



City of Blaine
Anoka County, Minnesota
Minutes
City Council

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Monday, October 7, 2019

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 Michelle Wolfe; Community Development Director Erik Thorvig; City Planner Lori Johnson; Public Works Director Jon Haukaas; Police Chief/Safety Services Manager Brian Podany; Finance Director Joe Huss; Public Services Manager/Assistant City Manager Bob Therres; City Attorney Patrick Sweeney; City Engineer Dan Schluender; Senior Engineering Technician Al Thorp; Communications Technician Roark Haver; Recreation Manager Nate Monahan; and City Clerk Catherine Sorensen.

Present: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

4. APPROVAL OF MINUTES

Present: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

4.-1

RECENTLY HELD MEETINGS

Attachments: [09-09-19 Workshop Minutes](#)
 [09-16-19 Workshop Minutes](#)
 [09-16-19 Council Minutes](#)

Moved by Councilmember Swanson, seconded by Councilmember Paul, that the Minutes of Workshop Meeting of September 9, 2019, the Minutes of Workshop Meeting of September 16, 2019, and the Minutes of the Regular Meeting of September 16, 2019 be approved.

Motion adopted. Councilmember Garvais abstained on the September 9, 2019

Workshop meeting minutes due to his absence. Councilmember Robertson and Councilmember Hovland abstained on the September 16, 2019 Workshop and Regular meeting minutes due to their absence.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

Jack Grams, Employer Support of the Guard and Reserve (ESGR), introduced himself to the Council and described the work being done by the ESGR. He discussed the awards presented by the ESGR on an annual basis and presented Mayor Ryan with the Seven Seals Award in recognition for his work with the Beyond the Yellow Ribbon Committee on behalf of veterans and their families. A standing ovation and round of applause was offered by all in attendance.

Mayor Ryan thanked Mr. Grams for the recognition and stated he was very proud of this award. He explained he has enjoyed his service in the community to veterans and their families.

Yolanda Von Itter thanked Mayor Ryan for going above and beyond to help veterans and for his dedicated service to the community.

5.-1

CITIZEN RECOGNITIONS

Safety Services Manager/Police Chief Podany recognized three citizens for their actions in 2018 that resulted in saving a life/assisting the Blaine Police Department officers. Kevin Potter and Mark Jackson were presented a “Citizen Recognition/Life Saving Award” for their quick response at the Anoka County Airport on August 23, 2018, when they dragged a burning victim to safety before first responders arrived on scene. Robert Little was presented a “Citizen Recognition Award” for helping officers detain a combative suspect, which directly benefited the public safety efforts of the members of the Blaine Police Department. A round of applause was offered by all in attendance.

Informational: no action required

5.-2

VETERANS MEMORIAL PARK OF BLAINE UPDATE

Steve Guider provided the Council with an update on Veterans Memorial Park. He discussed the Civil War Memorial that has been installed then thanked the City and local fraternal organizations for their financial support. He stated work continues on the Purple Heart Memorial and noted this monument would be installed in the spring of 2020. He commented a third monument was being planned for the park. He commented further on how he was working to raise funds for Veterans Memorial Park.

Mayor Ryan thanked Mr. Guider for his dedication to this project and announced the Civil War Memorial would be unveiled at Veterans Memorial Park on Saturday, October 19 at 2:00 p.m.

Councilmember Hovland thanked Mr. Guider for his work on this project and encouraged residents of Blaine to consider making a donation to Veterans Memorial Park.

Councilmember Garvais stated he appreciated all of Mr. Guider's efforts.

Informational: no action required

ADMINISTRATION

12.-2

AUTHORIZE EXPENDITURE OF UP TO \$100,000 IN MATCHING FUNDS FOR VETERANS MEMORIAL PARK FROM THE CITY'S STRATEGIC PRIORITIES FUND

Finance Director Huss stated on April 1, 2019 the City Council accepted a check for \$2,648,000 from the North Suburban Hospital District. The check represents Blaine's share of funds remaining after the dissolution of the hospital district. At the May 6, 2019 Workshop, the Council consensus regarding these funds was to (1) place the funds in a separate fund to be used pursuant to Council priorities as established at a later date and (2) set aside or earmark \$100,000 of the proceeds to be used as a matching grant to assist in funding for the new Veterans Memorial Park. He explained at the September 9, 2019 Workshop, Council provided direction regarding parameters for the release of the matching funds for Veterans Park and requested that Steve Guider, the Chair of the Veterans Memorial Park Committee (VMPC) and the guiding proponent behind the initiative to build the park, appear before the Council to provide an update on both the status of the park as well as fund-raising efforts to date.

Moved by Mayor Ryan, seconded by Councilmember Hovland, that Resolution 19-166, "Authorize Expenditure of Up to \$100,000 in Matching Funds for Veterans Memorial Park from the City's Strategic Priorities Fund," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

6. COMMUNICATIONS

None.

7. OPEN FORUM

Mayor Ryan opened the Open Forum at 8:17 p.m.

There being no input, Mayor Ryan closed the Open Forum at 8:17 p.m.

8. ADOPTION OF AGENDA

The agenda was adopted as amended moving Item 12.2 to be discussed after Item 5.2.

Adopted as amended.

9. APPROVAL OF CONSENT AGENDA:

Moved by Councilmember Hovland, seconded by Councilmember Jeppson, that the following be approved: Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

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

Attachments: [09/13/19 Bills Paid](#)
 [09/20/19 Bills Paid](#)
 [09/27/19 Bills Paid](#)

Approved

9.-2**SECOND READING**

**ORDINANCE AMENDING CHAPTER 70 - SEC.
70-44. - EXCEPTIONS, SPECIAL EVENTS,
STREETS, SIDEWALKS AND OTHER PUBLIC
PLACES**

Attachments: [ARTICLE III. CIRCUSES AND CARNIVALS](#)

Adopted

9.-3 PUBLICATION OF THE TITLE AND SUMMARY OF ORDINANCE 19-2435, AMENDING CHAPTER 18 - BUILDINGS AND BUILDING REGULATIONS ARTICLE VIII. - RESIDENTIAL MAINTENANCE CODE AND ARTICLE X. - LICENSES FOR RENTAL DWELLINGS, REASONABLE ACCOMODATIONS FOR SOBER LIVING HOMES, OF THE CODE OF ORDINANCES OF THE CITY OF BLAINE

Adopted

**9.-4 APPROVE A TOBACCO AND TOBACCO PRODUCTS
LICENSE FOR AWAD COMPANY, 10102 SUNSET AVE
NE**

Approved

9.-5 ANNUAL POLLING PLACE DESIGNATIONS FOR 2020

Attachments: [2020 Voting Precinct and Poll Locations](#)

Adopted

**9.-6 ELECTION JUDGE APPOINTMENTS FOR THE 2019
COMMISSIONER DISTRICT 6 SPECIAL ELECTION**

Attachments: [Judge List](#)

Adopted

**9.-7 APPROVE OF PROPOSAL BY TIERNEY TO
PROVIDE AUDIO/VIDEO EQUIPMENT AND
INSTALLATION AT THE MARY ANN YOUNG CENTER
IN THE AMOUNT OF \$69,416.04**

Attachments: [AV Proposal](#)

Approved

**9.-8 APPROVE PURCHASE OF REPAIR COMPONENTS FOR
LIFT STATIONS #12 AND #13**

Approved

**9.-9 RECEIVE PETITION AND ORDER PUBLIC HEARING
FOR VACATION OF DRAINAGE AND UTILITY
EASEMENTS ON LOT 1, BLOCK 1, DEMATTS
ADDITION AND LOTS 1 AND 2, BLOCK 1, DEMATTS
SECOND ADDITION, VACATION NO. V19-08**

Attachments: [Easement Petition](#)
 [Location Map](#)

Adopted

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

**10.-1 APPROVE OFF-SALE 3.2 MALT LIQUOR AND
TOBACCO & TOBACCO PRODUCTS LICENSES
FOR KWIK TRIP, INC. DBA KWIK TRIP #1022
LOCATED AT 11736 ULYSSES LANE NE, BLAINE,
MINNESOTA**

City Clerk Sorensen stated Donald Zietlow, applicant for Kwik Trip, Inc. DBA Kwik Trip #1022 located at 11736 Ulysses Lane NE, has submitted applications for off-sale 3.2 malt liquor and tobacco & tobacco product licenses. The applicant has submitted completed license applications, license fees of \$200 for the tobacco & tobacco products license along with a \$50 background fee and \$100 for the off-sale 3.2 malt liquor license. The required certificate of insurance for liquor liability and all required forms and documents have been received and are on file in our office. The Police Department background investigation is complete with no findings. The off-sale 3.2 malt liquor license, if approved, would be eligible for renewal July 1, 2020. The tobacco and tobacco products license, if approved, would be valid until December 31, 2019 and eligible for renewal on January 1, 2020.

Mayor Ryan opened the public hearing at 8:19 p.m.

There being no public input, Mayor Ryan closed the public hearing at 8:19 p.m.

Moved by Councilmember Hovland, seconded by Councilmember Paul, that

Motion 19-172, "Approve Off-Sale 3.2 Malt Liquor and Tobacco & Tobacco Products Licenses for Kwik Trip, Inc. DBA Kwik Trip #1022 located at 11736 Ulysses Lane NE, Blaine, Minnesota," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

10.-2

**ADOPTING ASSESSMENT FOR CONSTRUCTION OF
DUNKIRK STREET, IMPROVEMENT PROJECT NO.
16-15**

Attachments: [16-15 Final Assessment Roll](#)
 [ASSESSMENT MAP](#)

City Engineer Schluender stated Project No. 16-15 included installing concrete curb and gutter, storm sewer improvements, aggregate base, asphalt surface, traffic control signage, and appurtenant construction. The total cost of the project was reviewed with the Council. The total project cost indicated in the Feasibility Report was \$131,250.00. The Assessment Roll has been prepared consistent with the Feasibility Report. Of the total cost, the amount to be assessed is \$51,885.06. The Public Utility Fund and Pavement Management Program Fund (PMP) will contribute \$84,914.05.

Mayor Ryan opened the public hearing at 8:21 p.m.

There being no public input, Mayor Ryan closed the public hearing at 8:21 p.m.

Moved by Councilmember Hovland, seconded by Councilmember Swanson, that Resolution 19-156, "Adopting Assessment for Construction of Dunkirk Street," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

10.-3

**ADOPTING ASSESSMENT FOR 113TH AVENUE NE
TRUNK SANITARY SEWER IMPROVEMENTS,
IMPROVEMENT PROJECT NO. 17-09**

Attachments: [17-09 Final Assessment Roll](#)
 [Parcel Map](#)

Mr. Schluender stated Project No. 17-09 included installing trunk sanitary sewer and appurtenant construction. The total cost of the project was reviewed with the Council. The total project cost indicated in the Feasibility Report was

\$580,642.00. The Assessment Roll has been prepared consistent with the Feasibility Report. Of the total cost, the amount to be assessed is \$359,961.65. \$222,743.00 will be deferred until development of existing parcels on 113th Avenue. The Public Utility Fund will contribute \$10,000.00 for lift station removal. The plat of Creekside Village agreed to be assessed an extra \$25,266 for an increase in pipe size to serve the plat, and the plat of Wicklow Woods paid \$21,597.00 for an increase in pipe size to serve the plat. The existing parcel for 1009-109th Avenue previously paid trunk sanitary sewer fees for 2.93 acres. This represents \$11,288.80 of the current projects cost. Since this area was a part of the current project's petition and included in the original assessment roll, a credit will be paid for this area out of the trunk sanitary sewer/public utility fund.

Mayor Ryan opened the public hearing at 8:22 p.m.

There being no public input, Mayor Ryan closed the public hearing at 8:22 p.m.

Councilmember Jeppson asked if this assessment would be for 10 or 15 years. Mr. Schluender reported this assessment would have a 10-year payback period, which is different than the street reconstruction assessment period of 15 years.

Moved by Councilmember Hovland, seconded by Councilmember Garvais, that Resolution 19-157, "Adopting Assessment for 113th Avenue NE Trunk Sanitary Sewer Improvements," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

10.-4

ADOPTING ASSESSMENT FOR RECONSTRUCTION OF TOURNAMENT PLAYERS PARKWAY, IMPROVEMENT PROJECT NO. 19-07

Attachments: [19-07 Final Assessment Roll](#)
 [Tournament Players Pkwy Assessment Map](#)

Mr. Schluender stated Project No. 19-07 included repair/replacement of concrete curb and gutter and sidewalk, pedestrian ramp improvements, storm sewer and structure improvements, full depth reclamation, new sanitary castings and rings and appurtenant construction on Tournament Players Parkway. The total cost of the project was reviewed with the Council. The total project cost indicated in the Feasibility Report was \$1,181,100. The Assessment Roll has been prepared consistent with the Feasibility Report. Of the total cost, the amount to be assessed is \$244,995.08. The Public Utility Fund will contribute \$27,282.87. The remainder of the total project costs will be paid for from Pavement Management Program (PMP) Funds, in the amount of \$903,950.56.

Mayor Ryan opened the public hearing at 8:25 p.m.

Mr. Schluender reported staff received a senior deferral application and noted staff did not support the request because the applicant did not meet the City's criteria. A resident questioned why only townhome properties were being assessed while all benefit from Tournament Players Parkway and raised concerns about being assessed again in the future because their driveways abut a street. Mr. Schluender reviewed the project area and noted the townhomes abut Tournament Players Parkway. He commented both single family homes and townhomes would be assessed for this project.

Mayor Ryan discussed how the City worked to spread assessments and projects out over time. He encouraged the resident to speak with her association to see if funds have been set aside for the watermain replacement.

Public Works Director Haukaas encouraged the resident to contact City Hall with any further questions she may have regarding the City's Assessment Policy.

There being no additional public input, Mayor Ryan closed the public hearing at 8:39 p.m.

Moved by Councilmember Garvais, seconded by Councilmember Robertson, that Resolution 19-158, "Adopting Assessment for Reconstruction of Tournament Players Parkway," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

Moved by Mayor Ryan, seconded by Councilmember Garvais, that the City Council deny the senior deferral application.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

10.-5

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

Attachments: [Final Assessment Roll 16-12](#)
 [Figure 2 - Assessment Maps Restwood](#)

Mr. Schluender stated this item was postponed at the September 6, 2018 meeting to allow contractor to complete punch list items and this work has now been

completed. 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 cost of the project was reviewed with the Council. 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.

Mayor Ryan opened the public hearing at 8:41 p.m.

There being no public input, Mayor Ryan closed the public hearing at 8:41 p.m.

Moved by Councilmember Swanson, seconded by Councilmember Jeppson, that Resolution 19-170, "Adopting Assessment for Reconstruction of Restwood Road and Flowerfield Road," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

11. DEVELOPMENT BUSINESS

11.-1

GRANTING A FINAL PLAT TO SUBDIVIDE A 35 ACRE PARCEL INTO TWO LOTS TO BE KNOWN AS GLIMCHER NORTHTOWN MALL SIXTH ADDITION LOCATED AT 398 NORTHTOWN DRIVE. (CASE FILE NO. 19-0035/LSJ)

Attachments: [Attachments - Final Plat](#)

City Planner Johnson stated the ownership group of Northtown Mall is requesting the approval of a final plat that would subdivide one large parcel into two lots. The parcel that is being split is the parcel on which the mall building is located. The final plat contains two lots. Lot 1 is 31.89 acres and Lot 2 is 3.23 acres. The mall building is located on Lot 1. The mall ownership intends to negotiate a land transfer with the Metropolitan Council for Lot 2. She explained currently the Metropolitan Council operates, through Metro Transit, a transit hub on the southwest side of Northtown Mall. Metropolitan Council (Metro Transit) leases a portion of the land for the current transit hub from WPG, but also owns a portion of the land on which the transit hub is located. WPG has been in negotiations with Metro Transit for many years to possibly move the transit hub to a different location so as to utilize the current hub location for future development. Part of these negotiations has involved moving the hub to property that is immediately adjacent to, and north of,

Sanburnol Drive and just west of Cub Foods.

Mayor Ryan stated he was proud of the fact Northtown Mall was thriving, adding the mall was the largest tax base and employer in the City of Blaine.

Moved by Mayor Ryan, seconded by Councilmember Garvais, that Resolution No. 19-159, "Granting a Final Plat to Subdivide a 35 Acre Parcel into Two Lots to be known as Glimcher Northtown Mall Sixth Addition located at 398 Northtown Drive," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

11.-2

**GRANTING A CONDITIONAL USE PERMIT TO
CONSTRUCT A NEW PARKING LOT AND USE AN
EXISTING PARKING LOT FOR OUTSIDE STORAGE IN
AN I-2 (HEAVY INDUSTRIAL) ZONING DISTRICT
LOCATED AT 10075 XYLITE STREET NE. MCBLAINE
PROPERTIES, LLC (MCDONOUGH SEWER SERVICE)
(CASE FILE NO. 18-0063/EES)**

Attachments: [Attachments](#)

Ms. Johnson stated McDonough Sewer Service operates a drain cleaning business out of a 5,000 square foot building at the southeast corner of 101st Avenue and Xylite Street. They are proposing to construct a new parking area on the north side of the building and use the existing parking lot south of the building for outside storage of vehicles, flatbed trailers, and hoses. The I-2 Zoning District requires a conditional use permit for outside storage. She reported outdoor storage requests are generally reviewed for screening and containment of the storage. A chain link fence is already in place around the proposed outdoor storage area and has slats on the side facing Xylite Street, providing containment of the storage and visual screening. The building obstructs site lines from 101st Ave to the storage area. Storage is limited to the area shown on the attached graphic and within the fenced area. No outdoor storage may occur on the new northern parking lot. General industrial buildings require six parking spaces plus one per 500 square feet, which totals 16 spaces for a 5,000 square foot building. The site plan shows 19 parking spaces; therefore, the parking requirement is met. This is an increase from 16 parking space currently on the site.

Moved by Councilmember Swanson, seconded by Councilmember Paul, that Resolution No. 19-160, "Granting a Conditional Use Permit to Construct a New Parking Lot and Use an Existing Parking Lot for Outside Storage in an I-2 (Heavy Industrial) Zoning District located at 10075 Xylite Street NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

11.-3

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW
FOR A 14,700 SQUARE FOOT FAMILY
ENTERTAINMENT CENTER (AMUSEMENT AND
RECREATION) IN A B-2 (COMMUNITY COMMERCIAL)
ZONING DISTRICT LOCATED AT 2321 124TH COURT
NE. NORTHVIEW PROFESSIONAL CONSULTANTS,
LLC (WOW KIDS PLAYTORIUM) (CASE FILE NO.
19-0039/EES)**

Attachments: [Attachments](#)

Ms. Johnson stated in 2005, five new commercial lots were platted on 124th Court NE to utilize the visibility from 125th Avenue NE and to provide convenience type services to the new neighborhoods. One vacant lot remains and is located between a childcare center and a bank. Northpoint Elementary School is located on the south side of 124th Court NE. The applicant is proposing a family entertainment center for the remaining vacant lot. Amusement and recreation are conditional uses in the B-2, Community Commercial, zoning district, therefore a conditional use permit is required.

Frederick Gordon, WOW Kids Playtorium representative, shared comments regarding the design of the building and the elements that would be included within the play structure.

Moved by Councilmember Hovland, seconded by Councilmember Robertson, that Resolution No. 19-161, "Granting a Conditional Use Permit to Allow for a 14,700 Square Foot Family Entertainment Center (Amusement and Recreation) in a B-2 (Community Commercial) Zoning District located at 2321 124th Court NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

11.-4

**GRANTING A FINAL PLAT TO SUBDIVIDE A 21.2 ACRE
PARCEL INTO AN APPROXIMATELY 16.2 ACRE SITE
FOR MENARDS, AND A 1.8 ACRE PARCEL FOR AN
EXISTING INDUSTRIAL BUILDING AND TWO
OUTLOTS FOR PONDING AREAS LOCATED AT 10251
BALTIMORE STREET NE. MENARD, INC. (CASE FILE**

NO. 19-0008/SLK)

Attachments: [Attachments - Final Plat 100719](#)

Ms. Johnson stated the applicant is proposing to relocate existing ponding on the south side of the Menards site in order to have a location to construct a proposed second warehouse building. The relocated ponding will be located on Outlots A and B. Therefore, a plat is required to create a newly configured Outlot A and Outlot B for Menards to purchase from the existing property owner on 101st Avenue. The property owner on 101st Avenue will retain Lot 1 Block 2 for their existing building. Lot 1 Block 1 will include the existing Menards site and the area that will be used to construct the new warehouse building. Menards has presented a final plat that contains two lots and two outlots. The total acreage of the site is 21.2 acres. Lot 1, Block 1, on which the Menards site is to be located, is approximately 16.2 acres.

Moved by Mayor Ryan, seconded by Councilmember Jeppson, that Resolution No. 19-162, "Granting a Final Plat to Subdivide a 21.2 Acre Parcel into an Approximately 16.2 Acre Site for Mendards and a 1.8 Acre Parcel for an Existing Industrial Building and Two Outlots for Ponding Areas located at 10251 Baltimore Street NE," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

11.-5

**GRANTING A CONDITIONAL USE PERMIT
AMENDMENT TO ALLOW FOR A NEW 25,052 SQUARE
FOOT FITNESS CENTER IN A DF (DEVELOPMENT
FLEX) ZONING DISTRICT LOCATED AT 4405
PHEASANT RIDGE DRIVE NE, SUITE 100. VEREIT
REAL ESTATE LP (PLANET FITNESS) (CASE FILE NO.
19-0041/EES)**

Attachments: [Attachments](#)

Ms. Johnson stated in 2015, Walmart relocated from The Village to its current Ball Road location. At that time the former Walmart building was converted to a multitenant building, with At Home as the first tenant. A conditional use permit was granted at that time to allow for a multitenant building in a DF zone. The remaining space has been vacant since 2015. At this time, Planet Fitness is proposing to lease the remaining portion of the building and construct a 25,052 square foot fitness center. The remaining 13,500 square feet will be decommissioned space, but included in the Planet Fitness lease. An amendment to the 2015 CUP is required to allow for a fitness center in the remaining space.

Alex Mortinson, Planet Fitness, stated he was very excited to be bringing several different Planet Fitness locations into Blaine. He explained memberships to his gym were very affordable.

Councilmember Garvais asked if this location would have childcare. Mr. Mortinson stated childcare would not be offered at this location.

Mayor Ryan encouraged Mr. Mortinson to take into consideration the importance of security at the gym.

Councilmember Robertson questioned if the City had enough fitness centers already. Community Development Director Thorvig explained how the City allows the market to dictate the number of users and does not get involved with saying how many certain uses can locate in Blaine.

Councilmember Jeppson requested further information regarding the decommissioned space. Ms. Johnson explained the area would be turned into storage space.

Moved by Councilmember Swanson, seconded by Councilmember Robertson, that Resolution No. 19-163, "Granting a Conditional Use Permit Amendment to Allow for a new 25,052 Square Foot Fitness Center in a DF (Development Flex) Zoning District located at 4405 Pheasant Ridge Drive NE, Suite 100," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

11.-6

**GRANTING A CONDITIONAL USE PERMIT
AMENDMENT TO RESOLUTION 18-108 TO ALLOW
FOR A 24,035 SQUARE FOOT FITNESS CENTER, IN A
PBD (PLANNED BUSINESS DISTRICT) ZONING
DISTRICT LOCATED AT 10650 BALTIMORE STREET
NE SUITE 200. DUCK HILL, LLC (PLANET FITNESS)
(CASE FILE NO. 19-0042/EES)**

Attachments: [Attachments](#)

Ms. Johnson stated in 2018 the former Gander Mountain building was converted into a 66,000-sf. multitenant building with the first tenant as The Fun Lab. Two tenant spaces remain. Planet Fitness is proposing a 24,035 square foot fitness center in the tenant space in the center of the building. There is another approximately 20,000 sf. of available space for lease. This item was not sent to the Planning Commission for their review given that this is a conditional use permit

amendment and there is not much of a review to do on this application given the existing nature of the site and building. The surrounding property owners within 350 feet of the property were notified of this City Council meeting. She explained the conditional use permit allowing for the conversion to a multitenant building included a condition that façade upgrades be made as each tenant space is filled. The Fun Lab added EIFS to create a new storefront, but did not make significant changes. Planet Fitness is proposing to remove most of the existing green roof structure and log trusses to create a smaller gray and purple roof. The submitted elevation is not compatible with the rest of the building, especially in terms of color. A condition has been included that the front façade be compatible with the rest of the building in terms of color, subject to staff approval. Staff believes the proposed colors do not meet the intent of the Highway 65 Overlay District, in which this site is located, to create a uniform look to buildings. The applicant will be required to submit a material board with exact colors prior to issuance of a building permit.

Moved by Councilmember Jeppson, seconded by Councilmember Robertson, that Resolution No. 19-164, "Granting a Conditional Use Permit Amendment to Resolution 18-103 to Allow for a 21,00 Square Foot Fitness Center in a PBD (Planned Business District) Zoning District located at 10650 Baltimore Street NE, Suite 200," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

11.-7

**GRANTING A FINAL PLAT TO REPLAT SEVERAL
PARCELS CURRENTLY OCCUPIED BY THE AVEDA
CORPORATION INTO ONE (1) LOT LOCATED AT 4900
PHEASANT RIDGE DRIVE. AVEDA CORPORATION.
(CASE FILE NO. 19-0005/LSJ)**

Attachments: [Attachments - Final Plat](#)

Ms. Johnson stated over the years, Aveda has done many expansions of its building and parking areas and several parcels of land make up the Aveda campus. In order to clean up legal descriptions moving forward for Aveda, a preliminary plat is being proposed that creates one lot for the entire Aveda campus. This is mainly a housekeeping item to remedy the legal description complication. The plat will be known as Aveda Campus Addition. A portion of County Ditch 62-1 flows through the site. The Rice Creek Watershed District is reviewing the need for an easement over the ditch. If an easement is needed, it will be added to the plat prior to recording.

Moved by Mayor Ryan, seconded by Councilmember Hovland, that Resolution No. 19-165, "Granting a Final Plat to Replat Several Parcels Currently Occupied by the Aveda Corporation into One (1) Lot located at 4900 Pheasant Ridge

Drive,” be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

12. ADMINISTRATION - CONTINUED

12.-1

CONSIDER APPROVAL OF A THERAPEUTIC MASSAGE ENTERPRISE LICENSE FOR THE LOUNGE DAY SPA, 11820 ULYSSES STREET NE (SUITE # TO BE ASSIGNED), BLAINE, MN 55449

Ms. Sorensen stated Melanie Newville, owner and applicant, has submitted an application for a Therapeutic Massage Enterprise license for The Lounge Day Spa, located at 11820 Ulysses Street NE (suite # to be assigned), Blaine. The applicant has submitted a license application, the license and background fee, and all other required documentation. The certificate of liability insurance and worker's compensation will be submitted closer to opening, which is anticipated to be in January 2020. The Blaine Police Department is in the process of conducting a background investigation on this individual. The new building, North Central Plaza, is a 14,013-square foot office building with five tenant spaces, the largest of which will be the spa at approximately 6,300 square feet. A 400-square foot patio was approved for the spa in the conditional use permit but the applicant has indicated the patio will be for staff use only and not customer space and a condition was included in the resolution stating the space cannot be used for outdoor dining.

Councilmember Hovland stated he believed the Council needed to revisit this ordinance and could potentially consider reducing the number of therapeutic massage license holders in the City.

Councilmember Garvais commented he did not believe the Council needed to further discuss the policy as this had already been addressed in depth.

Further discussion ensued regarding the sale of massage enterprise licenses.

Councilmember Hovland stated he supported the proposed request and appreciated the fact this business offered more services than just massage but commented he would still appreciate discussing this ordinance further.

Councilmember Paul asked what the name of the new business would be. Ms. Sorensen reported the name would be the Lounge Day Spa.

Moved by Mayor Ryan, seconded by Councilmember Jeppson, that Motion 19-173, “Consider Approval of a Therapeutic Massage Enterprise License for

the Lounge Day Span, 11820 Ulysses Street NE (Suite # to be Assigned), Blaine, MN 55449," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

12.-3

**EXTEND AUDIT ENGAGEMENT AND APPOINT
REDPATH AND COMPANY AS AUDITORS FOR FISCAL
YEARS 2019 AND 2020**

Attachments: [Redpath&Co Engagement Letter](#)

Mr. Huss stated in 2014, following a Request for Proposals (RFP) process, Council appointed Redpath and Company to perform the City's annual audit for the years ending December 31, 2014 through 2018, with the option to renew the agreement for an additional two years. The option to renew is at the sole discretion of the City. Staff reviewed the proposed expense for the 2019 and 2020 audits. Redpath and Company is considered to be one of the top municipal audit firms in Minnesota, and has provided exceptional audit and consulting services to Blaine over the past eight years.

Moved by Councilmember Swanson, seconded by Councilmember Garvais, that Motion 19-174, "Extend Audit Engagement and Appoint Redpath and Company as Auditors for Fiscal Years 2019 and 2020," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

12.-4

**AMENDING RESOLUTION NO. 99-205 AND SUBSEQUENT
RESOLUTIONS, AUTHORIZING THE CITY OF BLAINE TO
IMPLEMENT AN UPDATED SCHEDULE OF OFFENSES AND
ADMINISTRATIVE PENALTIES FOR CHAPTER 82 - TRAFFIC AND
VEHICLE OF THE CODE OF ORDINANCES OF THE CITY OF
BLAINE**

Ms. Sorensen stated on August 19, 2019, Council adopted Ordinance 19-2433 updating Chapter 82 - Traffic and Vehicle. In order to properly charge violations appropriately the schedule of offenses and administrative penalties needs to be amended. In addition, other numbering and fines were adjusted. Staff is currently reviewing the remainder of the schedule and will be bringing forward an additional resolution once completed.

Moved by Councilmember Hovland, seconded by Mayor Ryan, that Resolution 19-167, "Amending Resolution No. 99-205 and Subsequent Resolutions, Authorizing the City of Blaine to Implement an Updated Schedule of Offenses and Administrative Penalties for Chapter 82 – Traffic and Vehicle of the Code

of Ordinances of the City of Blaine,” be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

12.-5

PURCHASE OF FURNITURE FOR MARY ANN YOUNG CENTER

Attachments: [Budget Update](#)

Public Service Manager/Assistant City Manager Therres stated as part of the construction of the new Mary Ann Young Center, staff has been working on furnishing the new building. Staff has worked with Innovative Office Solutions to develop a furnishing plan. Innovative has the contract for Office Furnishings through the Cooperative Purchasing Connection (CPC), which is a service cooperative that pre-bids items for governmental units in order to meet Minnesota’s Uniform Municipal Contracting Law. The City of Blaine is a member of the CPC. The total cost for the furnishings for the Mary Ann Young Center is \$170,374.55. This includes all the furnishings in the building from the senior lounge furniture, office furniture and workstations, the tables and chairs for the dining/multi-purpose room, furnishing the other multi-purpose rooms, lobby furniture and display case. The funds for the furnishings will come from the \$5.4 million budget for this project. The new building was on budget and scheduled for substantial completion in early December.

Moved by Councilmember Garvais, seconded by Councilmember Robertson, that Motion 19-175, “Purchase of Furniture for Mary Ann Young Center,” be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

12.-6

INITIATE PROJECT AND ORDER PREPARATION OF FEASIBILITY REPORT FOR THE 2020 STREET RECONSTRUCTIONS - AREA 1, IMPROVEMENT PROJECT NO. 19-16

Attachments: [Location Map](#)

Mr. Schluender stated at the September 16, 2019 City Council workshop, staff brought forward a list of proposed projects for the 2020 Pavement Management Program (PMP). The 2020 Street Reconstructions - Area 1 project consists of reconstruction of the following streets:

- * Polk Street from 89th Avenue to Clover Leaf Parkway
- * Tyler Street from 89th Avenue to 91st Avenue
- * Van Buren Street from 89th Avenue to 91st Avenue
- * Jackson Street from 89th Avenue to 91st Avenue
- * 90th Lane from 91st Avenue to 91st Avenue

Mr. Schluender reported the project area consists of residential streets with concrete curb and gutter, residential streets with no curb and gutter and a State Aid collector route with partial curb and gutter. The method of reconstruction will vary between the streets and will be further explained in the feasibility report. Due to PMP funding considerations, it is proposed that this project be designed in 2020 and if capacity exists in the 2020 PMP construct a portion or all of it in 2020, if there is not enough capacity it would be constructed in 2021.

Councilmember Hovland commented on the ruts on Polk Street and encouraged staff to properly review the soils prior to completing this roadway.

Moved by Councilmember Garvais, seconded by Councilmember Robertson, that Resolution 19-168, "Initiate Project and Order Preparation of Feasibility Report for the 2020 Street Reconstructions – Area 1," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

12.-7

INITIATE PROJECT AND ORDER PREPARATION OF FEASIBILITY REPORT FOR THE 2020 STREET RECONSTRUCTIONS - AREA 2, IMPROVEMENT PROJECT NO. 19-18

Attachments: [Location Map.pdf](#)

Mr. Schluender stated at the September 16, 2019 City Council workshop, staff brought forward a list of proposed projects for the 2020 Pavement Management Program (PMP). The 2020 Street Reconstructions - Area 2 project consists of reconstruction of the following streets:

- * Taylor Street from 129th Avenue to 132nd Lane
- * Pierce Street from Taylor Street to 132nd Lane
- * Lincoln Street from 131st Lane to 132nd Lane
- * Johnson Street from 131st Lane to 132nd Lane
- * 129th Lane from Polk Street to Taylor Street
- * 131st Lane from Lincoln Street to Central Avenue
- * 132nd Avenue from Jonson Street to Central Avenue
- * 132nd Lane from Taylor Street to Central Avenue

Mr. Schluender explained the streets are all residential streets with concrete curb and gutter which have reached the end of their service lives. The proposed project would fully reconstruct all of the streets in 2020.

Councilmember Paul asked if this project would be assessed. Mr. Schluender reported this would be the case.

Moved by Councilmember Jeppson, seconded by Councilmember Garvais, that Resolution 19-169, "Initiate Project and Order Preparation of Feasibility Report for the 2020 Street Reconstructions – Area 2," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

12.-8

**AUTHORIZE THE MAYOR AND CITY MANAGER TO
ENTER INTO A CONTRACT WITH WSB &
ASSOCIATES FOR PROFESSIONAL ENGINEERING
SERVICES FOR THE 2020 STREET
RECONSTRUCTIONS - AREA 2, PROJECT NO. 19-18**

Attachments: [Location Map](#)
[132nd Lane & Taylor Street Proposal](#)

Mr. Schluender stated in 2018, four engineering consulting firms were selected to complete feasibility reports, engineering design and construction observation work for the 2019 Pavement Management Program (PMP) projects. Due to the high quality of professional services that they were able to provide and the success that the Engineering Department had with working with the selected engineering consultants, staff is recommending using the same engineering consultant firms for the 2020 PMP projects.

The Engineering Department recently requested and received a proposal from WSB & Associates for preliminary design, feasibility report preparation, final design and construction observation of the 2020 Street Reconstructions - Area 2 project, Project No. 19-18. The proposal is in the amount of \$327,767.00. Staff has reviewed this proposal and determined that the fees are justified and reasonable and are consistent with the fees from the 2019 engineering consultant contracts.

Moved by Councilmember Hovland, seconded by Councilmember Garvais, that Motion 19-176, "Authorize the Mayor and City Manager to Enter into a Contract with WSB & Associates for Professional Engineering Services for the 2020 Street Reconstructions – Area 2," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

12.-9

**AUTHORIZE THE MAYOR AND CITY MANAGER TO
ENTER INTO A CONTRACT WITH BOLTON & MENK,
INC. FOR PROFESSIONAL ENGINEERING SERVICES
FOR THE 2020 STREET RECONSTRUCTIONS - AREA 1,
PROJECT NO. 19-16**

Attachments: [Proposal 2020 Street Reconstructions](#)
 [Location Map](#)

Mr. Schluender stated in 2018, four engineering consulting firms were selected to complete feasibility reports, engineering design and construction observation work for the 2019 Pavement Management Program (PMP) projects. Due to the high quality of professional services that they were able to provide and the success that the Engineering Department had with working with the selected engineering consultants, staff is recommending using the same engineering consultant firms for the 2020 PMP projects. The Engineering Department recently requested and received a proposal from Bolton & Menk, Inc. for preliminary design, feasibility report preparation and final design of the 2020 Street Reconstructions - Area 1 project, Project No. 19-16. The proposal is in the amount of \$156,370.00. Staff has reviewed this proposal and determined that the fees are justified and reasonable and are consistent with the fees from the 2019 engineering consultant contracts.

Moved by Councilmember Paul, seconded by Councilmember Garvais, that Motion 19-177, "Authorize the Mayor and City Manager to Enter into a Contract with Bolton & Menk, Inc. for Professional Engineering Services for the 2020 Street Reconstructions – Area 1," be approved.

Motion adopted unanimously.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul

13. OTHER BUSINESS

Councilmember Swanson requested an update from staff on the Jefferson Street and Clover Leaf Parkway projects. Mr. Haukaas provided the Council with an update on the Jefferson Street and Clover Leaf Parkway street reconstruction projects. He noted the City has focused on the area from 112th to 117th Avenues along Jefferson Street. He explained the contractor hopes to put down asphalt later this week or early next week.

14. ADJOURNMENT

Moved by Councilmember Jeppson, seconded by Councilmember Garvais, to adjourn the meeting at 9:49 p.m.

Aye: 7 - Mayor Ryan, Councilmember Swanson, Councilmember Hovland, Councilmember Jeppson, Councilmember Garvais, Councilmember Robertson and Councilmember Paul