



# City of Blaine Anoka County, Minnesota Minutes City Council

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

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Thursday, September 6, 2018

7:30 PM

Council Chambers

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

The meeting was called to order at 7:35 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; 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; and City Clerk Catherine Sorensen.

**Present:** 5 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

**Absent:** 2 - Councilmember Clark and Councilmember King

4. **APPROVAL OF MINUTES**

4.-1 **RECENTLY HELD MEETINGS**

**Attachments:** [08-02-18 Workshop Minutes](#)  
[08-02-18 Council Minutes](#)  
[08-09-18 Workshop Minutes](#)  
[08-16-18 Workshop Minutes](#)  
[08-16-18 Council Minutes](#)  
[08-23-18 Workshop Closed Mgr Eval](#)

Moved by Councilmember Swanson, seconded by Mayor Ryan, that the Minutes of Workshop Meeting of August 2, 2018, the Minutes of the Regular Meeting of August 2, 2018, the Minutes of Workshop Meeting of August 9, 2018, the Minutes of Workshop Meeting of August 16, 2018, the Minutes of the Regular Meeting of August 16, 2018, and the Minutes of the Closed Manager

Evaluation Workshop Meeting of August 23, 2018, be approved.

**Motion adopted.** Councilmember Hovland abstained on the August 2, 2018 Workshop and Regular Council meeting minutes due to his absence. Councilmember Hovland also abstained on the August 9, 2018 and August 23, 2018 Workshop meeting minutes due to his absence. Councilmember Garvais abstained on the August 16, 2018 Workshop and Regular City Council meeting minutes due to his absence. Councilmember Jeppson abstained on the August 16, 2018 Workshop and Regular Council meeting minutes due to her absence.

**Aye:** 2 - Mayor Ryan and Councilmember Swanson

**Abstain:** 3 - Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

Mayor Ryan commented on the pay increase that was discussed at the Closed Workshop on August 23rd and requested the Council take action on the proposed increase for City Manager Arneson.

**Moved by Councilmember Swanson, seconded by Mayor Ryan, to approve a 2.9% salary increase for Mr. Arneson.**

**Motion adopted unanimously.**

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

## **5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS**

None.

**None.**

## **6. COMMUNICATIONS**

### **6.-1 ISD #12 SUPERINTENDENT BRIAN DIETZ - 2018/2019 SCHOOL YEAR UPDATE**

Superintendent Brian Dietz provided the Council with an update on the 2018-19 school year. He introduced Executive Director of Business Services Patrick Chaffey, High School Principal Tom Breuning and Blue Heron Principal Jason Hartmann to the City Council. He provided an overview on the District's academic success and graduation rate. He explained the district was going to be featured in an article in the *New York Times* based on the great work being done through the LEAP Program.

Jason Hartmann, Blue Heron Principal, stated he was proud to be the principal at Blue Heron Elementary School. He commented on the great success Centennial Schools were having and thanked the City for their continued partnership. He encouraged the Council to take a tour of his school.

Tom Breuning, Centennial High School Principal, thanked the Mayor and Council

for their time. He commented on the number of advanced placement (AP) classes that were being offered at Centennial High School and discussed the savings these classes were offering his families. He stated 550 students take AP exams each year and estimated families are saving \$1.3 million each year in tuition costs.

Superintendent Dietz addressed the levy questions that would be on the ballot in November. He explained an operational increase was being proposed to assist in adding back staff to better support students. In addition, the District was requesting a levy increase to allow the District to complete several facilities projects that would improve student safety. He thanked the Council for their continued support over the years.

Mayor Ryan thanked Superintendent Dietz for the great work he was completing on behalf of the community.

Councilmember Hovland commented on the importance of having a well-educated workforce and strong school district in the community.

Councilmember Jeppson asked if the school district was focusing on trades as much as it was focusing on AP classes.

Superintendent Dietz reported this was addressed two years ago by the district. He noted college and career readiness was discussed and partnerships with the community were pursued for the benefit of students. He explained he was working at a State level to pursue the funding that has been lost for career-tech classes.

Mayor Ryan complimented the Blaine Police Department for their back-to-school video and thanked them for their efforts on behalf of the entire community.

**Informational: no action required**

## **7. OPEN FORUM FOR CITIZEN INPUT**

Mayor Ryan opened the Open Forum at 7:53 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:53 p.m.

**None.**

## **8. ADOPTION OF AGENDA**

The agenda was adopted as amended moving Item 12.2 after Item 9.1.

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

9.-1

**PUBLIC HEARING FOR BLAINE LOCK AND SAFE  
SPECIAL ASSESSMENT AT 10136 SUNSET AVE.**

Economic Development Coordinator Thorvig stated Minnesota State Statute 429 outlines requirements for public hearings related to special assessments. A proposed special assessment for Blaine Lock and Safe at 10136 Sunset Avenue for fire suppression work should also be considered and this item is for the public hearing to be held prior to adopting a special assessment.

Mayor Ryan opened the public hearing at 7:55 p.m.

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

**Informational: no action required**

**ADMINISTRATION**

12.-2

**APPROVAL OF SPECIAL ASSESSMENT FOR BLAINE  
LOCK AND SAFE AT 10136 SUNSET AVE.**

Mr. Thorvig stated Blaine Lock and Safe purchased the building at 10136 Sunset Ave in December, 2017. They purchased the building to relocate their business from their current location at 121st Ave. and Highway 65. The owners are remodeling the building which requires fire suppression. Due to lack of equity in the building because of low value, the business is having difficulty securing the necessary bank financing to complete both the building remodel and fire suppression. Staff proposed the option of financing the fire suppression through a combination of the fire suppression grant program and a special assessment. A similar arrangement was done five years ago for Companion Veterinary Hospital on County Road 10. The total project cost to add the fire suppression system, based on bids obtained by the applicant is \$69,143. The fire suppression grant program would pay up to \$25,000 with the remaining \$44,143 financed through a special assessment. The special assessment has a 10-year term at 4.5% interest. The initial fire suppression cost would be paid from the EDA general fund, with the fund being paid back the assessed amount over the 10-year period with interest.

**Moved by Councilmember Hovland, seconded by Councilmember Swanson, that Resolution 18-180, "Approval of Special Assessment for Blaine Lock and Safe at 10136 Sunset Avenue," be approved.**

**Motion adopted unanimously.**

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

9.-2

**ADOPTING ASSESSMENT FOR RECONSTRUCTION OF**

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**COUNTY ROAD 10 SERVICE DRIVE FROM  
JEFFERSON STREET TO ABLE STREET,  
IMPROVEMENT PROJECT NO. 15-21**

**Attachments:**     [15-21 Final Assessment Roll](#)  
                              [Assessment Map - CR 10 Service Dr](#)

City Engineer Schluender stated Project No. 15-21 includes replacing damaged concrete curb and gutter and sidewalk, storm sewer improvements, asphalt surface, traffic control signage, replacement of existing water main, and appurtenant construction. The total cost for the project was reviewed and it was noted the total project cost indicated in the Feasibility Report was \$1,313,500.00. The Assessment Roll has been prepared consistent with the Feasibility Report. Of the total cost, the amount to be assessed is \$74,423.78. The Public Utility Fund will contribute \$366,017.46 for water and sewer improvements. Pavement Management Program Funds (PMP) will contribute \$370,616.66.

Mayor Ryan opened the public hearing at 7:57 p.m.

There being no additional public input, Mayor Ryan closed the public hearing at 7:57 p.m.

**Moved by Councilmember Swanson, seconded by Councilmember Garvais, that Resolution 18-170, "Adopting Assessment for Reconstruction of County Road 10 Service Drive from Jefferson Street to Able Street," be approved.**

**Motion adopted unanimously.**

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

**9.-3**

**ADOPTING ASSESSMENT FOR RECONSTRUCTION  
OF RESTWOOD ROAD AND FLOWERFIELD ROAD,  
IMPROVEMENT PROJECT NO. 16-12**

**Attachments:**     Final Assesment Roll 16-12  
                              Figure 2 - Assessment Maps Restwood

Mr. Schluender stated Project No. 16-12 included reclaiming the existing bituminous pavement, installation of new concrete curb and gutter or concrete ribbon curb where not already present, minor storm sewer improvements, aggregate base, installation of new bituminous pavement and appurtenant construction. The total project costs were reviewed with the Council and it was noted the total project cost indicated in the Feasibility Report was \$370,800.00. The Assessment Roll has been prepared consistent with the Feasibility Report. Of the total cost, the amount to be assessed is \$103,651.46. Pavement Management Program Fund (PMP) will contribute \$235,624.38. Staff requested the Council

open the Public Hearing, take comments and postpone action to the October 4th City Council meeting or until the work was complete.

Mayor Ryan opened the public hearing at 8:01 p.m.

Dave Zeck, resident of Blaine in Restwood Terrace, expressed concerns regarding the lack of project completion. He supported the assessments being postponed to allow the contractor additional time to complete the project. He stated he was disappointed with this contractor and thanked the City for stepping in to ensure the project is completed.

There being no additional public input, Mayor Ryan closed the public hearing at 8:02 p.m.

**Moved by Councilmember Swanson, seconded by Councilmember Hovland, to Postpone Action on Resolution 18-171 to the October 4, 2018 City Council Meeting.**

**Motion adopted unanimously.**

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

#### **10. APPROVAL OF CONSENT AGENDA:**

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

**Motion adopted unanimously.**

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

#### **10.-1**

#### **SCHEDULE OF BILLS PAID**

Attachments:    [08/10/18 Bills Paid](#)  
                          [08/17/18 Bills Paid](#)

Approved

**10.-2                                    AUTHORIZE TEMPORARY REMOVAL OF PARKING  
RESTRICTIONS ON ULYSSES STREET AND 98TH  
AVENUE TO ACCOMMODATE A TWIN CITIES  
HARLEY OPEN HOUSE ON SEPTEMBER 22, 2018**

Attachments:    [Harley](#)

Approved

**10.-3                                    APPROVE TEMPORARY ROAD CLOSURE FOR BLAINE  
BLOCK PARTY**

Attachments:    [2018 Block Party.pdf](#)

Adopted

**11.     DEVELOPMENT BUSINESS**

**11.-1                                    GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE  
3.04 ACRES INTO ONE LOT AND ONE OUTLOT TO BE  
KNOWN AS PARKSIDE NORTH 12TH ADDITION,  
LOCATED AT 12312 FRAIZER STREET NE. PARKSIDE  
NORTH, LLC (CASE FILE 18-0055/SLK).**

Attachments:    [Final Plat Attachments](#)

Planning and Community Development Director Schafer stated the final plat will consist of one lot and one outlot on Fraizer Street NE and 122nd Avenue NE. The proposed lots are consistent with the approved preliminary plat that was issued by the City Council in 2014. The proposed Lot 1 will be for a proposed Rainbow Daycare Center and is scheduled on the September 6th City Council agenda. The proposed outlot will be used for future development. The outlot will be required to be re-platted for future development.

**Moved by Mayor Ryan, seconded by Councilmember Jeppson, that Resolution No. 18-173, "Granting Final Plat Approval to Subdivide 3.04 Acres into One Lot**

and One Outlot to be known as Parkside North 12th Addition located at 12312 Fraizer Street NE," be approved.

**Motion adopted unanimously.**

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

**11.-2**

**GRANTING FINAL PLAT APPROVAL TO ALLOW TO  
SUBDIVIDE 11.48 ACRES INTO 40 LOTS AND THREE  
OUTLOTS TO BE KNOWN AS MEADOW PLACE,  
LOCATED AT 113th AVENUE/ULYSSES STREET NE  
(CASE FILE 18-0041/LSJ).**

**Attachments:**     [Final Plat](#)

Mr. Schafer stated the applicant, Accent Homes, Inc., received preliminary plat approval for the plat to be known as Meadow Place on August 16, 2018. The City Council voted to approve a rezoning of the property to DF (Development Flex) and a conditional use permit on the same date. The proposed final plat of Meadow Place contains 40 single family lots. The lots will be accessed through two north/south streets that will connect to 113th Avenue to the south. There are three outlots in the plat which will be used for storm drainage purposes, trail extension and as a commercial parcel.

**Moved by Mayor Ryan, seconded by Councilmember Jeppson, that Resolution No. 18-174, "Granting Final Plat Approval to Allow to Subdivide 11.48 Acres into 40 Lots and Two Outlots to be known as Meadow Place located at 113th Avenue/Ulysses Street NE," be approved.**

**Motion adopted unanimously.**

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

**11.-3**

**GRANTING FINAL PLAT APPROVAL TO ALLOW TO  
SUBDIVIDE 18.64 ACRES INTO ONE (1) LOT TO BE  
KNOWN AS MORTENSON CROWN IRON WORKS,  
LOCATED AT 9843 NAPLES STREET NE. CROWN  
IRON WORKS (CASE FILE 18-0032/LSJ).**

**Attachments:**     [Final Plat Attachments](#)

Mr. Schafer stated Crown Iron Works Company is a global industrial equipment and engineering services provider for the oilseed processing and edible oil refining industries. In order to sustain its research and development activities, Crown is proposing to move its world headquarters to Blaine. The site they have chosen is the former Mortenson Buildings site on Naples Street. The company will be relocating 102 jobs with an average income over \$90,000 to the new facility in Blaine. Crown Iron Works was previously in Roseville. It was noted the City

Council approved a conditional use permit, variance and a preliminary plat for this project on June 21, 2018. The applicant is now requesting final plat approval. Crown is buying two properties from Mortensen in order to meet site requirements. These two sites are combined into one 18.6-acre lot on the proposed plat of Mortenson Crown Iron Works. Because the two parcels are split between Torrens and Abstract registered property, the new Lot is shown as Lots 1 and 1A. This is typical of where we have both types of legal registrations and allows the City to treat them as one lot for permitting and land use.

Mayor Ryan welcomed Crown Iron Works to the City of Blaine and stated this was an exciting new business to have in the community.

**Moved by Councilmember Swanson, seconded by Councilmember Jeppson, that Resolution No. 18-175, "Granting Final Plat Approval to Allow to Subdivide 18.64 Acres into One (1) Lot to be known as Mortenson Crown Iron Works located at 9843 Naples Street NE," be approved.**

**Motion adopted unanimously.**

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

11.-4

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW  
FOR THE CONSTRUCTION AND OPERATION OF AN  
11,992 S.F. DAYCARE CENTER IN A PBD (PLANNED  
BUSINESS DISTRICT) ZONING DISTRICT, LOCATED  
AT 12312 FRAIZER STREET NE. RAINBOW CHILD  
CARE (CASE FILE NO. 18-0054/SLK).**

**Attachments:**     [Rainbow Child Care Attachments](#)

Mr. Schafer stated the applicant, Rainbow Child Care Center is asking for approval to construct a daycare center. The property is located just north of the proposed Kwik Trip on the northeast corner of Lexington Avenue and 122nd Avenue. Since the property is zoned PBD (Planned Business District) this use (all uses) is classified as a conditional use in this district and the approval of a conditional use permit is required. The daycare center will be operated by Rainbow Child Care Center. The enrollment capacity of the new building will be approximately 115 students ranging in age from infants to preschoolers. The hours of operation will be from 6:30 a.m. to 6:30 p.m.

**Moved by Mayor Ryan, seconded by Councilmember Jeppson, that Resolution No. 18-176, "Granting a Conditional Use Permit to Allow for the Construction and Operation of an 11,992 S.F. Daycare Center in a PBD (Planned Business District) Zoning District located at 12321 Frazier Street NE," be approved.**

**Motion adopted unanimously.**

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

11.-5

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW  
FOR A VETERINARY CARE CLINIC IN AN I-2 (HEAVY  
INDUSTRIAL) ZONING DISTRICT, LOCATED AT 2181  
108TH LANE NE. BLAINE CENTRAL VETERINARY  
CARE CLINIC. (CASE FILE NO. 18-0051/NBL)**

**Attachments:**     [Blaine Central Vet Clinic Attachments](#)

Mr. Schafer stated the Blaine Central Veterinary Care Clinic has been operating out of their current location at 10950 Club West Parkway, Suite 190 in Blaine since 2006. Their current location is located in a B-2 (Community Commercial) zoning district and the business use falls under the permitted uses for that zoning district. Over the years their business has grown and they are looking to move to a larger building. The property they would like to relocate to is at 2181 108th Lane NE. This is in an I-2 (Heavy Industrial) zoning district and a veterinary use requires a conditional use permit under Section 31.14 (x).

Dan Soderburg, Blaine Central Veterinary Care Clinic, thanked the Council and staff for their time and consideration.

**Moved by Councilmember Swanson, seconded by Councilmember Jeppson, that Resolution No. 18-168, "Granting a Conditional Use Permit to Allow for a Veterinary Care Clinic in an I-2 (Heavy Industrial) Zoning District located at 2181 108th Lane NE," be approved.**

**Motion adopted unanimously.**

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

11.-6

**GRANTING PRELIMINARY PLAT APPROVAL TO  
SUBDIVIDE THREE (3) PARCELS (7.5 ACRES) INTO 19  
LOTS AND TWO (2) OUTLOTS TO BE KNOWN AS  
GLEN COVE, LOCATED AT 111TH AVENUE AND  
RADISSON ROAD NE. GLEN COVE, LLC. (CASE FILE  
17-0043/LSJ)**

**Attachments:**     [Glen Cove - Attachments](#)

Mr. Schafer stated the applicant, Doug Paulson of Glen Cove LLC, is proposing to develop a property that lies north of 109th Avenue and east of Radisson Road. The property was zoned RF (Residential Flex) when the North Oaks West development occurred over 25 years ago. This zoning designation was renamed to DF (Development Flex) years after its inception, but the City still refers to the zoning as RF (Residential Flex) on the Zoning Map. The parcel also has a land use of MDR (Medium Density Residential). Both the zoning and the land use allow for

the density and residential development that is being proposed. The builder of the homes in the plat will be Doug Paulson and the development will be similar to Amen Corner. The proposed plat of Glen Cove contains 19 single family detached townhome lots. The lots will be accessed through one access on Radisson Road. There are two outlots in the plat. Outlot A will be used for a private Road and Outlot B will be used for storm drainage purposes.

Councilmember Hovland asked if this development would be served by a private road. Mr. Schafer stated this development would have both a private road and utilities.

Councilmember Swanson indicated his main concern with having private water and sewer lines was that residents would be charged the same amount of water and sewer services, however, if a water line were to break this would be the responsibility of the homeowner's association and did not believe this was fair.

**Moved by Mayor Ryan, seconded by Councilmember Jeppson, that Resolution No. 18-169, "Granting Preliminary Plat Approval to Subdivide Three (3) Parcels (7.5 Acres) into 19 Lots and Two (2) Outlots to be known as Glen Cove located at 111th Avenue and Radisson Road NE," be approved.**

**Motion adopted unanimously.**

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

11.-7

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW  
FOR CONSTRUCTION OF 19 SINGLE FAMILY  
DETACHED TOWNHOMES IN A DF (DEVELOPMENT  
FLEX) ZONING DISTRICT, LOCATED AT 111TH  
AVENUE ALIGNMENT/RADISSON RD NE. GLEN  
COVE, LLC. (CASE FILE NO. 17-0043/LSJ)**

Mr. Schafer stated the plat known as Glen Cove will be marketed and managed as detached townhome lots. They will be very similar to the homes provided in the nearby Amen Corner development, as Mr. Paulson was the builder in that plat. They are called detached townhome lots because landscaping and snow removal will be managed by a private homeowner's association and the units are completely detached. The homes being constructed are one level custom Luxury Villas. Home packages will be between \$525,000 and \$600,000. Square footages of the homes are proposed at a minimum of 2,026 square feet. Custom exteriors of the homes will include colored Hardie siding accented with stone. The rear of the homes will have a private screen/porch.

**Moved by Councilmember Hovland, seconded by Councilmember Swanson, that Resolution No. 18-177, "Granting a Conditional Use Permit to Allow for Construction of 19 Single Family Detached Townhomes in a DF (Development Flex) Zoning District located at 111th Avenue Alignment/Radisson Road NE be**

approved.

**Motion adopted unanimously.**

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

11.-8

**GRANTING A COMPREHENSIVE LAND USE PLAN  
AMMENDMENT FROM CC (COMMUNITY  
COMMERCIAL) TO HDR (HIGH DENSITY  
RESIDENTIAL), LOCATED AT 10267/10299/10301  
UNIVERSITY AVENUE NE. SHADE TREE  
CONSTRUCTION. (CASE FILE NO. 18-0039/SLK)**

**Attachments:**     [South Terrace Cove - Attachments](#)

Mr. Schafer stated the site that is being developed currently has a zoning of B-4 (Office Park) and a land use of CC (Community Commercial), neither of which support residential development. In order to have a residential use on this site the land use designation on the property must be changed to HDR (High Density Residential) to match the density (between 12 and 25 units per acre) of the proposed development. In addition, a rezoning will be required to match the residential development. The City has long used the DF (Development Flex) zoning designation for multi-family residential projects and that is what is proposed for this parcel. The Comprehensive Plan amendment will need to be reviewed by the Metropolitan Council. Any action by the City Council would be contingent upon METC's review and approval.

Councilmember Swanson commented he had trouble approving yet another small townhouse development in the City of Blaine.

Councilmember Jeppson stated at this time the request before the Council was to amend the Comprehensive Plan changing this property from CC (Community Commercial) to HDR (High Density Residential).

Councilmember Garvais agreed the issue being considered was the Comprehensive Land Use Plan Amendment.

Councilmember Hovland asked if Medium Density Residential would work for the proposed development. Mr. Schafer reported a land use classification of MDR would not work as the developer was proposing over 12 units per acre.

Councilmember Hovland stated he did not want to see an apartment complex on this site. He questioned if the development would be served by private roads. Mr. Schafer stated this was the case.

Mike Bourke, 83 103rd Avenue NE, asked if the project was being addressed at all. Mr. Schafer reported the Preliminary Plat and the Conditional Use Permit were not on the agenda.

Mr. Bourke commented he had a problem with the proposed Comprehensive Plan Amendment and Rezoning of this property as it was directly tied to the redevelopment project. He stated he was also concerned with the financing of the proposed project. Mr. Thorvig reported the EDA and City Council would be holding a Public Hearing to address the financing of this project on October 4th.

Councilmember Swanson commented he would not hold this item up even though he still opposed small townhouse projects.

**Moved by Councilmember Garvais, seconded by Mayor Ryan, that Resolution No. 18-178, "Granting a Comprehensive Land Use Plan Amendment from CC (Community Commercial) to HDR (High Density Residential) located at 10267/10299/10301 University Avenue NE," be approved.**

**Motion adopted unanimously.**

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

11.-9

## FIRST READING

### **GRANTING A REZONING FROM B-4 (OFFICE PARK) TO DF (DEVELOPMENT FLEX), LOCATED AT 10267/10299/10301 UNIVERSITY AVENUE NE. SHADE TREE CONSTRUCTION. (CASE FILE NO. 18-0039/SLK)**

**Attachments:**     [South Terrace Cove - Attachments](#)

Mr. Schafer stated the site that is being developed currently has a zoning of B-4 (Office Park) and a land use of CC (Community Commercial), neither of which support residential development. In order to have a residential use on this site the land use designation on the property must be changed to HDR (High Density Residential) to match the density (between 12 and 25 units per acre) of the proposed development. In addition, a rezoning will be required to match the residential development. The City has long used the DF (Development Flex) zoning designation for multi-family residential projects and that is what is proposed for this parcel.

**Declared by Mayor Ryan that Ordinance No. 18-2412, "Granting a Rezoning from B-4 (Office Park) to DF (Development Flex) located at 10267/10399/10301 University Avenue NE," be introduced and placed on file for second reading at the September 20, 2018 Council meeting.**

**12. ADMINISTRATION - continued****12.-1**

**ACCEPT BID FROM VALLEY PAVING, INC. IN THE  
AMOUNT OF \$760,506.25 FOR THE PAVEMENT  
MANAGEMENT PROGRAM 2018 STREET  
RECONSTRUCTIONS, IMPROVEMENT PROJECT NO.  
18-07**

**Attachments:**     [Location Map](#)

Mr. Schluender stated bids were received for Project No. 18-07. A total of 5 bids were received ranging from \$760,506.25 to \$853,441.10. Bids have been checked and tabulated, and it has been determined that Valley Paving, Inc. of Shakopee, Minnesota is the lowest bidder. The Engineering Department has worked with Valley Paving, Inc. on previous contracts. Staff recommends the low bid be accepted and a contract entered into with Valley Paving, Inc. City Council is also asked to approve a 10% contingency to bring the total project budget to \$836,557.00. The funding source for this project is the City Pavement Management Program Fund, and there are sufficient funds to cover these costs.

**Moved by Mayor Ryan, seconded by Councilmember Hovland, that Resolution 18-179, "Accept Bid from Valley Paving, Inc. in the Amount of \$760,506.25 for the Pavement Management Program 2018 Street Reconstructions," be approved.**

**Motion adopted unanimously.**

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

**APPROVAL OF SPECIAL ASSESSMENT FOR BLAINE  
LOCK AND SAFE AT 10136 SUNSET AVE.**

This item was considered after Item 9.1

**12.-3**

**RECEIVE PETITION AND ORDER PUBLIC HEARING  
FOR VACATION OF EASEMENTS AS DESCRIBED IN  
DOCUMENTS 224530 AND 537686.006, VACATION NO.  
V18-06**

**Attachments:**     [Location Map.pdf](#)  
                              [Petition.pdf](#)

Mr. Schluender stated a petition received August 23, 2018, was submitted to the City by Edwin Dropps, representing Accent Homes, Inc., requesting vacation of easements to allow for the subdividing of the property into the plat of Meadow Place. The easement will be replaced in the new plat. It was noted the applicant

represents a majority of the affected property abutting this easement.

**Moved by Councilmember Hovland, seconded by Councilmember Jeppson, that Resolution 18-181, "Receive Petition and Order Public Hearing for Vacation of Easements as Described in Documents 224530 and 537686.006," be approved.**

**Motion adopted unanimously.**

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

## 12.-4

### **AUTHORIZE PURCHASE OF WHEEL LOADER FOR 2019 CAPITAL EQUIPMENT**

Finance Director Huss stated one of the primary pieces of equipment used for snow operations and general maintenance, a 1991 Caterpillar Wheel Loader, has experienced significant mechanical problems and will not be usable for this winter's snow season. Specifically, the transmission has lost its second gear and the third gear is failing. Repairs are estimated in excess of \$50,000 and it does not make economic sense to put that amount of money into a piece of equipment of this age and condition. Replacement of this loader is the top priority of Public Works equipment for 2019. Staff is requesting that Council authorize the purchase of a new wheel loader in advance of the final adoption of the 2019 Capital Equipment Budget and approve a preliminary budget of \$230,000 for the loader. The loader would be purchased from Ziegler through a state contract and the purchase would conform to all bid statutes and processes.

**Moved by Mayor Ryan, seconded by Councilmember Garvais, that Resolution 18-182, "Authorize Purchase of Wheel Loader for 2019 Capital Equipment," be approved.**

**Motion adopted unanimously.**

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

## 13. OTHER BUSINESS

Councilmember Hovland suggested the City consider sending notice to homeowners at the time of project approval. Mr. Schluender reviewed the process followed by staff for notifying residents. Public Works Director Haukaas clarified for the Council that the projects approved this evening would not be assessed.

Councilmember Jeppson suggested a Pavement Management Program map be included in an upcoming newsletter to inform the public of the City's 2019 plans and inquired about the water meter replacement project. Mr. Haukaas stated overall the project was going very smoothly and explained while there have been a couple communication issues staff was working with homeowners to schedule replacements in a timely and efficient manner.

Discussed.

**14. ADJOURNMENT**

**Moved by Councilmember Hovland, seconded by Councilmember Jeppson, to adjourn the meeting at 8:57 p.m.**

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