



City of Blaine
Anoka County, Minnesota
Minutes
City Council

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Thursday, October 18, 2018

7:30 PM

Council Chambers

1. CALL TO ORDER BY THE MAYOR

The meeting was called to order at 7:38 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 Deputy Chief Dan Szykulski; Finance Director Joe Huss; Public Services Manager/Assistant City Manager Bob Therres; City Attorney Patrick Sweeney; City Engineer Dan Schluender; Senior Engineering Technician Al Thorp; Budget/Fiscal Analyst Ward Brown; Communications Technician Roark Haver; and City Clerk Catherine Sorensen.

Present: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

4. APPROVAL OF MINUTES

4.-1 RECENTLY HELD MEETINGS

Attachments: [10-4-18 Closed Workshop Hastings Street](#)

Moved by Councilmember Hovland, seconded by Mayor Ryan, that the Minutes of Closed Workshop Meeting for Hastings Street of October 4, 2018 be approved.

Motion adopted. Councilmember Clark abstained on the October 4, 2018 Closed Workshop meeting minutes due to his absence. Councilmember Swanson recused himself.

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

Abstain: 2 - Councilmember Swanson and Councilmember Clark

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

None.

None.

6. COMMUNICATIONS

Mayor Ryan welcomed Tony's Place to the Northtown Mall.

Informational.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:41 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:41 p.m.

None.

8. ADOPTION OF AGENDA

The agenda was adopted as presented.

Adopted as presented.

9. APPROVAL OF CONSENT AGENDA:

Moved by Councilmember Swanson, seconded by Councilmember Clark, that the following be approved:

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

9.-1**SCHEDULE OF BILLS PAID**

Attachments: [September 2018 Payroll Checks and Wire Transfers](#)
[09/28/18 Bills Paid](#)
[10/05/18 Bills Paid](#)

Approved

9.-2

**APPROVE A TOBACCO, TOBACCO PRODUCTS,
OR TOBACCO-RELATED DEVICE LICENSE FOR
ECIG MARKET CORPORATION, 10950 CLUB WEST
PARKWAY NE, SUITE 110**

Approved

9.-3

**A RESOLUTION DECLARING CERTAIN PROPERTY
SURPLUS AND AUTHORIZING SALE AND/OR
DISPOSAL THEREOF**

Adopted

10. 7:30 P.M. - PUBLIC HEARING AND ITEMS PUBLISHED FOR A CERTAIN TIME

10.-1

**3.2 PERCENT MALT LIQUOR OFF-SALE AND
TOBACCO, TOBACCO PRODUCTS, OR
TOBACCO-RELATED DEVICE LICENSES FOR KWIK
TRIP #925, 10510 RADISSON ROAD NE, BLAINE,
MINNESOTA**

Attachments: [Public Hearing - Kwik Trip #925](#)

City Clerk Sorensen stated Donald Zietlow, applicant for Kwik Trip #925 has submitted applications for a 3.2 percent malt liquor off-sale license and tobacco, tobacco products, or tobacco-related device license located at 10510 Radisson Road NE. The applicant has submitted completed application materials, certificate of insurance including liquor liability, and the appropriate license fees. It was noted the Police Department's background check was successful. The licenses will be issued upon completion of the fire inspection and Certificate of Occupancy. All

required information will be submitted to the Department of Public Safety Alcohol and Gambling and the Minnesota Revenue Department upon approval by the Council.

Mayor Ryan opened the public hearing at 7:43 p.m.

There being no public input, Mayor Ryan closed the public hearing at 7:43 p.m.

Moved by Councilmember Hovland, seconded by Councilmember Swanson, that Motion 18-124, "3.2 Percent Malt Liquor Off-Sale and Tobacco, Tobacco Products, or Tobacco-Related Device Licenses for Kwik Trip #925, 10510 Radisson Road NE, Blaine, Minnesota," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

10.-2

**VACATION OF EASEMENTS FOR ROAD PURPOSES AS
DESCRIBED IN EXHIBIT A, FOR WICKLOW WOODS,
VACATION NO. V18-09**

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

City Engineer Schluender stated the City received a petition on September 7, 2018 from Joshua Metzger, representing Lennar Family of Builders, requesting vacation of easements to allow for the subdividing of the property into the plat of Wicklow Woods. The easements will be replaced as needed in the new plat. The Engineering Department has reviewed this request and concurs with the vacation.

Mayor Ryan opened the public hearing at 7:44 p.m.

There being no public input, Mayor Ryan closed the public hearing at 7:44 p.m.

Moved by Councilmember Garvais, seconded by Councilmember Clark, that Resolution 18-200, "Vacation of Easements for Road Purposes as Described in Exhibit A for Wicklow Woods," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

10.-3

**AMENDING RESOLUTION 18-118, ADOPTING
ASSESSMENT FOR RECONSTRUCTION OF HASTINGS
STREET FROM 85TH AVENUE TO CUL-DE-SAC,
IMPROVEMENT PROJECT NO. 15-22**

Attachments: [Assessment Projects Map Hastings Street 15-22](#)
 [15-22FinalAssmtRoll Objections](#)
 [15-22FinalAssmtRoll](#)

Mr. Schluender stated the public hearing for the Hastings Street assessments held on June 21, 2018 was adjourned by Council for six property owners on the project who filed objections to the assessments. This item reconvenes the hearing for consideration of adoption of the remaining six assessments. Staff explained Project No. 15-22 included concrete curb and gutter, storm sewer improvements, asphalt surface, traffic control signage, replacement of existing water main and appurtenant construction. The total cost of the project was \$822,967.47. The Assessment Roll has been prepared consistent with the Feasibility Report. Of the total cost, the amount to be assessed is \$148,260.96. The Public Utility Fund will contribute \$271,137.91 for water and sewer improvements. Pavement Management Program Fund (PMP) will contribute \$403,568.60.

Councilmember Swanson recused himself from the meeting at 7:45 p.m.

Mayor Ryan opened the public hearing at 7:45 p.m.

Donna Borovansky, 8504 Hastings Street, stated she objected to the special assessment as she was not made whole in the litigation.

Jessica Bruneau, 8535 Hastings Street, indicated she objected to the proposed special assessment as well.

There being no additional public input, Mayor Ryan closed the public hearing at 7:49 p.m.

City Clerk Sorensen clarified that Ms. Bruneau's property was assessed in June and not one of the six properties that had been postponed.

Moved by Mayor Ryan, seconded by Councilmember Clark, that Resolution 18-201, "Amending Resolution 18-118, Adopting Assessment for Reconstruction of Hastings Street from 85th Street to Cul-De-Sac," be approved.

Motion adopted 4-1-2 (Councilmember Hovland opposed) (Councilmember Swanson and Councilmember King were absent for the vote).

Aye: 4 - Mayor Ryan, Councilmember Clark, Councilmember Garvais and Councilmember Jeppson

Nay: 1 - Councilmember Hovland

Abstain: 2 - Councilmember Swanson and Councilmember King

Moved by Mayor Ryan, seconded by Councilmember Clark, that Resolution 18-201, "Amending Resolution 18-118, Adopting Assessment for Reconstruction of Hastings Street from 85th Street to Cul-De-Sac," be approved.

Councilmember Garvais stated he did not support the removal of these six properties from the assessment roll. He explained the City went through a lawsuit, a settlement was reached and therefore the assessments should go forward.

Councilmember Clark commented on the history of this project and noted the litigation process should have resolved the damage complaints from the homeowners. He stated it was unfortunate that he had to approve these these assessments given what happened but supported moving forward.

Moved by Councilmember Hovland to deny Resolution 18-201 and recommended removing the remaining six (6) properties from the assessment roll. Motion failed for lack of a second.

Councilmember Swanson returned to the meeting at 8:00 p.m.

11. DEVELOPMENT BUSINESS

11.-1

SECOND READING

GRANTING A REZONING FROM B-2 (COMMUNITY COMMERCIAL), FR (FARM RESIDENTIAL) AND DF (DEVELOPMENT FLEX) TO PBD (PLANNED BUSINESS DISTRICT) FOR 39.24 ACRES AT 125TH AVENUE/JEFFERSON STREET NE. HY-VEE. (CASE FILE NO. 18-0049/LSJ)

Attachments: [Attachments CC 101818](#)

Planning and Community Development Director Schafer stated the approximately 40-acre property on which the development will occur has three different zoning designations at this time. The northeast corner (approximately 5.5 acres) of the property has a B-2 (Community Commercial) zoning designation. The area immediately west of that corner is zoned DF (Development Flex) and the southern half of the property is zoned FR (Farm Residential). The proposed zoning, to provide consistency over the entire 40 acres, is PBD (Planned Business District). The PBD allows gas station/ convenience store with car wash, grocery store, liquor store and general retail with approvals of a conditional use permit. The PBD zoning would also accommodate the other potential uses that could occur on the 40-acre site in the future such as office or higher density residential. The site has the land use designation of HDR/PC. The PBD zoning is the correct zoning to implement the proposed land uses and conditional use permits that are requested.

Jen Broeffle, 317 122nd Avenue, expressed concern with the Hy-Vee

development. She stated this piece of property was not the logical place for a commercial development. She commented on how the existing infrastructure would not support the high volumes of traffic proposed to visit the Hy-Vee development and how this would impact the adjacent neighborhood. She requested the Council consider how this development would adversely impact the Crescent Ponds neighborhood. She understood that the residents of Blaine were asking for a high-end grocery store. However, she encouraged the Council to not significantly deviate from their plan and consider how proper development should occur. She discussed the original plans for this property and noted the City's main priority should be to its residents and not Hy-Vee. She encouraged Hy-Vee to act as a partner with the community and to not offer ultimatums when asked to compromise. She expressed concern with the fact Hy-Vee was acting like they were doing the City a favor and questioned if the City Council was willing to put aside safety for a 10 second difference in drive time to the proposed development. She commented on how the increased traffic would impact the safety of her children and all other children living in Crescent Ponds. She reported Hy-Vee was unwilling to provide the requested berms or lighting and also would not agree to a one-way street. She questioned how Hy-Vee was acting as a good neighbor with the City of Blaine. She encouraged the City Council to consider the safety of its residents and to not give into the bully tactics of Hy-Vee, who have stated do this or else.

Mike Dahl, 512 121st Avenue NE, stated he lived a few houses down from the planned development. He explained this project does not make sense when considering the fact it would be directly adjacent to a residential neighborhood. He stated a loading dock for a 90,000 square foot commercial property would be less than 200 feet from homes. He believed this was not reasonable, nor was the light, traffic and noise that would be generated by the Hy-Vee development. He suggested the development be allowed to go through but that the road not be pushed through as this would punish the Crescent Ponds neighborhood. He explained if access was a main concern for Hy-Vee a one-way road through the neighborhood should have been an acceptable compromise for this development. However, he believed Hy-Vee knew they did not have to compromise. He encouraged the Council to properly advocate for the residents living in this neighborhood by not approving the Hy-Vee development.

Amanda Klemz, 12436 Alamo Street NE, stated she supported Hy-Vee moving into the City of Blaine at the proposed location.

City Manager Arneson reported the City was having technical issues and Councilmember King was not able to Skype into the meeting. He explained Councilmember King had requested a vote not be taken and that this item be postponed to November 1st.

Councilmember Clark asked for comment from a representative from Hy-Vee regarding this request.

Phil Hoey, Hy-Vee, asked if the vote tonight would be valid without Councilmember King in attendance. City Attorney Sweeney reported the vote would require five supportive votes and noted Councilmember King could challenge the vote after the fact.

Mr. Hoey stated he would like the Council to proceed with consideration of the rezoning request.

Councilmember King arrived at the meeting via Skype at 8:20 p.m.

Councilmember King commented 121st Avenue was not designed as a collector. He stated he did not support 121st Avenue being opened, and if it were opened, should only be a one-way. He anticipated there would be concerns with traffic if the roadway were opened up for two-way traffic. He indicated he would like to do this development right the first time and supported the roadway being closed, or at a minimum remain a one-way.

Councilmember Garvais asked if there was a middle ground that could be reached with Hy-Vee. Mr. Hoey commented he viewed a one-way as another form of a dead-end and said he would not be requesting the road if it was not necessary.

Councilmember Clark questioned if 121st Avenue could operate safely with this development. Mr. Schluender stated it was his professional opinion that this roadway could handle the anticipated volume of traffic and would operate at a Level B. He noted the Council could consider putting traffic calming measures in place.

Councilmember Clark inquired if the City had any collector streets that had 8,000 trips per day. Mr. Schluender stated there were several collector streets in commercial areas that were managing 12,000 cars per day. He noted 117th Avenue from Jefferson Street to University was a similar roadway that had 3,400+ trips per day.

Councilmember Clark requested further information on the type of traffic calming measures that could be pursued by the City. Mr. Schluender stated the roadway could be narrowed and curves could be introduced along with striping.

Councilmember King asked if there was another collector street in the City that had a similar street width. Mr. Schluender reported 117th Avenue stretch was 31 feet wide and noted 121st Avenue was 28 feet wide.

Mayor Ryan commented on the number of requests he has had to bring Hy-Vee into the City of Blaine. He stated he has talked to a large number of residents and anticipated that the majority of traffic flowing in and out of this development would be using University Avenue to County Road 14 and would not take 121st Avenue. He was of the opinion that the traffic counts for this development were high.

Councilmember Hovland stated at this time he supported the rezoning. He explained the only way he could support this development would be if the MSA designation was removed for this portion of the street, that speed bumps be included along 121st Avenue, that stop signs along Jefferson be considered, a sidewalk on the east side of 121st Avenue from University Avenue to the school be constructed, that school zone signs be installed and that parking be restricted to one side of the road.

Councilmember Swanson reported with the Wal-Mart development traffic numbers were monitored for two years and noted traffic counts came in quite a bit lower than originally estimated. He suggested this same action be taken for the Hy-Vee development.

Councilmember Jeppson stated she was in support of the rezoning and connecting the road. However, she was not interested in dictating to the neighborhood what they could or could not do. She explained she would be making several additional motions regarding this development after the motion on the floor was considered to ensure that the neighborhoods safety concerns were designed into this project. She wanted to see staff present a full range of traffic calming options for Jefferson Street and 121st Avenue to the Traffic Commission for their review and input from the neighborhood. She further motioned to have the Traffic Commission recommendations be part of a City Council Public Hearing to be held no later than March 31, 2019 to allow sufficient time for the recommended options to be implemented prior to the opening of Jefferson Street north to 125th Avenue.

Councilmember Clark commented he supported the rezoning. He explained he visited several Hy-Vee locations in the metro area and each had two access points. He suggested connecting the road but that the City delay permanent traffic calming measures for one to two years to allow for proper identification of traffic concerns.

Councilmember Garvais requested regular meetings be held with the neighborhood to gather input on future traffic calming measures once the road is opened. He supported this roadway retaining its MSA designation as this would help mitigate costs for future roadway improvements, sidewalks, etc.

Mayor Ryan supported this recommendation. He requested a roll call vote.

Moved by Councilmember Clark, seconded by Mayor Ryan, that Ordinance No. 18-2413, "Granting a Rezoning from B-2 (Community Commercial), FR (Farm Residential) and DF (Development Flex) to PBD (Planned Business District) for 39.24 Acres at 125th Avenue/Jefferson Street NE," be approved.

Councilmember Clark – aye
Councilmember Garvais – aye
Councilmember Hovland – aye
Councilmember Jeppson – aye
Councilmember King – nay
Councilmember Swanson – aye
Mayor Ryan – aye

Motion adopted 6-1 (Councilmember King opposed).

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

Nay: 1 - Councilmember King

11.-2

**GRANTING PRELIMINARY PLAT APPROVAL TO
SUBDIVIDE 39.24 ACRES INTO TWO (2) LOTS AND
THREE (3) OUTLOTS TO BE KNOWN AS HY-VEE,
LOCATED AT 125TH AVENUE AND JEFFERSON
STREET (CASE FILE NO. 18-0049/LSJ)**

Mr. Schafer stated the preliminary plat consists of two lots and three outlots. The gas/convenience store/car wash would be located on Lot 1 of the plat. Lot 1 is 4.27 acres. The parcel on which the Hy-Vee grocery store would be located would be platted as Lot 2. Lot 2 is 12.93 acres. Outlot A will be used for storm draining purposes. Outlots B and C will be used for future development.

Moved by Councilmember Clark, seconded by Mayor Ryan, that Resolution No. 18-195, "Granting Preliminary Plat Approval to Subdivide 39.24 Acres into Two (2) Lots and Three (3) Outlots to be known as Hy-Vee located at 125th Avenue and Jefferson Street," be approved.

Motion adopted 6-1 (Councilmember King opposed).

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

Nay: 1 - Councilmember King

11.-3

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW
FOR THE CONSTRUCTION OF A HY-VEE GROCERY
STORE, GAS SALES, LIQUOR STORE, COFFEE SHOP
AND CAR WASH TO BE LOCATED AT 210 125TH
AVENUE NE. (CASE NO 18-0049/LSJ)**

Mr. Schafer stated all uses within a PBD (Planned Business District) are considered conditional uses. In addition, the light pole heights being proposed exceed 20 feet, which also requires a conditional use permit. The conditional use permit being issued to Hy-Vee will include both Lot 1 and Lot 2 of the plat since the uses are related. Before a discussion on the proposed uses on the two platted lots, it should be noted that the concept plan shown on the preliminary plat for Outlots B and C includes a high-density residential project and a multi-tenant retail building. These uses are completely conceptual at this time so those outlots would need to be re-platted and a conditional use permit would need to be issued for those developments to occur. The developer has had discussions with a senior housing provider and that is why the high-density residential building is being shown. Both the future housing and the retail would be consistent with the adopted Comprehensive Plan and PBD zoning. Staff provided further comment on the request and recommended approval.

Councilmember Swanson requested all construction traffic be barred from 121st Avenue. Mr. Schafer stated the street was not available for construction traffic to access at this point. He explained the Council could make a recommendation the road not open until Hy-Vee receives a Certificate of Occupancy.

The Council supported this recommendation.

Councilmember Clark requested the sign at 121st Avenue state no-thru traffic, that the road open after Certificate of Occupancy was received, that the development include an 18-foot berm or 12-foot berm with fence and trees to provide all-season screening, no lit-signage be allowed on the residential sides of the building, and signage directing delivery trucks shall be posted on County Road 14.

Councilmember Clark asked that staff speak to the proposed landscaping plan. Mr. Schafer reported Hy-Vee was proposing to construct an 18-foot berm or a 12-foot berm that would have a six-foot fence and landscaping. He noted staff would work through this matter with Hy-Vee during the site plan phase.

Councilmember Swanson inquired if the loading dock lights would be visible over the berm/berm with fence. Mr. Schafer stated the lighting would be below the wall.

Councilmember King questioned if the 18-foot berm would include conifers and stated that he supported the 18-foot berm option. Mr. Schafer explained an 18-foot berm would have to have enough of a ledge to support the trees.

Councilmember Clark supported staff working with the developer on the berm in order to properly screen the building.

Mayor Ryan stated the contour of the berm would be critical in order to support landscaping.

Mr. Hoey explained Hy-Vee could post signage to encourage all truck traffic to go back out onto County Road 14 and away from the neighborhood. He commented on the condition regarding the remainder lot and how drives were to be aligned. He requested this condition be removed from consideration. He also requested the pedestrian connection from 124th Avenue not be required at this time but rather be allowed to be constructed at some point in the future.

Mr. Schafer stated the items Mr. Hoey has addressed were approved by the Council with the plat and were not conditions for approval within the Conditional Use Permit.

Councilmember Clark stated he supported the pedestrian connection being done at this time as this would provide the existing neighborhood with a connection to the development and would show that Hy-Vee was a good neighbor.

Moved by Councilmember Clark, seconded by Mayor Ryan, that Resolution No. 18-196, "Granting a Conditional Use Permit to Allow for the Construction of a Hy-Vee Grocery Store, Gas Sales, Liquor Store, Coffee Shop and Car Wash to be located at 210 125th Avenue NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

Councilmember Garvais requested that the entire Crescent Ponds neighborhood be notified of these meetings.

Councilmember Jeppson commented she did not support waiting two years to take action on traffic calming measures from the time Hy-Vee opens.

Councilmember Clark stated he meant this matter should be addressed two years from now and not until after Hy-Vee opens.

Moved by Councilmember Jeppson, seconded by Councilmember Garvais, to direct staff to present a full range of traffic calming options for Jefferson Street and 121st Avenue to the Traffic Commission for their review and input from the neighborhood. It is further motioned to have the Traffic Commission recommendations be part of a City Council Public Hearing to be held no later than March 31, 2019 to allow sufficient time for the recommended options to be implemented prior to the opening of Jefferson Street north to 125th Avenue.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

Moved by Councilmember Clark, seconded by Councilmember King, that the connection of 121st Avenue remain closed until a Certificate of Occupancy is issued for Hy-Vee and signs are erected on 121st Avenue/University stating no-thru traffic.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

Councilmember Clark questioned where the school speed zone would be located. Mr. Schluender reviewed the location of the school speed zone on a map with the Council.

Moved by Councilmember Clark, seconded by Councilmember Jeppson, to direct staff to initiate a school zone in front of the school as far south as allowed by law.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

11.-4

**GRANTING A CONDITIONAL USE PERMIT FOR A
PRIVATE TRANSPORTATION TERMINAL WITH
OUTSIDE STORAGE OF PASSENGER VANS AT SAFE
TREE TRANSPORTATION, LLC. LOCATED AT 9224
ISANTI STREET NE. (CASE NO. 18-0062/BKS)**

Attachments: [Attachments](#)

Mr. Schafer stated the applicant, Safe Tree Transportation (STT), has reached an agreement on a lease for a 6,000 square foot multi-tenant space at 9224 Isanti Street NE. Safe Tree provides van transportation to students through contracts with various school districts around the metro area. Because of the transportation nature and outside storage of vans, a Conditional Use Permit is needed under 31.14 (k) -Transportation Terminal - public or private. The site is zoned I-2 (Heavy Industrial) and is part of a larger industrial park area. Many of the other sites in the park also have outside storage as permitted by the I-2 zoning. The parking of the vans inside of the building poses special review of the building's fire suppression system, which likely will need to be upgraded.

Moved by Councilmember Swanson, seconded by Mayor Ryan, that Resolution No. 18-202, "Granting a Conditional Use Permit for a Private Transportation Terminal with Outside Storage of Passenger Vans at Safe Tree Transportation, LLC at 9224 Isanti Street NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

11.-5

**GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE
8.5 ACRES INTO 31 SINGLE FAMILY LOTS TO BE
KNOWN AS WOODRIDGE SECOND ADDITION,
LOCATED AT 12944 LEVER STREET NE. LENNAR
CORPORATION. (CASE FILE NO. 18-0065/LSJ)**

Attachments: [Attachments](#)

Mr. Schafer stated Lennar Corporation received preliminary plat approval (56 single family lots) for the 38-acre development known as Woodridge on the west side of Lever Street on April 19, 2019. Lever Street is being reconstructed in 2018/2019 and sewer and water is being installed on this street as part of that project. The City Council also approved a rezoning and conditional use permit for the project on April 19, 2018. Lennar is proposing to develop the remaining 31 single family lots in the second phase of development to be known as Woodridge Second Addition.

Moved by Mayor Ryan, seconded by Councilmember Clark, that Resolution No. 18-203, "Granting Final Plat Approval to Subdivide 8.5 Acres into 31 Single Family Lots to be known as Woodridge Second Addition at 12944 Lever Street NE," be approved.

Motion adopted 6-0-1 (Councilmember Hovland was absent for the vote).

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Garvais and Councilmember Jeppson

Abstain: 1 - Councilmember Hovland

11.-6

SECOND READING

**CODE AMENDMENT TO THE RR (REGIONAL
RECREATION) ZONING TEXT TO ALLOW A BUILDING
TALLER THAN 50-FEET IN HEIGHT AND TO ALLOW A
BUILDING WITH A FABRIC DOME ROOF FOR THE
NATIONAL SPORTS CENTER LOCATED AT 1700
105TH AVENUE NE (CASE FILD NO. 18-0057/BKS)**

Mr. Schafer stated the proposed code amendment to the RR (Regional Recreation) zoning chapter would allow construction of a membrane (air) supported roof system (sports dome) and allow for a building taller than 50-feet in height for the National Sports Center. The proposed building is a membrane (air) supported building with a footprint of 120,000 square feet. Attached to the sports dome is a 15,000 square foot front entrance, common areas, bathrooms and food service

area. The building would require a CUP (Conditional Use Permit) which is being processed concurrently with this amendment. Staff is supportive of a code amendment to address the two issues mentioned above but does not support the original request by the NSC for a building height of 110-feet. The proposed ordinance would be silent on the maximum height but any building taller than 50-feet would require a CUP and therefore Staff, Planning Commission and ultimately City Council review.

Mayor Ryan stated he received a letter of support from the Blaine Soccer Club for the proposed dome.

Moved by Councilmember King, seconded by Mayor Ryan, that Ordinance No. 18-2414, "Code Amendment to the RR (Regional Recreation) Zoning Text to Allow a Building Taller than 50-Feet in Height and to Allow a Building with a Fabric Dome Roof for the National Sports Center located at 1700 105th Avenue NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

11.-7

SECOND READING

GRANTING A REZONING FROM FR (FARM RESIDENTIAL) TO PBD (PLANNED BUSINESS DISTRICT) FOR A WATER TREATMENT FACILITY AT 12260 LEXINGTON AVENUE NE (CASE FILE NO. 18-0058/BKS)

Attachments: [Attachments PC 091118](#)

Mr. Schafer stated the City acquired this ten-acre parcel in 2006 as part of the plan to build a water tower, wells and other needed infrastructure to deliver adequate water for the planned buildout of the northeast portion of Blaine. The water tower was completed in 2008 and the wells were started and completed within the last couple years. During 2019 the City is planning to build a 40,300 square water treatment facility on the property and the necessary zoning standards should be in place prior to issuing those permits. The Comprehensive Land Use Plan designation for this area and property is PI (Planned Industrial)/PC (Planned Commercial) which would typically be implemented by the PBD (Planned Business District). This request would rezone the property from FR to PBD so that the PBD text could set the standards for development of the site.

Moved by Councilmember Hovland, seconded by Councilmember Garvais, that Ordinance No. 18-2415, "Granting a Rezoning from FR (Farm Residential) to PBD (Planned Business District) for a Water Treatment Facility at 12260 Lexington Avenue NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

Councilmember King and Councilmember Jeppson left the meeting at 9:30 p.m.

12. ADMINISTRATION

12.-1

CONSIDER SPECIAL EVENTS LICENSE FOR THE 2019 JOYFUL NOISE FAMILY FEST LOCATED AT THE NATIONAL SPORTS CENTER, 1700 105TH AVENUE NE

Attachments: [Layout](#)

Ms. Sorensen stated Samuel Cook, applicant for Joyful Noise Family Fest, has filed an application for a Special Events License to hold an outdoor family Christian music festival at the National Sports Center, 1700 105th Avenue NE on Friday, June 14, 2019 from 5:00 p.m. to 10:30 p.m. and Saturday, June 15, 2019 from 10:00 a.m. to 10:30 p.m. Mr. Cook has deposited with the City a \$100 license fee, a \$500 deposit fee and will provide a current certificate of insurance with the City as additional insured prior to the event. The Special Event license is contingent on receiving food and beverage licenses that cover the date of the event. A background check for Mr. Cook has been completed by the Police Department and no problems or complaints are on file. Approximately 18,000 spectators are expected to attend the event.

Mayor Ryan encouraged staff to work with Joyful Noise on better speaker placement in order to address potential noise concerns.

Moved by Mayor Ryan, seconded by Councilmember Swanson, that Motion 18-125, "Consider Special Events License for the 2019 Joyful Noise Family Fest located at the National Sports Center at 1700 105th Avenue NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

12.-2

AUTHORIZE INSTALLATION OF REGULATORY SIGNS ON XYLITE STREET AT 93RD AVENUE

Attachments: [Xylite and 93rd Stop Sign](#)
[Xylite Truck Traffic 1](#)
[Xylite Truck Traffic 2](#)
[Xylite Truck Traffic 3](#)
[Xylite Truck Traffic 4](#)
[Xylite Truck Traffic 5](#)

Mr. Schluender stated the Traffic Commission received a petition at their meeting in September from the residents on Xylite Street that live between Rice Creek Parkway and 95th Avenue. The petition specifically requested that several traffic control measures be implemented on the Xylite Street corridor including, monitor traffic speeds and overweight trucks, install stop signs and crosswalks at 91st Avenue and 93rd Avenue, and install an electronic driver feedback sign. At their September meeting the Traffic Commission requested that a Stop Sign warrants study be performed at the Xylite Street intersections with 91st Avenue and 93rd Avenue.

Bob Erck, 9180 Xylite Street, thanked the Council for their consideration and explained he had been working on this matter for the past two years. He requested a second stop sign be considered at 91st Avenue to slow traffic for children walking home from school.

Council consensus was to direct staff to seek input from the School District regarding this matter.

Moved by Councilmember Swanson, seconded by Mayor Ryan, that Resolution 18-204, "Authorize Installation of Regulatory Signs on Xylite Street at 93rd Avenue," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

12.-3

**AUTHORIZE THE MAYOR AND CITY MANAGER TO
ENTER INTO A CONTRACT WITH WSB &
ASSOCIATES, INC. FOR PROFESSIONAL
ENGINEERING SERVICES FOR THE LEVER STREET
AREA STREET RECONSTRUCTIONS PRELIMINARY
DESIGN AND FEASIBILITY REPORT, IMPROVEMENT
PROJECT NO. 18-16**

Attachments: [Project Breakdown Map](#)

Mr. Schluender stated on August 2, 2018 Council initiated a number of street projects for the 2019 Pavement Management Program. Staff has grouped the

various streets into four separate projects based on location and type of construction. On September 12, 2018 the Engineering Department requested proposals from four local engineering firms for preliminary design and the preparation of feasibility reports for each of the four 2019 street projects. Staff reviewed all four proposals and matched each of the four firms with one of the four 2019 street projects based on the makeup and experience of the design team, project approach and understanding and similar project experience. After review of the proposals for this project area and the other three project areas, Staff recommends that WSB & Associates, Inc. is the best firm for this project area.

Councilmember Swanson requested staff verify the ring road in Aquatore Park before the project was let and to emphasize with the adjacent neighborhood that Rice Creek Parkway, if done as MSA (which would reduce costs), would ensure 25 more years of truck traffic.

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that Motion 18-126, "Authorize the Mayor and City Manager to Enter into a Contract with WSB & Associates, Inc. for Professional Engineering Services for the Lever Street Area Street Reconstructions Preliminary Design and Feasibility Report," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

12.-4

**AUTHORIZE THE MAYOR AND CITY MANAGER TO
ENTER INTO A CONTRACT WITH SHORT ELLIOTT
HENDRICKSON INC. FOR PROFESSIONAL
ENGINEERING SERVICES FOR THE JEFFERSON
STREET AREA STREET RECONSTRUCTIONS
PRELIMINARY DESIGN AND FEASIBILITY REPORT,
IMPROVEMENT PROJECT NO. 18-17**

Attachments: [Project Breakdown Map](#)

Mr. Schluender stated on August 2, 2018 Council initiated a number of street projects for the 2019 Pavement Management Program. Staff has grouped the various streets into four separate projects based on location and type of construction. On September 12, 2018 the Engineering Department requested proposals from four local engineering firms for preliminary design and the preparation of feasibility reports for each of the four 2019 street projects. Staff reviewed all four proposals and matched each of the four firms with one of the four 2019 street projects based on the makeup and experience of the design team, project approach and understanding and similar project experience. After review of the proposals for this project area and the other three project areas, Staff

recommends Short Elliott Hendrickson, Inc. (SEH) as the best firm for this project area.

Moved by Councilmember Hovland, seconded by Mayor Ryan, that Motion 18-127, "Authorize the Mayor and City Manager to Enter into a Contract with Short Elliott Hendrickson, Inc. for Professional Engineering Services for the Jefferson Street Area Street Reconstructions Preliminary Design and Feasibility Report," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

12.-5

**AUTHORIZE THE MAYOR AND CITY MANAGER TO
ENTER INTO A CONTRACT WITH BOLTON & MENK,
INC. FOR PROFESSIONAL ENGINEERING SERVICES
FOR THE CLOVERLEAF PARKWAY AREA STREET
RECONSTRUCTIONS PRELIMINARY DESIGN AND
FEASIBILITY REPORT, IMPROVEMENT PROJECT NO.
18-18**

Attachments: [Project Breakdown Map](#)

Mr. Schluender stated on August 2, 2018 Council initiated a number of street projects for the 2019 Pavement Management Program. Staff has grouped the various streets into four separate projects based on location and type of construction. On September 12, 2018 the Engineering Department requested proposals from four local engineering firms for preliminary design and the preparation of feasibility reports for each of the four 2019 street projects. Staff reviewed all four proposals and matched each of the four firms with one of the four 2019 street projects based on the makeup and experience of the design team, project approach and understanding and similar project experience. After review of the proposals for this project area and the other three project areas, staff recommends that Bolton & Menk, Inc. is the best firm for this project area.

Moved by Councilmember Hovland, seconded by Councilmember Swanson, that Motion 18-128, "Authorize the Mayor and City Manager to Enter into a Contract with Bolton & Menk, Inc. for Professional Engineering Services for the Cloverleaf Parkway Area Street Reconstructions Preliminary Design and Feasibility Report," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

12.-6

AUTHORIZE THE MAYOR AND CITY MANAGER TO

**ENTER INTO A CONTRACT WITH SAMBATECK, INC.
FOR PROFESSIONAL ENGINEERING SERVICES FOR
THE 2019 STREET RECONSTRUCTIONS PROJECT
PRELIMINARY DESIGN AND FEASIBILITY REPORT,
IMPROVEMENT PROJECT NO. 19-07**

Attachments: [Project Breakdown Map](#)

Mr. Schluender stated on August 2, 2018 Council initiated a number of street projects for the 2019 Pavement Management Program. Staff has grouped the various streets into four separate projects based on location and type of construction. On September 12, 2018 the Engineering Department requested proposals from four local engineering firms for preliminary design and the preparation of feasibility reports for each of the four 2019 street projects. Staff reviewed all four proposals and matched each of the four firms with one of the four 2019 street projects based on the makeup and experience of the design team, project approach and understanding and similar project experience. After review of the proposals for this project area and the other three project areas, Staff recommends that Sambatek, Inc. is the best firm for this project area.

Moved by Councilmember Hovland, seconded by Councilmember Clark, that Motion 18-129, "Authorize the Mayor and City Manager to Enter into a Contract with Sambateck, Inc. for Professional Engineering Services for the 2019 Street Reconstructions Project Preliminary Design and Feasibility Report," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

13. OTHER BUSINESS

None.

None.

14. ADJOURNMENT

Moved by Councilmember Clark, seconded by Councilmember Hovland, to adjourn the meeting at 9:54 p.m.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson