember Hovland stated he supported the requested change.

Councilmember Jeppson commented she did not have enough information to make a determination on this topic at this time. She asked if this item could be brought back to a workshop for further discussion. Mr. Arneson suggested the Council hold first reading this evening and staff could report back with further information at second reading.

Mayor Ryan supported the Council proceeding in this manner.

Declared by Mayor Ryan that Ordinance No. 19-2431, "Chapter 6 – Alcoholic Beverages Article II. - Intoxicating Liquor and 3.2 Percent Malt Liquor and Chapter 10 – Amusements and Entertainments – Article II. – Amusement Centers and Amusement Devices," be introduced and placed on file for second reading at the August 5, 2019 Council meeting.

11.6 Resolution No. 19-107, Granting a Conditional Use Permit to Allow X-Golf to Operate a Restaurant with On-Sale Liquor License and Golf Simulator Activity in a B-3 (Regional Commercial) Zoning District located at 398 Northtown Drive NE, Suite L-6B. (RMA Investments, LLC). (Case File No. 19-0030/EES).

Moved by Councilmember Hovland, seconded by Mayor Ryan, that Resolution No. 19-107, “Granting a Conditional Use Permit to Allow X-Golf to Operate a Restaurant with On-Sale Liquor License and Golf Simulator Activity in a B-3 (Regional Commercial) Zoning District located at 398 Northtown Drive NE, Suite L-6B,” be approved.

Mr. Schafer stated X-Golf is proposing to open a restaurant with golf simulators in a tenant space in Northtown Mall. The 5,000 square foot space is next to Best Buy and will only be accessible from the exterior of the building. Approximately half of the space will be used for the six golf simulators with the balance used for restaurant space and storage. The primary concern with amusement uses is the provision of adequate parking in multitenant buildings. The simulators can accommodate four users at a time, so the simulators themselves correspond to a maximum parking demand of four spaces per simulator, or 24 spaces. Applying the restaurant standard, one space per 100 square feet, to the remaining floor area results in an additional parking need of 23 spaces, and a total parking demand of 47 spaces. The parking area in front of the vacant space next to Best Buy has 111 parking spaces, which leaves sufficient parking for a retail or restaurant use in the remaining portion of the vacant space. The applicant's narrative provides additional analysis of parking need.

Motion adopted unanimously.

11.7 Resolution No. 19-108, Granting Final Plat Approval to Subdivide Approximately 5.28 Acres into 22 Single Family Lots and 2 Outlots to be known as Arroyo Villas located at 116th Avenue NE and Ulysses Street. (Ranger Development). (Case File No. 19-0019/LSJ).

Moved by Mayor Ryan, seconded by Councilmember Hovland, that Resolution No. 19-108, “Granting Final Plat Approval to Subdivide Approximately 5.28 Acres into 22 Single Family Lots and 2 Outlots to be known as Arroyo Villas located at 116th Avenue NE and Ulysses Street,” be approved.

Mr. Schafer stated Arroyo Villas consists of subdividing approximately 5.28 acres into a subdivision with 22 single family, detached units. This project is being proposed immediately south of the proposed Cedar Point apartment project on the southwest corner of Ulysses Street and 117th Avenue. The development received Council approval of a rezoning, preliminary plat and a conditional use permit as the proposed new zoning of the property is DF (Development Flex). The final plat includes 22 single family detached lots and two outlots. Outlot A will be used for ponding and is in a drainage and utility easement. Outlot B will be used for a private drive.

Motion adopted unanimously.

ADMINISTRATION

12.1 Motion 19-128, Official Designation of Mary Ann Young Center and Tom Ryan Room.

Moved by Councilmember Swanson, seconded by Councilmember Garvais, that Motion 19-128, “Official Designation of Mary Ann Young Center and Tom Ryan Room,” be approved.

Public Services Manager/Assistant City Manager Therres stated the Senior Advisory Council has discussed what to name the new facility replacing the current Mary Ann Young Senior Center. The Senior Advisory Council has recommended to the City Council to name the new facility the Mary Ann Young Center. The change in the name recognizes that there will be space in the new facility that will be available to all residents and end some confusion that it is a residential facility. In addition, the Senior Advisory Council is

recommending naming the Dining Hall/Activity Room the Tom Ryan Room in recognition of his many contributions to senior citizens and the Senior Center over the years.

Mayor Ryan stated he was very honored to have a room named after him within the new Mary Ann Young Center.

Motion adopted unanimously.

12.2 Resolution 19-109, Authorize Transfer of Pooled Tax Increment Funds to Harpers Street Improvement Fund, Project 13-14.

Moved by Councilmember Hovland, seconded by Councilmember Swanson, that Resolution 19-109, "Authorize Transfer of Pooled Tax Increment Funds to Harpers Street Improvement Fund," be approved.

Finance Director Huss stated on May 11, 2017 Council reviewed the Economic Development Authority's Capital Improvement plan for 2017-18. Included in the plan, under the use of pooled tax increment funding projects, was \$1.2 million for the Harpers/125th Avenue Improvements, a joint project with Anoka County. At the time of the presentation, Council consensus was to move ahead with the projects identified and the funding plan presented at that time. Late in 2018, the Harpers Street project was completed, associated funds were closed, and staff transferred \$1,237,694.27 of pooled tax increment to the capital improvement fund to complete funding of the project. Staff is now seeking formal Council authorization, as evidenced by the resolution below, for this transfer.

Motion adopted unanimously.

12.3 Resolution 19-110, Providing for the Competitive Negotiated Sale of \$4,200,000 General Obligation Capital Improvement Bonds, Series 2019B.

Moved by Mayor Ryan, seconded by Councilmember Garvais, that Resolution 19-110, "Providing for the Competitive Negotiated Sale of \$4,200,000 General Obligation Capital Improvement Bonds, Series 2019B," be approved.

Mr. Huss stated the proposed Resolution calls for the sale of \$4,200,000 in GO Capital Improvement Bonds, and sets the sale date of these bonds for August 5, 2019. The bonds would be issued per MN Statutes, Chapters 462 and 475. Proceeds from the bonds will be used to fund the renovation of the first and second floors and the completion of the third floor of City Hall, 10801 Town Square Drive. On March 21, 2019, the City Council approved the 2019-23 Facilities Capital Improvement Plan and authorized the issuance of the bonds. Baker Tilly, MA, the City's Municipal Advisor, has provided a recommendation to the City that outlines the sale date, amount, and structure of the proposed bond.

Motion adopted unanimously.

12.4 Resolution 19-111, Approve Joint Powers Agreement No. XXX with Anoka County for Reconstruction of Pheasant Ridge Drive and Lexington Avenue Intersection Improvements, City Improvement Project No. 16-14.

Moved by Councilmember Jeppson, seconded by Councilmember Hovland, that Resolution 19-111, "Approve Joint Powers Agreement No. XXX with Anoka County for Reconstruction of Pheasant Ridge Drive and Lexington Avenue Intersection Improvements," be approved.

Mr. Schluender stated the City has been working on a reconstruction of Pheasant Ridge Drive from Lexington Avenue to 1700 feet west of Lexington Avenue. The plan is now prepared and the project can move forward as proposed to reconstruct the roadway and modify the signal system at the Pheasant Ridge Drive and Lexington Avenue intersection. The estimated construction cost of the total project is just over \$1 million. Staff has worked with Anoka County to prepare a JPA based on their cost participation policy. The County is being asked to pay for a portion of construction cost and 8% construction engineering expenses. The total estimated construction cost to the County is \$30,924. Adding the 8% construction engineering to the County's share of the construction cost brings Blaine's estimated total to \$33,397.92. The JPA also spells out future maintenance obligations of the City to include intersection striping and a portion of the signal system. The City of Blaine will pay for initial electrical installation for signal system and the ongoing electrical cost.

Motion adopted unanimously.

12.5 Motion 19-129, Approve Marketing Agreement with Utility Service Partners, Inc. for a Service Line Warranty Program.

Moved by Mayor Ryan, seconded by Councilmember Garvais, that Motion 19-129, "Approve Marketing Agreement with Utility Service Partners, Inc. for a Service Line Warranty Program," be approved.

Public Works Director Haukaas stated staff has been approached by Utility Service Partners, Inc. to request endorsement by the City of Blaine to market their Service Line Warranty program to our residents. This item was discussed at the May 20 and June 10, 2019 City Council Workshops. The attached Marketing Agreement would allow Utility Service Partners to use the City's name and logo on marketing materials that are sent to residential property owners in the city. The agreement limits the number of mail campaigns to twice per year - one introductory mailing and one reminder mailing for each, for a total of four mailings per year. The Service Line Warranty program is a third-party insurance program which provides homeowners with repair protection for leaking, clogged, or broken private water and sewer lines between the city main to the home. The program also educates homeowners about their service line responsibilities as homeowners are often unaware that these lines are the responsibility of the property owners and can be expensive to repair. Additional program options are available for wells, septic systems, and in-home plumbing. The program is endorsed by the National League of Cities.

Councilmember Robertson asked if the agreement had a termination clause. Mr. Haukaas reported this was the case and noted the City could leave the agreement early if concerns were to arise.

Councilmember Jeppson clarified the City would not be providing Utility Service Partners with any contact information on Blaine residents. Mr. Haukaas confirmed that was the case.

Motion adopted unanimously.

12.6 Motion 19-130, Approve City Manager Employment Contract.

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that Motion 19-130, "Approve City Manager Employment Contract and authorize the Mayor and City Manager to execute the same," be approved.

Mr. Huss stated early in 2019, the City Council, after consideration of a number of proposals, selected Strategic Government Resources (SGR) to conduct an Executive Search process and assist in the hiring

process for Blaine's next City Manager. Through this process, Council selected five finalists who were interviewed over the course of two days - Monday, June 24 and Tuesday, June 25. At the conclusion of the interviews Council agreed unanimously to offer the position to Michelle Wolfe, currently the Deputy City Manager of Aurora, Colorado. The City Council appointed a subcommittee consisting of Mayor Ryan and Councilmembers Robertson and Swanson to direct SGR in negotiating an employment contract with Ms. Wolfe. Those negotiations are complete and the agreement is submitted to the full Council for approval. The employment agreement specifies a September 16, 2019 start date.

Councilmember Robertson requested a minor correction on Page 5, Section 8 from "his own expense" to "her own expense".

Councilmember Swanson thanked Mr. Huss for his extensive work coordinating the City Manager search.

Motion adopted unanimously.

OTHER BUSINESS

Moved by Councilmember Garvais, seconded by Mayor Ryan, to appoint Finance Director Joe Huss as Interim City Manager and to adjust his salary to the current City Manager rate.

Motion adopted unanimously.

ADJOURNMENT

Moved by Councilmember Swanson, seconded by Councilmember Hovland, to adjourn the meeting at 8:50 p.m.

Tom Ryan, Mayor

ATTEST:

Catherine Sorensen, CMC, City Clerk
Submitted by TimeSaver Off Site Secretarial, Inc.