



City of Blaine Anoka County, Minnesota Minutes City Council

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

This meeting will be a hybrid of Zoom and in-person. The Mayor has signed a declaration allowing members of the council, staff, and the public to attend the meeting remotely via Zoom as has been done during the COVID-19 pandemic.

The council chambers will have limited seating, with audience chairs being set up at least six feet apart. There will be an overflow area where the meeting can be watched in the Cloverleaf Farms Room, also with chairs set up at least six feet apart.

Please note that all visitors to city hall are required to wear a face mask while inside the building.

Public comments may be submitted prior to the meeting by sending an email to PublicComment@BlaineMN.gov or by calling 763-717-2782 no later than Noon on Monday March 1.

Public comment will also be taken during the meeting remotely via Zoom. Members of the public can join the Zoom webinar at, <https://blainemn.zoom.us/j/94876749353>

Monday, February 1, 2021

7:30 PM Council Chambers and due to the COVID-19 pandemic, city meetings will also be held as virtual meetings

1. CALL TO ORDER BY THE MAYOR

The meeting was called to order at 7:30PM by Mayor Sanders followed by the Pledge of Allegiance and the Roll Call. Due to the COVID-19 pandemic this meeting was held both in person and virtually.

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; Deputy Police Chief Dan Szykalski; Finance Director Joe Huss; City Attorney Chris Nelson; City Engineer Dan Schluender; Water Resources Manager Rebecca Haug; Administrative Services Director Cassandra Tabor; Communications Technician Roark Haver; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

Present: 7 - Councilmember Hovland, Councilmember Jeppson, Councilmember Robertson, Councilmember Paul, Councilmember Massoglia, Councilmember Smith and Mayor Sanders

4. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

None.

5. COMMUNICATIONS

None.

6. OPEN FORUM

Mayor Sanders opened the Open Forum at 7:32PM.

There being no input, Mayor Sanders closed the Open Forum at 7:33PM.

7. ADOPTION OF AGENDA

The agenda was adopted as presented.

8. APPROVAL OF CONSENT AGENDA:

Moved by Councilmember Jeppson, seconded by Councilmember Robertson, that the following be approved: A roll call vote was taken. Motion adopted unanimously.

Aye: 7 - Councilmember Hovland, Councilmember Jeppson, Councilmember Robertson, Councilmember Paul, Councilmember Massoglia, Councilmember Smith and Mayor Sanders

8.-1

SCHEDULE OF BILLS PAID

Attachments: [01/15/2021 Bills Paid](#)
 [01/15/2021 Bills Paid - Subset](#)
 [01/22/2021 Bills Paid](#)
 [01/22/2021 Bills Paid - Subset](#)

Approved

8.-2

APPROVAL OF MINUTES

Attachments: [01-11-21 Workshop Minutes](#)
 [01-20-21 Closed Session - Pending Litigation](#)
 [01-20-21 Workshop Minutes](#)
 [01-20-21 Council Minutes](#)
 [1-22-21 and 1-23-21 Workshop Council Retreat](#)

Approved

8.-3

APPROVAL OF CLASSIFICATION AND SALE OF TAX FORFEIT PROPERTIES WITHIN THE CITY OF BLAINE

Attachments: [2020 Property Classification List](#)
 [24-31-23-14-0104](#)

Approved

8.-4

APPROVE PREMISES PERMIT FOR LAWFUL GAMBLING ACTIVITY FOR CENTENNIAL HS FOOTBALL BOOSTERS AT LUCY'S BURGERS BLAINE INC, 4365 PHEASANT RIDGE DRIVE NE, SUITE #102

Attachments: [Lease for Lawful Gambling](#)
[Premise Permit Application](#)

Adopted

**8.-5 RELEASING LOT 1, BLOCK 1, LEXINGTON MEADOWS
 3RD ADDITION FROM RECORDED DEVELOPMENT
 AGREEMENTS
 (CASE FILE NO. 20-0002/LSJ)**

Attachments: [Attachments](#)

Adopted

**8.-6 AUTHORIZE PURCHASE OF ROAD CHEMICALS FOR
 2021 IN AN AMOUNT UP TO \$264,840.00**

Approved

**8.-7 PAYMENT TO SOFTWARE HOUSE INTERNATIONAL
 FOR MICROSOFT ENTERPRISE AGREEMENT
 ANNUAL LICENSING RENEWAL**

Approved

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

**9.-1 GRANTING A CONDITIONAL USE PERMIT
 AMENDMENT TO ALLOW FOR A 5-FOOT SIDE YARD
 SETBACK FOR A GARAGE RATHER THAN THE
 REQUIRED 7.5 FOOT SETBACK IN A DF
 (DEVELOPMENT FLEX) ZONING DISTRICT LOCATED
 AT 12891 XYLITE STREET NE, THE WOODS AT QUAIL
 CREEK 4TH ADDITION. MG MAIN STREET
 PROPERTIES LLC (NEWMARK HOMES, INC.) (CASE
 FILE NO. 21-0006/LSJ)**

Attachments: [Attachments](#)

City Planner Johnson stated the development known as Woods at Quail Creek 4th Addition was final platted in 2016, with 18 lots included in the plat. A conditional use permit for this plat was approved in 2015, and that resolution of approval contained all standards for the development of the 18 lots in the plat. One of the standards in the conditional use permit resolution indicates that a 7.5 foot setback for both a house and garage is required in all side yards. There is one lot in particular within this development

(Lot 1, Block 3) that has a 10 foot drainage and utility easement on the north side of the lot that prohibits the home builder from utilizing the 7.5 foot setback requirement on the north side of the lot. Because the setback on the north side of the home is 2.5 feet greater than what is required, it is difficult to meet the 7.5 foot setback on the south side of the lot without altering the typical home design for this development.

Ms. Johnson reported the developer/builder of this lot is asking to change the conditional use permit requirements for this one lot to allow for a 5 foot setback on the south side of the lot. This is the garage side of the lot, so the garage setback would be 5 feet while the living portion of the home would have a setback of 14.75 feet. Staff is amenable to allowing an amendment to the conditional use permit for Woods at Quail Creek 4th Addition for this one lot. Staff has worked with other developers throughout the community on situations like this where there are specific factors on a lot that make meeting the setback difficult. In addition, the standard setback for a garage in an R-1 (Single Family) zoning district is 5 feet, so this request is not out of the norm for single family lots. Because this is a simple amendment for one lot only, this item was not brought forward to the Planning Commission for their review. The City Council is asked to hold a public hearing and act on this item. Residents within 350 feet of this parcel have been notified of the public hearing.

Mayor Sanders opened the public hearing at 7:36PM.

There being no public input, Mayor Sanders closed the public hearing at 7:36PM.

Moved by Councilmember Robertson, seconded by Councilmember Paul, that Resolution No. 21-011, "Granting a Conditional Use Permit Amendment to Allow for a 5-Foot Side Yard Setback for a Garage Rather than the Required 7.5 Foot Setback in a DF (Development Flex) Zoning District located at 12891 Xylite Street NE, the Woods at Quail Creek 4th Addition," be approved.

A roll call vote was taken. Motion adopted unanimously.

Aye: 7 - Councilmember Hovland, Councilmember Jeppson, Councilmember Robertson, Councilmember Paul, Councilmember Massoglia, Councilmember Smith and Mayor Sanders

9.-2

**GRANTING A CONDITIONAL USE PERMIT
AMENDMENT TO ALLOW 28 (80 FOOT) LOTS TO BE
CHANGED TO 34 (65 FOOT) LOTS, 12 (50 FOOT) LOTS
TO BE CHANGED TO 10 (60 FOOT) LOTS, AND 7
ORIGINALLY PROPOSED (50 FOOT) LOTS IN THE DF
(DEVELOPMENT FLEX) ZONING DISTRICT FOR
OAKWOOD PONDS 5TH ADDITION. TEGL/AREP
OAKWOOD, LP (THE EXCELSIOR GROUP) (CASE FILE
NO. 20-0047/SLK)**

Attachments: [Attachments](#)

Ms. Johnson stated Excelsior Group received approval for the Oakwood Ponds development in 2017 and began development activities that year. The development has been making progress in the past three years with the construction of 65 foot single family lots and 50 foot villa home lots. The applicant has stated that based on the current builder's feedback regarding the sales success of the 65 foot wide lots and the market need for villa lots with a three car garage option, they would like to request lot size amendments. The proposed amendment changes are being driven from current market requests.

Ms. Johnson reported the original conditional use permit approval included 28 (80 foot) lots and 19 (50 foot) villa lots. Due to changes in the housing market, Excelsior Group has requested 34 (65 foot) lots instead of the previously approved 28 (80 foot) lots. They would also like approval for 10 (60 foot) lots instead of the previously approved 12 (50 foot) lots. This conditional use permit amendment will also include seven (7) 50 foot lots on the west side of 127th Circle that are consistent with the original preliminary plat. The changes are consistent with the final plat that is also being proposed on this agenda. The conditions of approval are consistent with the approved conditional use permit on October 19, 2017. Property owners within 350 feet of the proposed conditional use permit amendment were notified of this request.

Mayor Sanders opened the public hearing at 7:40PM.

There being no public input, Mayor Sanders closed the public hearing at 7:40PM.

Moved by Councilmember Paul, seconded by Councilmember Massoglia, that Resolution No. 21-012, "Granting a Conditional Use Permit Amendment to Allow 28 (80 Foot) Lots to be Changed to 34 (65 Foot) Lots, 12 (50 Foot) Lots to be Changed to 10 (60 Foot) Lots, and 7 Originally Proposed (50 Foot) Lots in the DF (Development Flex) Zoning District for Oakwood Ponds 5th Addition," be approved.

A roll call vote was taken. Motion adopted unanimously.

Aye: 7 - Councilmember Hovland, Councilmember Jeppson, Councilmember Robertson, Councilmember Paul, Councilmember Massoglia, Councilmember Smith and Mayor Sanders

9.-3

**ORDER IMPROVEMENT AND ORDER PREPARATION
OF PLANS AND SPECIFICATIONS FOR THE 132ND
AVENUE/HASTINGS STREET AREA
REHABILITATIONS, IMPROVEMENT PROJECT NO.
21-07**

Attachments: [Location Map](#)
 [Feasibility Report](#)

City Engineer Schluender stated the project area consists of residential streets with existing concrete curb and gutter. Staff reviewed the streets included in the project area. The proposed improvements include spot concrete curb and gutter removal/replacement, minor storm drainage improvements, spot water main repair, asphalt surface replacement, traffic control signage replacement, and appurtenant construction. The estimated cost of improvements is \$2,091,000 with \$597,200 proposed to be assessed over a 15-year period. Replacement of existing sanitary sewer castings/rings at an estimated cost of \$51,200. The replacement of malfunctioning gate valves and the addition of gate valves at existing hydrants at an estimated cost of \$78,100 is proposed to be paid for by City Public Utility Funds. The remaining portion of \$1,364,500 is proposed to be paid from the City's Pavement Management Program Fund. The project is necessary, cost-effective, and feasible and will result in a benefit to the properties proposed to be assessed.

Councilmember Hovland stated there were 23 lots not on the assessment roll and questioned why this would occur. Mr. Schluender explained those properties were along 131st Avenue and this road was overlaid recently and does not need further improvement.

Mayor Sanders opened the public hearing at 7:45PM.

There being no public input, Mayor Sanders closed the public hearing at 7:46PM.

Councilmember Paul recommended the project closing be included in the project plans. Mr. Schluender reported a project close line item could be added to the plans.

Moved by Councilmember Smith, seconded by Councilmember Jeppson, that Resolution No. 21-013, "Order Improvement and Order Preparation of Plans and Specifications for the 132nd Avenue/Hastings Street Area Rehabilitation," be approved.

A roll call vote was taken. Motion adopted unanimously.

Aye: 7 - Councilmember Hovland, Councilmember Jeppson, Councilmember Robertson, Councilmember Paul, Councilmember Massoglia, Councilmember Smith and Mayor Sanders

9.-4

**ORDER IMPROVEMENT AND ORDER PREPARATION
OF PLANS AND SPECIFICATIONS FOR THE 99TH
AVENUE/101ST AVENUE REHABILITATIONS,
IMPROVEMENT PROJECT NO. 21-08**

Attachments: [Feasibility Report - 21-08](#)
 [Location Map](#)

Mr. Schluender stated the project area consists of a State Aid collector route with

curb and gutter. The proposed project would rehabilitate 99th Avenue/101st Avenue, from Hwy 65 to University Avenue by means of a mill/overlay. It is also proposed to perform a chip seal on the milled surface, just prior to paving the overlay. The purpose of this treatment method, which is known as a Texas Underseal, is to extend the life of the mill/overlay and delay reflective cracking. Additional proposed street improvements include upgrades to the existing signal system at the intersection of 99th Avenue/Cover Leaf Parkway (i.e. battery backup and pedestrian push buttons) concrete pedestrian ramps, replacement of damaged concrete sidewalks, construction of a new sidewalk on the north side of 99th Avenue, from Ulysses Street to the Holiday Station Store driveway, and replacement of all signage. Proposed utility improvements consist of replacement of the old-style hydrants and minor maintenance of the sanitary and storm sewer structures, such as patching the existing concrete adjusting rings, inverts, doghouses, etc.

Mr. Schluender explained the total estimated project cost of the proposed improvements is \$1,801,845, of which \$35,962 is proposed to be assessed over a five-year period. In addition, patching of the existing sanitary sewer adjusting rings at an estimated cost of \$4,725 and replacement of 7 hydrants at an estimated cost of \$130,140 is proposed to be paid for by City Public Utility Funds. The remaining portion of \$1,631,018 is proposed to be paid from the City's Pavement Management Program Fund and City Municipal State Aid Funds. The project is necessary, cost-effective, and feasible and would result in a benefit to the properties proposed to be assessed.

Councilmember Jeppson asked if the \$1.8 million included intersection improvements at Polk Street and 99th Avenue. Mr. Schluender reported improvements at this intersection were not included in this project. He explained this project was outlined in the five-year CIP.

Councilmember Massoglia reported this was a targeted intersection with Highway 65. He was of the opinion it did not make sense to redo things from the east side of this project to Highway 65 and recommended the project stop at 99th Avenue and Buchanan Street. Public Works Director Haukaas stated this was considered and reported this project was going to be brought closer to 99th Avenue mainly because of the unknowns of how the 99th Avenue intersection will be improved. He explained the pavement condition was severely deteriorated and he did not expect construction on the interchange would start until 2024 or into 2025. He did not envision overlapping more than a couple hundred feet of pavement. He indicated staff would prefer updating it now rather than redoing this small portion in the future given the existing conditions.

Councilmember Robertson questioned if it made sense to attempt to do these

projects together versus tearing up the pavement at some point in the future. Mr. Schluender agreed but noted the city had limited State Aid funds to assist with projects like these and at this time there would be a funding gap if both projects were pursued at the same time.

Councilmember Robertson inquired if the current condition of 99th Avenue was more averse than the safety issues at the four-way intersection. Mr. Haukaas responded there has been calls and concerns about this intersection. However, he did not believe the safety data supports a significant change at this point. He discussed how the city sets priorities for intersection improvements within the CIP.

Councilmember Robertson asked if this intersection would be a traffic signal or a roundabout. Mr. Haukaas stated this question has not been answered yet because a feasibility study has to be completed. He reported traffic studies would be completed in the near future to assist staff with making a determination.

Mayor Sanders opened the public hearing at 7:59PM.

There being no public input, Mayor Sanders closed the public hearing at 7:59PM.

Moved by Councilmember Hovland, seconded by Councilmember Jeppson, that Resolution No. 21-014, "Order Improvement and Order Preparation of Plans and Specifications for the 99th Avenue/101st Avenue Rehabilitations," be approved.

A roll call vote was taken. Motion adopted unanimously.

Aye: 7 - Councilmember Hovland, Councilmember Jeppson, Councilmember Robertson, Councilmember Paul, Councilmember Massoglia, Councilmember Smith and Mayor Sanders

9.-5

**APPROVE ON-SALE AND SUNDAY
INTOXICATING LIQUOR LICENSES FOR LUCY'S
BURGERS BLAINE, INC DBA LUCY'S BURGERS
BLAINE LOCATED AT 4365 PHEASANT RIDGE
DRIVE #102 NE, BLAINE, MINNESOTA**

Attachments: [Lucy's Burgers](#)

City Clerk Sorensen stated a public hearing is required prior to the approval for on-sale and Sunday intoxicating liquor licenses in the City of Blaine. Robert Scott, applicant for Lucy's Burgers Blaine, Inc. DBA Lucy's Burgers Blaine located at 4365 Pheasant Ridge Drive #102 NE, has submitted applications for on-sale and Sunday intoxicating liquor licenses. The applicant has submitted all necessary fees, 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 currently in process on this individual. The on-sale and Sunday liquor licenses, if approved, would be valid until June 30, 2021 and eligible for renewal July 1, 2021. It was noted all required information will be submitted to the State Liquor Control Department upon approval of the licenses by the Council. Mayor Sanders opened the public hearing at 8:01PM.

There being no public input, Mayor Sanders closed the public hearing at 8:02PM.

Councilmember Robertson welcomed Lucy's Burgers to the City of Blaine.

Moved by Councilmember Jeppson, seconded by Councilmember Robertson, that Motion 21-24, "Approve On-Sale and Sunday Intoxicating Liquor License for Lucy's Burgers Blaine, Inc. DBA Lucy's Burgers Blaine located at 4365 Pheasant Ridge Drive #102 NE, Blaine, Minnesota," be approved.

A roll call vote was taken. Motion adopted unanimously.

Aye: 7 - Councilmember Hovland, Councilmember Jeppson, Councilmember Robertson, Councilmember Paul, Councilmember Massoglia, Councilmember Smith and Mayor Sanders

10. DEVELOPMENT BUSINESS

10.-1

GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE 44.66 ACRES INTO 51 SINGLE FAMILY LOTS AND FOUR (4) OUTLOTS TO BE KNOWN AS OAKWOOD PONDS 5TH ADDITION, LOCATED AT 127TH LANE NE AND 127TH CIRCLE NE. TEGL/AREP OAKWOOD LP (EXCELSIOR GROUP) (CASE FILE NO. 20-0048/SLK)

Attachments: [Attachments](#)

Ms. Johnson stated this final plat consists of subdividing approximately 44.66 acres into a subdivision with a total of 51 new single family lots. The final plat also includes four outlots for ponds, drainage, wetlands, and future development. Excelsior Group received preliminary plat approval for the Oakwood Ponds development in 2017 and began development activities that year. The development has been making progress in the past three years with the construction of 65 foot lots and 50 foot villa home lots. The applicant has stated based on current builder's feedback regarding the sales success of the 65 foot wide lots and the market need for Villa lots with a three car garage option, they would like to request lot size amendments. The companion item (conditional use permit amendment) is consistent with this proposed final plat. The original preliminary plat approval included 28 (80 foot) lots and 19 (50 foot) villa lots. Due to changes in the housing market, Excelsior Group has requested 34 (65 foot) lots instead of the previously approved 28 (80 foot) lots. Also, they would like approval for 10 (60 foot) lots instead of the previously approved 12 (50 foot) lots on the east side of 127th Circle. This final

plat also includes the platting of seven (7) 50 foot lots on the west side of 127th Circle that are consistent with the preliminary plat.

Moved by Councilmember Massoglia, seconded by Councilmember Paul, that Resolution No. 21-015, "Granting Final Plat Approval to Subdivide 44.66 Acres into 51 Single Family Lots and Four (4) Outlots to be known as Oakwood Ponds 5th Addition located at 127th Lane NE and 127th Circle NE," be approved.

A roll call vote was taken. Motion adopted unanimously.

Aye: 7 - Councilmember Hovland, Councilmember Jeppson, Councilmember Robertson, Councilmember Paul, Councilmember Massoglia, Councilmember Smith and Mayor Sanders

10.-2

FIRST READING

GRANTING A REZONING FROM PBD-A (PLANNED BUSINESS DISTRICT AIRPORT) TO DF (DEVELOPMENT FLEX) FOR APPROXIMATELY 26.96 ACRES AT THE NORTHWEST CORNER OF 93RD LANE AND 85th AVENUE. GROVELAND VILLAGE (M/I HOMES) (CASE FILE NO. 20-0031/EES)

Attachments: [Attachments](#)
[Unapproved PC Minutes 011221](#)
[Public Comment 021521](#)
[Attachments Additional 021721](#)

Ms. Johnson stated a 27-acre vacant property previously owned by the Metropolitan Airports Commission (MAC) is located at the northwest corner of 93rd Lane (Airport Road) and County Road J, adjacent to Highway 10. The property was rezoned in 2015 to PBD-A, a new zoning district that applies to two properties owned at the time by MAC, and allows for a limited assortment of industrial and commercial uses. The property was purchased by Spring Lake Park Schools for the construction of a new elementary school, which was ultimately constructed at the NSC campus. The property has changed hands and is now under contract with a developer who proposes to utilize the site for townhomes and apartments.

Ms. Johnson explained the proposed project requires an amendment to the comprehensive plan, a rezoning from PBD-A to DF for residential uses, a plat to establish the new lot lines, and a conditional use permit to establish the standards for the development within the DF zoning. The applicant is applying for all of the necessary approvals for the townhome portion of the project, but will need to separately apply for the conditional use permit for the apartment portion of the project once the design is finalized for that portion. The City Council discussed the concept plan at workshop on May 18, 2020 and was supportive of the developer

moving forward with the proposal. They indicated a need to obtain feedback from the neighboring property owners and indicated traffic was a concern on this site.

Declared by Mayor Sanders that Ordinance No. 21-2461, "Granting a Rezoning from PBD-A (Planned Business District Airport) to DF (Development Flex) for Approximately 26.96 Acres at the Northwest Corner of 93rd Lane and 85th Avenue," be introduced and placed on file for second reading at the February 16, 2021 Council meeting.

10.-3

**GRANTING PRELIMINARY PLAT APPROVAL TO
SUBDIVIDE A 6.7 ACRE PARCEL INTO 44 TOWNHOME
LOTS AND FOUR OUTLOTS TO BE KNOWN AS
HAVERHILL LOCATED AT 122ND AVENUE NE AND
FRAIZER STREET NE. AKM FARM LLC (PULTE
HOMES) (CASE FILE NO. 20-0040/SLK)**

Attachments: [Attachments](#)
[Unapproved PC Minutes 011221](#)

Ms. Johnson stated the applicant, Pulte Homes is proposing to subdivide an existing outlot into 44 townhome units and four outlots. The existing land use of the property is HDR (High Density Residential) which would allow up to 25 units per acre. The existing HDR land use is why staff has spoken with several apartment developers about this property in the past. Haverhill, including the drainage area to north and east, consists of approximately 8 acres with 44 dwelling units which results in a project density of approximately 5.5 units per acre, which is on the low end of the MDR (Medium Density Residential) land use density (6-12 units per acre) and well below what is permitted in the HDR land use (12-25 units per acre). Pulte Homes held a neighborhood meeting (virtually) for the surrounding neighborhood to learn about the project on December 15, 2020 per the City's Neighborhood Meeting Policy. The applicant stated that approximately 15 people attended the virtual meeting. The people attending asked four questions and did not provide any comments. The questions were related to value of the units adjacent to the ponds, the setback along Fraizer Street, how many accesses will be provided to the proposed townhome development, and what company will be managing the Homeowners Association. It was noted the 6.7 acre parcel will be subdivided into a total of 44 lots (one for each unit and four outlots) and the preliminary plat includes four outlots for drainage, ponding, and private roadways.

Councilmember Robertson thanked staff for holding the neighborhood meetings with potential developers. She appreciated how the community was being involved in new development projects prior to heading to these developments being considered by the Planning Commission.

Councilmember Hovland asked if both of these projects would fall under one

association. Ms. Johnson reported the city does not have control over this but staff has encouraged the developer to pursue one association.

Councilmember Massoglia stated he believed this development was a great fit for this neighborhood.

Rosemary Bonnet, resident, explained she would like to speak regarding the Groveland Village project. Ms. Johnson reported this project would be coming back to the City Council on February 17, 2021 where comments would be taken from the public regarding the rezoning and comprehensive plan amendment.

Councilmember Jeppson encouraged Ms. Bonnet to reach out to her Councilmember with comments, questions or concerns prior to the next Council meeting.

Moved by Councilmember Robertson, seconded by Councilmember Paul, that Resolution No. 21-016, "Granting Preliminary Plat Approval to Subdivide a 6.7 Acre Parcel into 44 Townhome Lots and Four (4) Outlots to be known as Haverhill located at 122nd Avenue NE and Fraizer Street NE," be approved.

A roll call vote was taken. Motion adopted unanimously.

Aye: 7 - Councilmember Hovland, Councilmember Jeppson, Councilmember Robertson, Councilmember Paul, Councilmember Massoglia, Councilmember Smith and Mayor Sanders

10.-4

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW
FOR THE CONSTRUCTION OF 44 TOWNHOME UNITS
AND PRIVATE STREETS IN A DF (DEVELOPMENT
FLEX) ZONING DISTRICT LOCATED AT 122ND
AVENUE NE AND FRAIZER STREET NE. AKM FARM
LLC (PULTE HOMES) (CASE FILE NO. 20-0040/SLK)**

Ms. Johnson stated the proposed townhomes will be enhanced with exterior architectural details. The townhomes would include varying windows, gables, materials, dormers, and rooflines. The use of stone, shakes, vinyl siding, and banding boards serve as strong accents. The floor plans would provide approximately 1,850 square feet of finished area above grade. The estimated price range is low \$300,000 to high \$400,000. The townhome units are proposed to be constructed with a 25 foot setback adjacent to 122nd Avenue and Fraizer Street. The units on the north and east property lines will have a 30 foot setback, except for Lot 5 Block 5 will have a 28 foot setback to stay out of the well easement to the west of the unit. Also, the existing wetland/drainage area on the east side of the site will provide a buffer of an additional 90-180 feet to the townhome units. The ponding area on the north side of the site will provide a buffer of approximately 300 feet from the adjacent detached townhome property to the north. There will be a minimum of 20 feet between buildings. All yard landscaping, driveways, and snow

removal will be association maintained. It was noted there will be eight (8) buildings with private front entrances and garages. The buildings would include (5) 6 unit buildings, (2) 5 unit buildings, and (1) 4 unit building. The interior floor plans of the units are also included for your review.

Moved by Councilmember Massoglia, seconded by Councilmember Jeppson, that Resolution No. 21-017, "Granting a Conditional Use Permit to Allow for the Construction of 44 Townhome Units and Private Streets in a DF (Development Flex) Zoning District located at 122nd Avenue NE and Fraizer Street NE," be approved.

A roll call vote was taken. Motion adopted unanimously.

Aye: 7 - Councilmember Hovland, Councilmember Jeppson, Councilmember Robertson, Councilmember Paul, Councilmember Massoglia, Councilmember Smith and Mayor Sanders

10.-5

**CONSIDER THE REFERRAL OF A REZONING AND A
COMPREHENSIVE PLAN AMENDMENT APPLICATION
ON BEHALF OF THE CITY OF BLAINE TO THE
PLANNING COMMISSION FOR THE PROPERTY
KNOWN AS 10201 XYLITE STREET NE.**

Attachments: [Attachments](#)

Ms. Johnson stated on January 20, 2021, the City Council discussed the future of the property at 10201 Xylite Street NE. This property is currently owned by Premier Banks and is zoned I-2 (Heavy Industrial). Premier Banks obtained the property via foreclosure in 2019. After a discussion on the merits of the current I-2 (Heavy Industrial) zoning of the property and the merits of a zoning change to I-1 (Light Industrial), the City Council indicated they would be supportive of processing an application to consider a zoning change to I-1 (Light Industrial). As this would be a city-initiated zoning application, the City Council will need to make a formal motion to refer this application to the Planning Commission for their review and recommendation. This would direct staff to formally start the rezoning process for this parcel of land. The current land use for this property is also HI (Heavy Industrial). Since it is required that the land use and zoning be compatible with each another, a comprehensive plan amendment to LI (Light Industrial) would also be required if the rezoning were to occur. Again, as this application would be initiated by the City, the City Council will need to include a referral of a comprehensive plan amendment to the planning commission for their review and recommendation for this property.

Councilmember Smith reported he would be abstaining from voting on this item.

Councilmember Robertson noted this was the first step of the process that engages the public and understood a number of residents have reached out to

Councilmembers. She explained she has heard these comments and was planning to move forward with something that was complimentary to the neighborhood.

Councilmember Hovland agreed stating the Council has discussed the importance of transition properties in the past. He commented further on the importance of transitional properties in the city.

Mark Roher, 10325 Xylite Street, stated three years ago he learned this parcel was platted as The Sanctuary 9th Addition Outlot A and was zoned I-2. He noted his two properties were also zoned I-2 before he rezoned them as R-1B. He commented he understood how this could happen due to the housing crash and a bankrupt developer but noted it never should have happened. He recommended that when conflicts occur between developed and undeveloped land, preference should be given to the developed land. He stated this wasn't just about making his neighborhood happy but rather was about correcting a mistake that occurred and being consistent with Blaine zoning ordinances. He anticipated there would be broad support from his neighborhood to have the buffer zone on the north part of the lot and having this transition to I-1 on the south end of the neighborhood.

Moved by Councilmember Hovland, seconded by Councilmember Jeppson, that Motion 21-25, "Consider the Referral of a Rezoning and a Comprehensive Plan Amendment Application on Behalf of the City of Blaine to the Planning Commission for the Property known as 10201 Xylite Street NE," be approved.

A roll call vote was taken. Motion adopted 6-0-1 (Councilmember Smith abstained).

Aye: 6 - Councilmember Hovland, Councilmember Jeppson, Councilmember Robertson, Councilmember Paul, Councilmember Massoglia and Mayor Sanders

Abstain: 1 - Councilmember Smith

11. ADMINISTRATION

11.-1

APPROVE JOINT POWERS AGREEMENT NO. C0008313 WITH ANOKA COUNTY FOR TRUNK HIGHWAY 65 DESIGN AND ENVIRONMENTAL DOCUMENTATION, IMPROVEMENT PROJECT NO. 21-01

Attachments: [JPA](#)

Mr. Haukaas stated the City of Blaine, in cooperation with the Anoka County Highway Department (ACHD) and the Minnesota Department of Transportation (Mn/DOT), intend to request a proposal for the complete preliminary and final design services for the construction of a grade-separated interchange at Minnesota Trunk Highway 65 and the City of Blaine's 99th Ave NE (MSAS 101), the complete preliminary and final design services for the construction of a

grade-separated interchange at Minnesota Trunk Highway 65 and CSAH 12 (109th Ave NE), and east and west side frontage road improvements consistent with the alternatives developed through the recently completed TH65 Planning and Environmental Linkages (PEL) study. The proposed improvement will require an environmental documentation process to be completed under Federal NEPA rules.

Mr. Haukaas reported the primary purpose of this project is to improve public safety and reduce traffic congestion on TH65 by improving operations at access points and improving frontage road connections. The proposed project will refine the alternatives developed through the recently completed TH65 PEL study. It is the goal of this Request For Proposal (RFP) to have a turn-key, complete and signed set of 100 percent detailed construction plans, specifications and bid package to allow construction of the 99th Avenue intersection, the 109th (CSAH12) intersection, and the associated frontage roads. As for the other areas of the corridor, without a project imminently moving forward, the contractor should expect a level of design at 30%. Information from the detailed plans will be used to finalize right of way acquisition, obtain municipal consent, finalize estimated construction costs, secure necessary permits, and create a specifications package for bid letting and construction select projects in the corridor.

Councilmember Jeppson asked if the \$10 million in federal funds from the Metropolitan Council will cover the expense of the 99th Avenue project. Mr. Haukaas reported these funds would not cover this project and the project was closer to \$30 million. He commented further on other grant opportunities the city was pursuing to assist with covering the cost for this project. He noted the City of Blaine taxpayers would not be fully funding this project.

Moved by Councilmember Paul, seconded by Councilmember Jeppson, that Resolution No. 21-020, "Approve Joint Powers Agreement No. C0008313 with Anoka County for Trunk Highway 65 Design and Environmental Documentation," be approved.

A roll call vote was taken. Motion adopted unanimously.

Aye: 7 - Councilmember Hovland, Councilmember Jeppson, Councilmember Robertson, Councilmember Paul, Councilmember Massoglia, Councilmember Smith and Mayor Sanders

11.-2

**RECEIVE FEASIBILITY REPORT AND ORDER PUBLIC
HEARING FOR THE 2021 STREET
RECONSTRUCTIONS, IMPROVEMENT PROJECT NO.
21-06**

Attachments: [Project Location Map](#)
 [2021 Street Reconstructions Feasibility Report](#)

Mr. Schluender stated at the council meeting held on September 21, 2020, council

initiated this project and ordered the preparation of a Feasibility Report. Staff reviewed the streets included in this improvement project. It was noted this project area consists of a mix of city streets with concrete curb and gutter, a city street with no curb and gutter and a rural section street with no curb and gutter and two State Aid collector routes. The estimated cost of these proposed improvements is \$5,519,260 with \$1,017,348 proposed to be assessed to the benefitting properties over a 15-year period. Replacement of sanitary sewer castings and minor water main work at an estimated cost of \$172,654 is proposed to be paid from the City's Public Utility Funds. The remaining portion of \$4,329,258 is proposed to be paid from the City's Pavement Management Program Fund and City Municipal State Aid Funds. The project is necessary, cost-effective, and feasible and will result in a benefit to the properties proposed to be assessed.

Councilmember Hovland requested further information regarding the proposed curb and gutter. Mr. Schluender explained curb and gutter aids in the clean drainage of stormwater to a storm sewer while also protecting the pavement edge.

Moved by Councilmember Hovland, seconded by Councilmember Smith, that Resolution No. 21-019, "Receive Feasibility Report and Order Public Hearing for the 2021 Street Reconstructions," be approved.

A roll call vote was taken. Motion adopted unanimously.

Aye: 7 - Councilmember Hovland, Councilmember Jeppson, Councilmember Robertson, Councilmember Paul, Councilmember Massoglia, Councilmember Smith and Mayor Sanders

11.-3

**APPROVE PLANS AND SPECIFICATIONS AND ORDER
ADVERTISEMENT FOR BIDS FOR THE 2021 POLK
STREET AREA RECONSTRUCTIONS, IMPROVEMENT
PROJECT NO. 19-16**

Attachments: [Location Map](#)

Mr. Schluender stated the Public Hearing for the proposed improvement project was held on October 19, 2020, and the City Council ordered the preparation of plans and specifications. Staff reviewed the streets included in the project area. Proposed improvements include installation of concrete curb and gutter where not present, replacement of existing curb and gutter on 90th Lane, spot replacement of existing curb and gutter on Polk Street north of 91st Avenue, spot sidewalk replacement, storm drainage improvements, hydrant replacements, asphalt surface replacement, traffic control signage, and appurtenant construction. Plans and specifications have been prepared as directed and are available for Council review in the Engineering Department.

Moved by Councilmember Hovland, seconded by Councilmember Paul, that Resolution No. 21-018, "Approve Plans and Specifications and order Advertisement for Bids for the 2021 Polk Street Area Reconstruction," be approved.

A roll call vote was taken. Motion adopted unanimously.

Aye: 7 - Councilmember Hovland, Councilmember Jeppson, Councilmember Robertson, Councilmember Paul, Councilmember Massoglia, Councilmember Smith and Mayor Sanders

11.-4

**AUTHORIZE THE MAYOR AND CITY MANAGER TO
ENTER INTO A CONTRACT WITH BOLTON & MENK
FOR PROFESSIONAL ENGINEERING SERVICES FOR
THE 2021 POLK STREET AREA RECONSTRUCTION,
PROJECT NO. 19-16**

Attachments: [Location Map](#)
 [Proposal 2021 Polk St. Reconstructions](#)

Mr. Schluender stated on October 10, 2019 Council initiated the 2021 Polk Street Area Reconstruction, Project No. 19-16. The project was scheduled to be designed in 2020 and constructed in 2021. The Engineering Department had requested proposals from four local engineering firms for preliminary design, preparation of feasibility report and final design for the project. After review of all proposals, Bolton & Menk, Inc. was awarded a contract for preliminary design, preparation of a feasibility report and final design for the project at the same October 10, 2019 City Council meeting. At that time it was stated that after completion of the final design and upon authorization for bidding, a contract for construction services would be negotiated with Bolton & Menk, Inc. The Engineering Department recently requested and received a proposal for construction services for the 2021 Polk Street Area Reconstruction from Bolton & Menk, Inc. in the amount of \$289,125.00. Staff has reviewed this proposal and determined that the fees are justified and reasonable. City Council is also asked to approve a 10% contingency to bring the total project budget to \$318,038.00. This project will be funded through proposed project assessments, Pavement Management Program funds, State Aid Funds and Public Utility funds.

Moved by Councilmember Massoglia, seconded by Councilmember Jeppson, that Motion 21-26, "Authorize the Mayor and City Manager to Enter into a Contract with Bolton & Menk for Professional Engineering Services for the 2021 Polk Street Area Reconstruction," be approved.

A roll call vote was taken. Motion adopted unanimously.

Aye: 7 - Councilmember Hovland, Councilmember Jeppson, Councilmember Robertson, Councilmember Paul, Councilmember Massoglia, Councilmember Smith and Mayor Sanders

11.-5

**AUTHORIZE THE MAYOR AND CITY MANAGER TO
ENTER INTO A CONTRACT WITH BOLTON & MENK
FOR PROFESSIONAL ENGINEERING SERVICES FOR
THE 99TH AVENUE/101ST AVENUE REHABILITATION,**

PROJECT NO. 21-08

Attachments: [Location Map](#)
[99th-101st Proposal design and construction services](#)

Mr. Schluender stated on September 21, 2020 Council initiated the 99th Avenue/101st Avenue Rehabilitation, Project No. 21-08. The Engineering Department had requested proposals from two local engineering firms for preliminary design and preparation of a feasibility report for the project. After review of all proposals, Bolton & Menk, Inc. was awarded a contract for preliminary design and preparation of a feasibility report for the project at the same September 21, 2020 City Council meeting. At that time it was stated that after completion of the feasibility report and upon ordering the improvements, a contract for final design and construction services would be negotiated with Bolton & Menk, Inc. The Engineering Department recently requested and received a proposal for final design and construction services for the 99th Avenue/ 101st Avenue Rehabilitation project from Bolton & Menk, Inc. in the amount of \$197,791.00. Staff has reviewed this proposal and determined that the fees are justified and reasonable. City Council is also asked to approve a 10% contingency to bring the total project budget to \$217,570.00. This project will be funded through proposed project assessments, Pavement Management Program funds, State Aid Funds and Public Utility funds.

Moved by Councilmember Smith, seconded by Councilmember Jeppson, that Motion 21-27, "Authorize the Mayor and City Manager to Enter into a Contract with Bolton & Menk for Professional Engineering Services for the 99th Avenue/101st Avenue Rehabilitation," be approved.

A roll call vote was taken. Motion adopted unanimously.

Aye: 7 - Councilmember Hovland, Councilmember Jeppson, Councilmember Robertson, Councilmember Paul, Councilmember Massoglia, Councilmember Smith and Mayor Sanders

11.-6

**AUTHORIZE THE MAYOR AND CITY MANAGER TO
ENTER INTO A CONTRACT WITH SEH FOR
PROFESSIONAL ENGINEERING SERVICES FOR THE
132ND AVENUE/HASTINGS STREET AREA
REHABILITATIONS, PROJECT NO. 21-07**

Attachments: [Location Map](#)
[Design-Construction Services Agreement](#)

Mr. Schluender stated on September 21, 2020 Council initiated the 132nd Avenue/Hastings Street Area Rehabilitations, Project No. 21-07. The Engineering Department had requested proposals from two local engineering firms for preliminary design and preparation of a feasibility report for the project. After review of all proposals, SEH was awarded a contract for preliminary design and

preparation of a feasibility report for the project at the same September 21, 2020 City Council meeting. At that time it was stated that after completion of the feasibility report and upon ordering the improvements, a contract for final design and construction services would be negotiated with SEH. The Engineering Department recently requested and received a proposal for final design and construction services for the 132nd Avenue/Hastings Street Area Rehabilitations project from SEH in the amount of \$271,000.00. Staff has reviewed this proposal and determined that the fees are justified and reasonable. City Council is also asked to approve a 10% contingency to bring the total project budget to \$298,100.00. This project will be funded through proposed project assessments, Pavement Management Program funds and Public Utility funds.

Councilmember Robertson asked if bids were coming in favorable for the city again in 2021. Mr. Schluender stated he would have further information for the council on this after the first project was sent out for bid.

Moved by Councilmember Massoglia, seconded by Councilmember Hovland, that Motion 21-28, "Authorize the Mayor and City Manager to Enter into a Contract with SEH for Professional Engineering Services for the 132nd Avenue/Hastings Street Area Rehabilitations," be approved.

A roll call vote was taken. Motion adopted unanimously.

Aye: 7 - Councilmember Hovland, Councilmember Jeppson, Councilmember Robertson, Councilmember Paul, Councilmember Massoglia, Councilmember Smith and Mayor Sanders

11.-7

**AUTHORIZE THE MAYOR AND CITY MANAGER TO
ENTER INTO A CONTRACT WITH TKDA FOR
PROFESSIONAL ENGINEERING SERVICES FOR THE
LIFT STATION 13 FORCE MAIN PROJECT, PROJECT
NO. 21-30**

Attachments: [Location Map](#)

Mr. Haukaas stated in the past year, the City has had two failures of the Lift Station 13 sanitary sewer force main under the I-35W Service Drive. Upon excavation of these failures, it was discovered that the cement mortar lining on the inside of the pipe at the failure locations is almost entirely gone and severe corrosion of the pipe had occurred. It is unknown if the corrosion issues are limited to certain areas or are representative of a significant portion of the force main. Lift station 13 and the approximately 4,440 feet of associated 20" diameter force main is considered a critical component of the City's sewer system. Due to the continuous length of the force main run and the need to cross a county highway, attempting to bypass this force main in the event of an emergency is very difficult and costly. Staff has asked six engineering firms for proposals to investigate and prepare a report and plans and specifications. Proposals from the firms were received and reviewed by staff. The

proposal results were reviewed with the Council.

Mr. Haukaas explained analyzing the proposals for overall value led staff to recommend TKDA be awarded the contract as having the best proposal based on the company's experience with related work, project team manager and key personnel, understanding of the project, suggested project approach, and overall value provided to the City. Council is also asked to approve a 10% contingency to bring the total project budget to \$121,110. This project will be funded through Sanitary Sewer Public Utility funds, from which \$650,000 has been budgeted in 2021 for Lift Station 13 improvements.

Moved by Councilmember Jeppson, seconded by Councilmember Massoglia, that Motion 21-29, "Authorize the Mayor and City Manager to Enter into a Contract with TKDA for Professional Engineering Services for the Lift Station 13 Force Main Project," be approved.

A roll call vote was taken. Motion adopted unanimously.

Aye: 7 - Councilmember Hovland, Councilmember Jeppson, Councilmember Robertson, Councilmember Paul, Councilmember Massoglia, Councilmember Smith and Mayor Sanders

12. OTHER BUSINESS

None.

13. ADJOURNMENT

Moved by Councilmember Massoglia, seconded by Councilmember Jeppson, to adjourn the meeting at 8:57PM.

A roll call vote was taken. Motion adopted unanimously.

Aye: 7 - Councilmember Hovland, Councilmember Jeppson, Councilmember Robertson, Councilmember Paul, Councilmember Massoglia, Councilmember Smith and Mayor Sanders