

CITY OF BLAINE
ANOKA COUNTY, MINNESOTA
CITY COUNCIL MEETING
Monday, January 6, 2020

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

CALL TO ORDER BY MAYOR RYAN

The meeting was called to order at 7:38 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 Michelle Wolfe; Community Development Director Erik Thorvig; 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; Senior Engineering Technician Al Thorp; Assistant City Engineer Stefan Higgins; Deputy Human Resources Director Sheri Chesness; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

APPROVAL OF MINUTES

Workshop Meeting – December 9, 2019

Truth in Taxation Hearing – December 9, 2019

Workshop Meeting – December 16, 2019

Regular Meeting – December 16, 2019

Moved by Councilmember Swanson, seconded by Councilmember Robertson, that the Minutes of Workshop Meeting of December 9, 2019, the Minutes of the Truth in Taxation Hearing of December 9, 2019, Minutes of Workshop Meeting of December 16, 2019, and the Minutes of the Regular Meeting of December 16, 2019 be approved.

Motion adopted. Councilmember Hovland abstained on the December 9, 2019 and December 16, 2019 meeting minutes due to his absence.

AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS5.1 Resolution No. 20-01, Mission Statement Affirming Council/Staff Responsibilities.

City Manager Wolfe stated the City Council initially adopted Resolution No. 86-41 defining certain responsibilities, defining expected Council/staff relationships and performance expectations, assuring no recriminations for acting in the public interest, and pledging no self-serving activities at the expense of the public interest. This resolution has come to City Council each year since 1986 for consideration and adoption at the first official meeting of the year. Of note is the first "Whereas" clause, which includes the City of Blaine Mission Statement. As part of the strategic planning process in 2019, the Mayor and City Council began work on a revised mission statement. Work will continue in early 2020. Until such time that a revised statement is approved by City Council, the statement contained herein will continue to be the official mission statement.

Moved by Councilmember Robertson, seconded by Councilmember Hovland, that Resolution 20-01, "Mission Statement Affirming Council/Staff Responsibilities," be approved.

Motion adopted unanimously.

5.2 Motion 20-01, Designate Official Newspaper for 2020.

City Clerk Sorensen stated State Law and City Code require that City Council designate a single newspaper as its official newspaper. Staff explained Minnesota Statute 331A.02, Subd. 1 defines the qualifications for a publication to be designated as an official newspaper. Staff provided a summary of the one bid received from the *Blaine/Spring Lake Park Life*. It was noted public notices are also posted at City Hall, on the City's website and distributed through the CivicPlus NotifyMe communication tool.

Moved by Councilmember Jeppson, seconded by Councilmember Swanson, that Motion 20-01, "Designate Official Newspaper for 2020," be approved.

Motion adopted unanimously.

5.3 Motion 20-02, Rules of Procedure and Quorum – Orders of Business.

Ms. Sorensen stated Section 3.03 of the City Charter, Procedure of Council, states that the Council shall determine its own Order of Business. A minor clarification has been included under Open Forum but no other changes are being recommended at this time.

Moved by Councilmember Hovland, seconded by Councilmember Paul, that Motion 20-02, "Rules of Procedure and Quorum – Orders of Business," be approved.

Motion adopted unanimously.

5.4 Motion 20-03, Recording Secretary Service Agreement for 2020.

Ms. Sorensen stated TimeSaver Off-Site Secretarial Service (TOSS) has been recording minutes for City Council meetings since July 1993. In 2000, a formal agreement was signed and each year an addendum was submitted for Council approval. Beginning in 2020, this family-owned business will be making some organizational changes with Blaine's account transferred to Heidi Guenther under a new business name,

Minute Maker Secretarial. Ms. Guenther has been transcribing the City's minutes for several years and will continue to do so but will be managing the account under this new name. The agreement reflects a less than 2.5% increase in rates for 2020, consistent with past increases, and includes a clause that allows either party to cancel this agreement with or without cause upon thirty (30) days written notice.

Ms. Sorensen reported currently, Minute Maker Secretarial is recording minutes for all City Council meetings, workshops, EDA meetings, Planning Commission, Park Advisory Board, Traffic Commission, Special Board of Review, and Natural Resources Conservation Board meetings. Minute Maker Secretarial also covers special workshops and Council meetings as needed and posts approved minutes to Legistar for public viewing on the City's webpage. The agreement reflects their fees for all recording services and extends the expiration date to December 31, 2020.

Moved by Councilmember Paul, seconded by Councilmember Jeppson, that Motion 20-03, "Recording Secretary Service Agreement for 2020," be approved.

Motion adopted unanimously.

5.5 Motion 20-04, Designate Official City Depositories for 2020.

Finance Director Huss stated this item fulfills the requirement of Minnesota State Statute 118A.02. 21st Century Bank serves as the City's primary banking services provider and US Bank is used as a depository for certain investment transactions. Other banks are listed as depositories if, through the normal course of business, the City finds it necessary to deposit funds other than in its primary bank accounts.

Moved by Councilmember Swanson, seconded by Councilmember Paul, that Motion 20-04, "Designate Official City Depositories for 2020," be approved.

Motion adopted unanimously.

5.6 Motion 20-05, Designate the Finance Director to Make Electronic Funds Transfers.

Mr. Huss stated in 2019 the City adopted its Electronic Funds Transfer (EFT) Policy, per Minnesota Statute 471.38. Pursuant to this policy the City Council annually delegates the authority to make EFT's to the City's Finance Director.

Moved by Mayor Ryan, seconded by Councilmember Robertson, that Motion 20-05, "Designate the Finance Director to Make Electronic Funds Transfers," be approved.

Motion adopted unanimously.

5.7 Motion 20-06, Acknowledgement of Financial Contributions of Organizations Conducting Lawful Gambling.

Mr. Huss stated pursuant to Minnesota State Statute 349.213, the City is required to acknowledge the financial contributions of organizations conducting lawful gambling to the community. With regard to the statute, the City Council acknowledges the following organizations for their contributions to the City's Charitable Gambling program including Blaine Youth Hockey, Blaine Festival, Centennial HS Football Boosters, Sgt. John Rice VFW, Spring Lake Park Lions, and Spring Lake Park Hockey Association.

Mr. Huss reported in total, the groups listed above contributed over \$120,000 in charitable contributions to Blaine in 2019, helping to fund numerous charitable organizations including local food shelves, shelter services, and Blaine area high schools.

Moved by Councilmember Robertson, seconded by Councilmember Hovland, that Motion 20-06, "Acknowledgement of Financial Contributions of Organizations Conducting Lawful Gambling," be approved.

Motion adopted unanimously.

5.8 Motion 20-07, Appointment of Liaisons to Various Boards and Commissions.

Ms. Wolfe stated each year the City Council designates Council and/or staff liaisons to serve on various boards and commissions throughout the year. Staff provided the Council with the Council liaison designations from 2019, which was discussed at the December 9 workshop. A draft liaison designation for 2020 was reviewed. Please note the list no longer includes liaisons for the Watershed Districts and Anoka/Hennepin Community Education Advisory Council as Council felt formal liaisons were not necessary as these organizations regularly contacted Council and staff when necessary. The 35W Corridor Coalition has also been removed since the organization has now been dissolved.

Mayor Ryan read the list of appointments of liaisons in full for the record.

Moved by Councilmember Robertson, seconded by Councilmember Hovland, that Motion 20-07, "Appointment of Liaisons to Various Boards and Commissions," be approved.

Motion adopted unanimously.

COMMUNICATIONS

None.

OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:48 p.m.

Bryson Rea, 3391 Pheasant Run, requested the City Council consider the use of road reflectors on City streets given the inclement weather in Minnesota and to improve roadway safety.

There being no input, Mayor Ryan closed the Open Forum at 7:50 p.m.

ADOPTION OF AGENDA

The agenda was adopted as presented.

APPROVAL OF CONSENT AGENDA

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

9.1 Motion 20-08, Schedule of Bills Paid.9.2 Second Reading - Ordinance 19-2442, Amending Chapter 27 – Planning Commission/Board of Appeals and Adjustments; Chapter 54 – Parks and Recreation; and Chapter 83 – Traffic and Vehicles of the City of Blaine Code of Ordinances.9.3 Motion 20-09, Approve a Temporary On-Sale Intoxicating Liquor License for Church of St. Timothy's Valentine's Day Dinner, 707-89th Avenue NE.9.4 Motion 20-10, Authorize Purchase of Road Chemicals for 2020 in an Amount Up to \$311,360.9.5 Motion 20-11, Authorize Temporary Removal of Parking Restrictions on 91st Avenue to Accommodate Ferguson Waterworks Academy Training on January 14-16, 2020.9.6 Motion 20-12, Authorization to Purchase and Install New Boiler at City Hall to Egan, Inc. in the Amount of \$86,142.

Motion adopted unanimously.

7:30 P.M. - PUBLIC HEARINGS AND ITEMS SET FOR A CERTAIN TIME10.1 Resolution No. 20-07, Granting a Conditional Use Permit Amendment to Allow for a Minimum Square Footage of 1,350 Square Feet in the Arroyo Villas Development located at 116th Avenue NE and Ulysses Street. Ranger Development LLC (Case File No. 19-0019/LSJ).

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

City Planner Johnson stated in June of 2019 the development known as Arroyo Villas was approved through a conditional use permit issued by the city council. The development is 5.28 acres in size with 22 single family, detached units. The developer, Ranger Development, originally planned to provide floor plans that were no smaller than 1,800 square feet in Arroyo Villas. As they started marketing the community, they saw the need to provide a more affordable product, and one way to do that is to provide smaller floor plans. The developer is now proposing to build homes that could have a minimum square footage of 1,350 square feet. These homes would have similar layouts and exterior elevations of what was originally proposed; they would just be smaller in size. Staff is supportive of an amendment to the conditional use permit resolution for this development that allows a minimum of 1,350 square feet for the homes in the development. Other developments in Blaine have gone as low as 1,380 for square footage in recent years so this proposal is not distinctly different. The amendment is recommended for approval.

There being no public input, Mayor Ryan closed the public hearing at 7:55 p.m.

Councilmember Hovland asked if the proposed homes would be one-story units. Ms. Johnson reported this was the case.

Jon Blatman, Ranger Development, explained he has received more requests for affordable homes in Blaine. He noted he would be building some homes with a second level. He commented on how the increasing price of lumber was impacting the price of new homes.

Councilmember Garvais encouraged the developer to inform his buyers that they would be living on a private drive.

Moved by Mayor Ryan, seconded by Councilmember Garvais, that Resolution 20-07, "Granting a Conditional Use Permit Amendment to Allow for a Minimum Square Footage of 1,350 Square Feet in the Arroyo Villas Development located at 116th Avenue NE and Ulysses Street," be approved.

Motion adopted unanimously.

DEVELOPMENT BUSINESS

11.1 Resolution No. 20-02, Granting a Conditional Use Permit to Construct a New Church Building in a PBD (Planned Business District) Zoning District located at 12390 Fraizer Street NE. Renovation Church (Case File No. 19-0048/SLK).

Moved by Councilmember Hovland, seconded by Mayor Ryan, that Resolution No. 20-02, "Granting a Conditional Use Permit to Construct a New Church Building in a PBD (Planned Business District) Zoning District located at 12390 Fraizer Street NE," be approved.

Ms. Johnson stated the applicant is proposing to construct a church at 12390 Fraizer Street in the Parkside North neighborhood. The construction of the building for Renovation Church would be a new location to the already existing church operating out of Northpoint Elementary in Blaine. Renovation Church proposes to construct an approximately 20,865 square foot church. The church would expect to employ 10-15 people and hold two services on Sunday for up to 479 people per service. The facility will include seating for approximately 479 people in the worship center. The building space also includes six classrooms, a common area and staff offices.

Mayor Ryan congratulated the church on their efforts and commented how hard it was to renovate and build new churches.

David Soren, lead pastor for Renovation Church, introduced himself and his church to the City Council. He explained he currently has 560 people in attendance each Sunday and the church has simply outgrown meeting at an elementary school. He stated he was extremely excited to be moving into a new space.

Councilmember Hovland expressed concerns regarding allowing a church or other tax exempt use moving into a commercial property and commented on how this impacts the City's tax base. Ms. Johnson explained this same issue was discussed when Eagle Brook Church asked to move into the City and reported the City cannot restrict churches in these zoning districts.

Councilmember Robertson stated the proposed location would be ideal for a church. Community Development Director Thorvig explained there was little a city could do to limit churches. He noted he would provide the Council with case law information from the League of Minnesota Cities.

Mayor Ryan commented on the service churches provide to the community and while he would like to see the City's tax base protected, there was nothing the City could do.

Roger Meyer, 12311 Ghia Street, shared concerns with traffic and how vehicles would be exiting and entering the church parking lot. He discussed the proposed alignment of Ghia Street with 124th Lane and

requested additional signage showing Ghia Street was a private drive/not a through street be installed by the City. He recommended the church use Fraizer Street for egress and ingress.

Councilmember Jeppson asked if a right-in/right-out from 125th Lane could be used to access the church. Ms. Johnson commented this issue would have to be addressed with the site plan and property owner for this parcel.

Councilmember Paul questioned how many times a week the church would have activities. Ms. Johnson reported the church would have two services on Sunday and activities for children on Wednesday nights.

Councilmember Garvais supported private drive signage being posted but recommended Ghia Street not be offset.

Councilmember Swanson asked if the residents living on Ghia Street could close one end of their road. Public Works Director Haukaas reported this could be considered but may be a public safety concern. He noted this type of request would require review from the City's engineering department.

Ms. Johnson commented she would not recommend the roadway alignment be altered because the proposed alignment was the safest option. She indicated staff could support the installation of signage on the private roadway.

Councilmember Garvais stated he could support the City providing the neighborhood with private drive signs.

Mayor Ryan recommended staff work with the association on possible funding for additional signage and to explore additional outlets if possible. He noted the association could explore closing their roadway after reviewing the neighborhoods safety access.

Motion adopted unanimously.

11.2 Resolution No. 20-03, Granting Final Plat Approval to Subdivide 6.53 Acres into One Lot to be known as Renovation Church 1st Addition located at 12390 Fraizer Street NE. Renovation Church (Case File 19-0052/SLK).

Moved by Councilmember Robertson, seconded by Councilmember Jeppson, that Resolution No. 20-03, "Granting Final Plat Approval to Subdivide 6.53 Acres into One Lot to be known as Renovation Church 1st Addition located at 12390 Fraizer Street NE," be approved.

Ms. Johnson stated the final plat will consist of one lot on Fraizer Street NE and 124th Avenue NE. The proposed lot is consistent with the approved preliminary plat that was issued by the city council in 2014. The proposed Lot 1 will be for Renovation Church and the conditional use permit for the church is scheduled on the January 6, 2020 city council agenda. The parcel is currently an outlot and is required to be re-platted into a lot and block prior to any development occurring on site.

Motion adopted unanimously.

11.3 First Reading – Ordinance No. 20-2443, Granting a Rezoning from FR (Farm Residential) to DF (Development Flex) for 42 Acres located at 12801 and 12847 Lexington Avenue NE. Lennar Corporation (Case File NO. 19-0040/LSJ).

Ms. 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, which is accessed via Lever Street. Currently, the property has an existing zoning designation of FR (Farm Residential) and is guided in the Comprehensive Plan as LDR (Low Density Residential). The property is within the MUSA (Metropolitan Urban Service Area) which indicates it is intended to be served with city sewer and water. The project zoning is proposed to be DF (Development Flex) to cover all of the residential uses. With the DF zoning, housing products and neighborhood design issues will require and be regulated by a Conditional Use Permit (CUP).

Declared by Mayor Ryan that Ordinance No. 20-2443, "Granting a Rezoning from FR (Farm Residential) to DF (Development Flex) for 42 Acres located at 12801 and 12847 Lexington Avenue NE," be introduced and placed on file for second reading at the January 22, 2020 Council meeting.

11.4 Resolution No. 20-04, Granting Preliminary Plat Approval to Re-Plat Two Existing Parcels into One Parcel located at 11421 Ulysses Avenue NE, 11452 Central Avenue NE and Outlot C, Meadow Place. Public Storage (Case File No. 19-0044/LSJ).

Moved by Mayor Ryan, seconded by Councilmember Hovland, that Resolution No. 20-04, "Granting Preliminary Plat Approval to Re-Plat Two Existing Parcels into One Parcel located at 11421 Ulysses Avenue NE, 11452 Central Avenue NE and Outlot C, Meadow Place," be approved.

Ms. Johnson stated the applicant has proposed a one lot preliminary plat that combines two parcels to be used as one lot. The preliminary plat must occur due to the fact that one of the two parcels is currently an outlot, and no construction can occur on an outlot. Park dedication will be required for the two lots that are being combined. Commercial park dedication is based on acreage and the rate for this commercial use is \$8,704 per acre. The new site is 7.41 acres so a total park dedication payment of \$64,497 is due prior to the release of the final plat mylars for recording purposes at Anoka County.

Motion adopted 6-1 (Councilmember Jeppson opposed).

11.5 Resolution No. 20-05, Granting a Conditional Use Permit for Two Proposed Public Storage Buildings on One Lot and Shared Access in a CC (Community Commercial) Zoning District located at 11421 Ulysses Avenue NE, 11452 Central Avenue NE and Outlot C, Meadow Place. Public Storage (Case File No. 19-0044/LSJ).

Moved by Councilmember Paul, seconded by Councilmember Hovland, that Resolution No. 20-05, "Granting a Conditional Use Permit for Two Proposed Public Storage Buildings on One Lot and Shared Access in a CC (Community Commercial) Zoning District located at 11421 Ulysses Avenue NE, 11452 Central Avenue NE and Outlot C, Meadow Place," be approved.

Ms. Johnson stated a conditional use permit is required for the mini-storage use, two buildings on one lot and a shared access with the existing Public Storage facility. The proposed new storage buildings are equal to 120,408 square feet. The applicant has provided a floor plan that indicates how the 1,120 units will be laid out within the buildings. The property will be staffed with 2-4 employees and security measures will consist of video cameras, fencing, gates and controlled access to enter the site and buildings. The fencing and gate details are located on the site plan and building elevations. Staff commented further on the proposed public storage building project and recommended approval.

Motion adopted 6-1 (Councilmember Jeppson opposed).

11.6 Resolution No. 20-06, Granting a Conditional Use Permit to Allow for a Small Gunsmithing Business to be Operated Out of a Garage in an R-1 (Single Family) Zoning District located at 799 101st Avenue NE. Storbeck William A. Jr & Dawn M. (Case File No. 19-0047/EES).

Moved by Mayor Ryan, seconded by Councilmember Robertson, that Resolution No. 20-06, “Granting a Conditional Use Permit to Allow for a Small Gunsmithing Business to be Operated Out of a Garage in an R-1 (Single Family) Zoning District located at 799 101st Avenue NE,” be approved.

Ms. Johnson stated William Storbeck wishes to operate a business involving machining and repairs of firearm components within the garage of his home. The zoning code allows for home occupations without conditional use permits when all code requirements are met and allows for deviation from the requirements with a conditional use permit. The applicant will meet all of the requirements of the code for a home occupation, except for the requirement regarding operating a business in the garage, which is the reason the CUP has been requested. The business involves receiving materials through UPS and turning and machining components that are used in firearms with two lathes. The business does not involve fully functional firearms or ammunition.

William Storbeck, 799 101st Avenue NE, introduced himself to the Council and discussed the work he would be doing from his home business. He explained the work would be very low key and the majority of his business would be managed by UPS.

Motion adopted unanimously.

11.7 Resolution No. 20-08, Granting a Preliminary Plat One Year Extension for Hennum Meadows 2nd Addition located at 10209 Jackson Street NE. Daniel Hennum (Case File No. 19-0016/SLK).

Moved by Mayor Ryan, seconded by Councilmember Paul, that Resolution No. 20-08, “Granting a Preliminary Plat One Year Extension for Hennum Meadows 2nd Addition located at 10209 Jackson Street NE,” be approved.

Ms. Johnson stated on June 3, 2019, the applicant received approval of a preliminary plat from the city council for a subdivision known as Hennum Meadows 2nd Addition that includes 0.97 acres and 3 single family lots. The existing home on Lot 1 will remain. Since June 2019, the developer has not made any progress towards submitting the final plat for this property. The applicant has been working with the Coon Creek Watershed related to ponding issues and anticipates starting the project in summer 2020. At this time the applicant would like to obtain a one year extension on the preliminary plat approval. The plat extension does not change any conditions of the plat other than updating some of the development fee numbers. The only thing the extension does is allow the property owner more time. If the extension is approved by the city council the final plat will need to be submitted for city approval prior the expiration of the one year extension.

Motion adopted unanimously.

11.8 Resolution No. 20-09, Granting a Preliminary Plat One Year Extension for Elizabeth Marie Estates located at 2791 93rd Avenue NE. PD&H Properties LLC (Case File No. 19-0017/EES).

Moved by Councilmember Hovland, seconded by Councilmember Swanson, that Resolution No. 20-09, “Granting a Preliminary Plat One Year Extension for Elizabeth Marie Estates located at 2791 93rd Avenue NE,” be approved.

Ms. Johnson stated on June 3, 2019, the applicant received approval of a preliminary plat from the city council for a subdivision known as Elizabeth Marie Estates that includes 3.61 acres and 7 single family lots. Since that date, the developer has not made any progress towards submitting the final plat for this property. At this time the applicant would like to obtain a one year extension on the preliminary plat approval. The applicant was delayed by the watershed district permitting and plans to start construction in the spring. The plat extension does not change any conditions of the plat other than updating some of the development fee numbers. The only thing the extension does is allow the property owners more time. If the extension is approved by the city council the final plat will need to be submitted for City approval prior the expiration of the one year extension.

Motion adopted unanimously.

ADMINISTRATION

12.1 Motion 20-13, Ratification of Law Enforcement Labor Services, Local 165 (Police Officers) Labor Agreement for 2020-2022.

Moved by Councilmember Hovland, seconded by Councilmember Robertson, that Motion 20-13, “Ratification of Law Enforcement Labor Services, Local 165 (Police Officers) Labor Agreement for 2020-2022,” be approved.

Deputy Human Resources Director Chesness stated the City of Blaine and the Law Enforcement Labor Services, Local 165 (police officers) have reached agreement on the labor contract covering the three years beginning January 1, 2020 through December 31, 2022. The changes within the agreement were reviewed with the Council and staff recommended approval of the labor agreement.

Motion adopted unanimously.

12.2 Motion 20-14, Authorize the Mayor and City Manager to Enter into a Two-Year Contract with the State of Minnesota for a Four Day Per Week Institution Community Work Crew in the Amount of \$93,250 Per Year.

Moved by Mayor Ryan, seconded by Councilmember Jeppson, that Motion 20-14, “Authorize the Mayor and City Manager to Enter into a Two-Year Contract with the State of Minnesota for a Four Day Per Week Institution Community Work Crew in the Amount of \$93,250 Per Year,” be approved.

Mr. Haukaas stated the City has had a contract with the State of Minnesota Department of Corrections (DOC) since the fall of 2018 for a work crew to perform various labor intensive work throughout the City. The DOC has offered a two year contract to continue this partnership with the City. We have experienced excellent service and received significant benefit from this contract. The new contract price reflects a 6% increase that is locked in for the two year period. Staff recommends approving the new extended contract.

Motion adopted unanimously.

OTHER BUSINESS

None.

ADJOURNMENT

Moved by Councilmember Robertson, seconded by Councilmember Hovland, to adjourn the meeting at 8:53 p.m.

Tom Ryan, Mayor

ATTEST:

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