



City of Blaine
Anoka County, Minnesota
Minutes - Final
City Council

10801 Town Square Drive
Blaine MN 55449

Thursday, June 18, 2015

7:30 PM

Council Chambers

1. CALL TO ORDER BY THE MAYOR

The meeting was called to order at 7:30 p.m. by Mayor Ryan followed by the Pledge of Allegiance and the Roll Call.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Quorum present.

ALSO PRESENT: City Manager Clark Arneson; City Attorney Patrick Sweeney; Planning and Community Development Director Bryan Schafer; Public Services Manager Bob Therres; Finance Director Joe Huss; Police Captain Dan Szykulski; City Engineer Jean Keely; Stormwater Manager Jim Hafner; Communications Technician Roark Haver; Senior Engineering Technician Al Thorp; City Clerk Catherine Sorensen; and Recording Secretary Linda Dahlquist.

Present: 5 - Tom Ryan, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

Absent: 2 - Councilmember Swanson and Councilmember Hovland

4. APPROVAL OF MINUTES

4.-1 [MIN 15-20](#)

RECENTLY HELD MEETINGS

Mayor Ryan stated the Workshop Special Closed Meeting on June 4, 2015 was held to discuss a salary adjustment increase of 2% and \$2,000 performance pay for the City Manager.

Councilmember Herbst stated one reason for the performance pay was to recognize the work completed on the real estate closing transaction that was done without a realtor that saved the City a large sum.

Moved by Councilmember King, seconded by Councilmember Herbst, to approve a salary increase of 2% and \$2,000 performance pay for the City Manager.

Motion adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

Regular Meeting - June 4, 2015

Workshop Meeting - June 4, 2015

Workshop Meeting - June 9, 2015

Moved by Councilmember Bourke, seconded by Councilmember Herbst, that the Regular Meeting Minutes of June 4, 2015, the Workshop Meeting Minutes of June 4, 2015, and the Workshop Meeting Minutes of June 9, 2015, be approved.

Motion adopted 4-0-1 (Councilmember Bourke abstained due to his absence).

Aye: 4 - Mayor Ryan, Councilmember Herbst, Councilmember Clark and Councilmember King

Abstain: 1 - Councilmember Bourke

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

None.

6. COMMUNICATIONS

6.-1 [Com 15-01](#) COMMUNITY CENTER SURVEY RESULTS

Councilmember King left the meeting at 7:35 p.m. and returned at 7:36 p.m.

Brian Ward, Anderson, Niebuhr & Associates, Inc., stated a survey for an Indoor Community Facilities and Amenities was mailed in April to adults over age 18 in 1,000 randomly selected households and received 386 responses. He noted the data collection series included three contacts: a survey packet, a reminder post card and a follow up survey packet. He stated the survey determined there was substantial support of the concept for a new indoor community facility; highest support from households with children under the age of 18 and residents that have lived in the City less than two years; lowest support among households with seniors 55 or older; that partnership support did not affect the aggregate; the most appealing amenities were paths connecting to trails, indoor walking/running track, indoor pool, workout equipment, group fitness classes; and programing services for seniors. He noted that the most influential considerations for support of the facility are the cost to use amenities, hours of operation, location and security.

Councilmember Herbst left the meeting at 7:42 p.m. and returned at 7:44 p.m.

Mayor Ryan commented the Community Center Task Force is comprised of residents, not Councilmembers.

Public Services Manager Therres commented the City's website has the full report from Anderson, Niebuhr & Associates, Inc.

Informational: no action required

Mayor Ryan welcomed Advanced Boutique to the City of Blaine.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:56 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:57 p.m.

8. ADOPTION OF AGENDA

Adopted as amended, adding Item 10.12

9. 8:00 P.M. - PUBLIC HEARING AND ITEMS SET FOR A CERTAIN TIME

Moved on the agenda to follow agenda item 10.5.

10. APPROVAL OF CONSENT AGENDA:

Councilmember King removed agenda item 10.3.

Councilmember Clark removed agenda item 10.4.

Councilmember Herbst removed agenda item 10.5.

Moved by Councilmember Herbst, seconded by Councilmember King, that the following be approved:

10.-1 [MO 15-082](#)

SCHEDULE OF BILLS PAID

Approved

10.-2 [MO 15-083](#)

APPROVAL OF DONATION TO SPRING LAKE
PARK-BLAINE-MOUNDS VIEW FIRE DEPARTMENT FOR
FIREWORKS

Approved

10.-6 [MO 15-087](#)

ACCEPT QUOTE FROM KEVIN CASEY, LLC IN THE AMOUNT OF
\$25,614.00 FOR THE 84TH LANE STORM SEWER REPAIR
IMPROVEMENT PROJECT NO. 15-10

Approved

10.-7 [MO 15-088](#) APPROVE 2015-2016 OFF-SALE LIQUOR LICENSE RENEWALS

Approved

10.-8 [MO 15-089](#) APPROVE 2015-2016 ON-SALE WINE LICENSE RENEWAL

Approved

10.-9 [MO 15-090](#) APPROVE 2015-2016 ANNUAL ON-SALE BEER, OFF-SALE BEER
AND CLUB/PUBLIC DRINKING/TAVERN LICENSE RENEWALS

Approved

10.-10 [MO 15-091](#) APPROVE 2015-2016 PRIVATE ON-SALE AND SUNDAY LIQUOR
LICENSE RENEWALS

Approved

10.-11 [MO 15-092](#) APPROVE A CARNIVAL LICENSE FOR AMUSEMENT
ATTRACTIONS AT AQUATORE PARK FOR THE BLAINE
FESTIVAL, JUNE 26 THROUGH JUNE 28, 2015

Approved

10.-12 [MO 15-094](#) APPROVE A TEMPORARY ON-SALE 3.2% MALT BEVERAGE
LICENSE FOR SGT. JOHN RICE VFW POST #6316, JULY 4TH
CELEBRATION, LOCATED AT 1374 109TH AVENUE NE, BLAINE

Approved

10.-3 [MO 15-084](#) NOTIFYING THE LEAGUE OF MINNESOTA CITIES INSURANCE
TRUST THAT MONETORY LIMITS ON TORT LIABILITY IS NOT
WAIVED

Councilmember King asked for clarification. City Manager
Arneson replied the City is not waiving the tort liability limit, so
the City cannot be sued for more than the limit.

Moved by Councilmember King, seconded by Councilmember Herbst, that Motion 15-084, "Notifying the League of Minnesota Cities Insurance Trust that Monetary Limits on Tort Liability is Not Waived," be approved.

Motion adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

10.-4 [MO 15-085](#)

ACCEPTING THE PROPOSAL FOR CONCESSION EQUIPMENT AT LEXINGTON ATHLETIC COMPLEX IN THE AMOUNT OF 12,927.63 FROM RAPIDS RESTAURANT EQUIPMENT

Councilmember Clark asked if the amount was included in the original budget. Public Services Manager Therres replied yes it was included in the budget.

Moved Councilmember Clark, seconded by Councilmember Bourke, that Motion 15-085, "Accepting the Proposal for Concession Equipment at Lexington Athletic Complex in the Amount of \$12,927.63 from Rapids Restaurant Equipment," be approved.

Motion adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

10.-5 [MO 15-086](#)

AUTHORIZE EXTENDED WORK HOURS FROM 6 AM TO 9 PM FOR THE UNIVERSITY AVENUE RECONSTRUCTION PROJECT, IMPROVEMENT PROJECT NO. 10-09

Councilmember Herbst asked if staff has heard from residents. City Engineer Keely replied there have not been any complaints from the residents. She noted she had not contacted Anoka County to see if they have received complaints. She stated the contract goes through the fall 2015.

Councilmember Clark asked if the contractor will receive a performance bonus if the project is completed earlier. City Engineer Keely replied she is not aware of a performance bonus.

Councilmember King stated he had spoken to four neighbors and they would be in favor of the work starting at 6:00 a.m. to get the project finished faster.

Moved by Councilmember Clark, seconded by Councilmember Herbst, that Motion 15-086, "Authorize Extended Work Hours from 6 AM to 9 PM for the University Avenue Reconstruction Project. Improvement Project No. 10-09," be approved.

Motion adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

8:00 P.M. - PUBLIC HEARING AND ITEMS SET FOR A CERTAIN TIME - cotinued

9.-1 [RES 15-107](#)

APPROVING AN AMENDMENT TO THE BLAINE ECONOMIC DEVELOPMENT PROJECT PLAN, ESTABLISHING A REDEVELOPMENT INCREMENT FINANCING DISTRICT AND APPROVING A TAX INCREMENT FINANCING PLAN THEREFOR (OAK PARK PLAZA)

Mayor Ryan opened the public hearing at 8:07 p.m.

Finance Director Huss stated the EDA Project Plan is to establish a redevelopment tax increment financing (TIF) district and TIF plan. He stated the development would bring \$12 million in private investment and the agreement provides for \$2.1 in assistance with a lump sum coming from the existing pooled TIF funds and the remainder to be paid via the Pay-As-You-Go (PAYGO) TIF district. He noted that the property qualifies as a redevelopment district eligible for TIF funding as a blighted property and it meets the requirement to allow the establishment of a TIF District.

Hugh Robinson, Project Developer, stated they are working to get construction started this year. He stated there is an environmental issue that they are working on to resolve. He gave an overview of the property.

Councilmember Bourke commented the neighborhood supports this project.

Councilmember Clark stated this project is economic development and the neighborhood will benefit.

Mayor Ryan closed the public hearing at 8:11 p.m.

Moved by Councilmember Bourke, seconded by Councilmember Clark, that Resolution 15-107, "Approving an Amendment to the Blaine Economic Development Project Plan, Establishing a Redevelopment Increment Financing District and Approving a Tax Increment Financing Plan Therefore (Oak Park Plaza)," be approved.

Motion adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

11. DEVELOPMENT BUSINESS**11.-1** [RES 15-108](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR CONSTRUCTION OF ONE (1) 99,056 SQUARE FOOT OFFICE WAREHOUSE/BUILDING ON AN EXISTING LOT, AND FOR SHARED PARKING AND ACCESS IN A PBD (PLANNED BUSINESS DISTRICT) ZONING DISTRICT AT 95TH AVENUE/HAMLIN AVENUE. BLAINE PRESERVE PHASE II. (CASE FILE NO. 15-0036/SLK)

Planning and Community Development Director Schafer stated the applicant is proposing to construct one 99,056 square foot office/warehouse building on Lot 2, Block 1. He noted there are no definite tenants for this building at this time. He noted the City received comments from neighborhood residents concerning the landscaping plan and trees on the property. He suggested Council amend the motion to place a higher percentage of Conifer trees along Hamline.

John O'Neil, 9409 Hamline Avenue, stated he was not aware of the proposed development. He stated his concern is that Hamline was redone last year and the road is 24 feet wide with parking on east side of the street. He stated where there are cars parked, it turns into a one-lane road. He is concerned about the increase in traffic on Hamline. He asked that there be no outlet onto Hamline and not allow right hand turns or restricting left hand turns from 3:00-6:00 p.m. He stated this is a residential street that would have increased traffic in the morning and in the afternoon. He stated the residents were not informed about this development because they live in the City of Lexington. He noted that the City of Lexington received a letter from the City of Blaine but did not share with the Lexington residents. He commented he referenced State statute that stated the City needs to inform people within 350 feet of the development.

Brandon Schampo, United Properties representative, stated the plan is to build without tenants. He stated they are talking with companies and hope to have tenants before the groundbreaking.

Councilmember Bourke asked about truck traffic on Hamline and asked if driving through the residential area can be discouraged. Mr. Schampo replied directional signage will be posted.

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that Resolution 15-108, "Granting a Conditional Use Permit to Allow for Construction of One (1) 99,056 Square Foot Office Warehouse/Building on an Existing Lot, and for Shared Parking and Access in a PBD (Planned Business District) Zoning District at 95th Avenue/Hamline Avenue. Blaine Preserve Phase II," be approved.

Councilmember Clark asked if the north bound access from Label Road is shared. City Manager Arneson replied yes, that is a shared access. He stated he is concerned that trucks will want to take the shortest route to the freeway. Mr. O'Neil stated trucks are not allowed on Hamline due to a 3-ton limit year round. He stated he is concerned about increased passenger traffic.

Councilmember Clark asked about the notification requirement and if the City is in compliance. City Attorney Sweeney replied the City is in compliance. He stated the State statute referenced does not apply to this situation. He stated the statute refers to a boundary change to a zoning district.

Moved by Councilmember Herbst, seconded by Councilmember Clark that the

developer increase the percentage of Conifer trees along Hamline Avenue.

Amendment adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

Amended motion adopted unanimously.

11.-2 [RES 15-109](#)

GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE 3.05 ACRES INTO 20 DETACHED SINGLE FAMILY LOTS AND ONE OUTLOT TO BE KNOWN AS THE LAKES OF RADISSON SIXTY-FIRST ADDITION AT EDISON STREET/ALAMO STREET NE. CENTRA HOMES, LLC. (CASE FILE NO. 15-0037/SLK)

Planning and Community Development Director Schafer stated The Lakes of Radisson 61st Addition consists of subdividing a 3.05 acre outlot into a subdivision with 20 dwelling units and one outlot for a private drive. He noted this is the second and final phase of the detached townhome project being built by Centra Homes.

Moved by Councilmember Bourke, seconded by Councilmember King, that Resolution 15-109, "Granting Final Plat Approval to Subdivide 3.05 Acres into 20 Detached Single Family Lots and One Outlot to be known as The Lakes of Radisson Sixty-First Addition at Edison Street/Alamo Street NE. Centra Homes, LLC," be approved.

Motion adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

11.-3 [RES 15-110](#)

GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE 6.18 ACRES INTO ONE (1) LOT AND TWO (2) OUTLOTS TO BE KNOWN AS BALL ROAD 2ND ADDITION ON BALL ROAD EAST OF LEXINGTON AVENUE. THE DRIESSEN GROUP, LLC. (CASE FILE NO. 15-0019/LSJ)

Planning and Community Development Director Schafer stated the proposed plat creates one lot and two outlots. He stated Lot 1 is 2.87 acres and is the site of the proposed Goodwill development. He noted the two outlots contain wetlands and cannot be developed at this time. He stated park dedication will be due with the platting of the lot.

Mayor Ryan asked when Ball Road will be opened. Planning and Community Development Director Schafer replied Ball Road has to be open for the opening of Walmart in August.

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that Resolution 15-110, "Granting Final Plat Approval to Subdivide 6.18 Acres into One (1) Lot and Two (2) Outlots to be known as Ball Road 2nd Addition on Ball Road East of Lexington Avenue. The Driessen Group, LLC," be approved.

Motion adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

11.-4 [ORD 15-2318](#)

SECOND READING

REZONING FROM R-1 (SINGLE FAMILY) TO DF (DEVELOPMENT FLEX) FOR THE CAROLE'S COVE DEVELOPMENT AT NORTH ROAD EAST OF JEWEL STREET. FRANK FEELA. (CASE FILE NO. 15-0009/LSJ)

Planning and Community Development Director Schafer stated the applicant is proposing to develop this vacant property with R-1 zoning (Single Family) and a land use of LDR (Low Density Residential). He is proposing to create 11 single-family lots and wishes to change the zoning of the property to DF (Development Flex) to provide more flexibility with setbacks, lot size, etc.

Moved by Councilmember Clark, seconded by Mayor Ryan, that Ordinance 15-2318, "Rezoning from R-1 (Single Family) to DF (Development Flex) for the Carole's Cove Development at North Road East of Jewel Street. Frank Feela," be approved.

Motion adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

11.-5 [RES 15-111](#)

GRANTING PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 3.19 ACRES INTO 11 DETACHED TOWNHOME LOTS TO BE KNOWN AS CAROLE'S COVE AT NORTH ROAD EAST OF JEWEL STREET. FRANK FEELA. (CASE FILE NO. 15-0009/LSJ)

Planning and Community Development Director Schafer stated the applicant is proposing to create 11 single-family lots with a zoning of DF (Development Flex). He noted the property around the detached townhomes will be association maintained.

Moved by Councilmember Bourke, seconded by Councilmember Clark, that Resolution 15-111, "Granting Preliminary Plat Approval to Subdivide 3.19 Acres into 11 Detached Townhome Lots to be known as Carole's Cove at North Road East of Jewel Street. Frank Feela," be approved.

Motion adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

11.-6 [RES 15-112](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR CONSTRUCTION OF 11 DETACHED TOWNHOMES IN A DF (DEVELOPMENT FLEX) ZONING DISTRICT FOR CAROLE'S COVE AT NORTH ROAD EAST OF JEWEL STREET. FRANK FEELA. (CASE FILE NO. 15-0009/LSJ)

Planning and Community Development Director Schafer stated the applicant is proposing to create 11 single-family lots with a zoning of DF (Development

Flex). He noted the property around the detached townhomes will be association maintained.

Moved by Councilmember Bourke, seconded by Councilmember Herbst, that Resolution 15-112, "Granting a Conditional Use Permit to Allow for Construction of 11 Detached Townhomes in a DF (Development Flex) Zoning District for Carole's Cove at North Road East of Jewel Street. Frank Feela," be approved.

Motion adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

12. ADMINISTRATION

12.-1 [MO 15-093](#)

APPROVAL OF MINOR REVISIONS TO THE LOCAL SURFACE WATER MANAGEMENT PLAN

Stormwater Manager Hafner stated the update is to make the plan current with the Rice Creek Watershed District and Coon Creek Watershed District plans and to be current with City stormwater related items. He noted the updates do not change City ordinance nor do they make any new requirements relative to regulatory items.

Moved by Councilmember Herbst, seconded by Councilmember King, that Motion 15-093, "Approval of Minor Revisions to the Local Surface Water Management Plan, be approved.

Motion adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

12.-2 [ORD 15-2316](#)

SECOND READING

CHAPTER 12. - MISCELLANEOUS AND TRANSITORY PROVISIONS SEC. 12.06. - VACATION OF STREETS.

Mayor Ryan removed agenda item 12.2.

Removed Prior to Meeting

12.-3 [ORD 15-2319](#)

SECOND READING

ORDINANCE AMENDING SECTION 27.02 PLANNING COMMISSION/BOARD OF APPEALS & ADJUSTMENTS OF THE ZONING ORDINANCE AND ARTICLE II. - PARK BOARD, SECTION 54-31. - ESTABLISHED; MEMBERS; ORGANIZATION REGARDING RESIDENCY REQUIREMENTS FOR CURRENT BOARD AND COMMISSION MEMBERS

Mayor Ryan stated the ordinance will allow current members who may move from the ward they are appointed to finish out their

terms.

Declared by Mayor Ryan that Ordinance 15-2319, "Ordinance Amending Section 27.02 Planning Commission/Board of Appeals & Adjustments of the Zoning Ordinance and Article II. Park Board, Section 54-31. Established; Members; Organization Regarding Residency Requirements for Current Board and Commission Members" be introduced and placed on file for second reading at the July 9, 2015, Council meeting.

12.-4 [ORD 15-2312](#)

SECOND READING

LICENSING AND REGULATION OF THERAPEUTIC MASSAGE

City Clerk Sorensen stated the ordinance is to place a limit on the number of massage enterprise licenses to one per 2,500 in City's population. She noted the City received a request for an exception for athletic training but is suggesting revised language to that would allow other professional practices licensed or registered by this state and regulated by a governmental body with a board where concerns and complaints could be directed be included as well.

Susan Tietjen, American Massage Therapy Association, Minnesota Chapter, stated she has read through the City's ordinance and has some suggestions. She stated by limiting the number of massage businesses will limit business opportunity. She stated strong background checks and verifiable education and training promotes legal business. She stated the Nursing profession could have massage therapists working in their clinics. She stated under the City's current rules, therapists are not required to have schooling only training. Ms. Tietjen suggested the City support State regulation of massage therapy. She noted that the League of Minnesota Cities supports State regulation.

City Clerk Sorensen stated Minnesota is one of only five states that do not have State regulation.

Councilmember Bourke left the meeting at 8:53 p.m. and returned at 8:54 p.m.

Councilmember Clark asked about a medical practice having massage therapists that are not academically trained but trained by the employer. City Clerk Sorensen stated in that case, the business has the liability and not the City.

Councilmember Herbst commented the City will adjust the ordinance as needed.

Moved by Councilmember Herbst, seconded by Councilmember King, that Ordinance 15-2312, "Licensing and Regulation of Therapeutic Massage," be approved.

Motion adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

12.-5 [RES 15-113](#)

PUBLICATION OF THE TITLE AND SUMMARY OF ORDINANCE 15-2312, AMENDING ARTICLE IX. LICENSING AND REGULATION OF THERAPEUTIC MASSAGE, CODE OF ORDINANCES OF THE CITY OF BLAINE

Councilmember Bourke, seconded by Councilmember Herbst, that Resolution 15-113, "Publication of the Title and Summary of Ordinance 15-2312, Amending Article IX. Licensing and Regulation of Therapeutic Massage, Code of Ordinances of the City of Blaine," be approved.

Motion adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

13. OTHER BUSINESS

Councilmember King requested a Workshop on outsourcing the City's information technology operations. Councilmember Clark provided a "friendly amendment" that directed staff to bring the issue of outsourcing the information services department to the July 16, 2015 Workshop.

Moved by Councilmember King, seconded by Councilmember Bourke for a Workshop in July on outsourcing information technology operations.

Motion adopted unanimously.

Aye: 5 - Mayor Ryan, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

14. ADJOURNMENT

Moved by Councilmember Clark, seconded by Councilmember Bourke, to adjourn the meeting at 9:00 p.m.

Aye: 5 - Mayor Ryan, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King