



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 April 19.

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/96691540011>

Monday, April 5, 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 hybrid meeting was held both virtually and in person.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; Public Works Director Jon Haukaas; Police Chief/Safety Services Manager Brian Podany; Finance Director Joe Huss; City Attorney Chris Nelson; City Engineer Dan Schluender; Water Resources Manager Rebecca Haug; Communications Manager Ben Hayle; Interim Senior Park and Rec Manager Jerome Krieger; 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.

Roger Elliot, 3511 91st Court NE, explained he was a member of the senior advisory committee. He discussed the recommendations that have been made for those over 65 and requested the city council fully reopen the Mary Ann Young Center. He shared his frustrations that MAYC had not reopened and wanted to see the city hosting senior activities and lunches onsite at MAYC and not at the National Sports Center. He stated he appreciated the fact the senior exercise classes had restarted. He discussed how Anoka County had one of the lowest rates for vaccinating its seniors. He recommended the city consider using MAYC as a vaccination site for seniors.

Mayor Sanders thanked Mr. Elliot for sharing his concerns with the council.

Tom Bergren, 8551 Edison Street, supported Mr. Elliot's comments. He discussed how important it was for seniors to be exercising and having social contact.

City Manager Wolfe explained the comment regarding those over 65 was in reference to an executive order from the governor. She reported the closure of MAYC was due to an executive order and not a city position. She indicated the city was working diligently to roll out as many programs as possible at MAYC within the state's guidelines, many of which will be in the near future. She commented this was a high priority for city staff to get as many programs offered as safely as possible.

There being no further input, Mayor Sanders closed the Open Forum at 7:42PM.

7. ADOPTION OF AGENDA

The agenda was adopted as presented.

8. APPROVAL OF CONSENT AGENDA:

Councilmember Hovland requested the removal of agenda item 8.1.

Moved by Councilmember Hovland, 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.-2**Schedule of Bills Paid**

Attachments: [03/12/2021 Bills Paid](#)
 [03/12/2021 Bills Paid - Subset](#)
 [03/19/2021 Bills Paid](#)
 [03/26/2021 Bills Paid](#)
 [03/26/2021 Bills Paid - Subset](#)

Approved

8.-3**Approve 2021-2022 Kennel Licenses**

Approved

8.-4**Approve 2021-2022 Vending Truck Licenses**

Approved

8.-5

**Approve a Tobacco and Tobacco Products License for New Days
LLC dba New Days Tobacco, 8550 Lexington Avenue NE Suite
100, Blaine MN**

Approved

8.-6

**Resolution Approving State of Minnesota Joint Powers
Agreements with the City of Blaine on Behalf of its City Attorney**

Attachments: [Blaine PD Court Amendment 2021](#)
 [Blaine PD Master JPA 2021](#)

Adopted

8.-1**Approval of Minutes**

Attachments: [2-22, 2-23, 2-24-21 Board Commission Interviews](#)
[03-01-21 Workshop Minutes](#)
[03-01-21 Council Minutes](#)
[03-08-21 Closed Session - Civil Rest Update](#)
[03-08-21 Workshop Minutes](#)
[03-15-21 Workshop Minutes](#)
[03-15-21 Council Minutes](#)
[03-22-21 Workshop Minutes](#)
[03-22-21 Closed Workshop](#)

Councilmember Hovland stated he needed to abstain from the commission interview minutes due to his absence.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, that Motion 21-52, "Approval of Minutes," be approved.

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

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

Abstain: 1 - Councilmember Hovland

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

9.-1 Approve On-Sale and Sunday Intoxicating Liquor Licenses for Elevage Management Group, LLC dba Oliver's Blaine Located at 10901 Baltimore Street NE, #100, Blaine, Minnesota

Attachments: [Notice of Public Hearing-Oliver's Blaine](#)

City Clerk Sorensen stated council is asked to approve the on-sale and Sunday intoxicating liquor licenses for Oliver's Blaine. This license will give the new restaurant, located at 10901 Baltimore Street NE, #100, the ability to serve intoxicating spirits, beer and wine. Elevage Development Group (Corey Burstad), applicant for Elevage Management Group, LLC, dba Oliver's Blaine located at 10901 Baltimore Street NE, #100, has

submitted applications for on-sale and Sunday intoxicating liquor licenses. The applicant included all required license fees, forms and documents and required certificate of insurance for liquor liability in the online application. The on-sale and Sunday liquor licenses, if approved, would be valid until June 30, 2021 and eligible for renewal July 1, 2021. Staff requested the council hold a public hearing and approve the liquor license for Elevage Management Group.

Mayor Sanders opened the public hearing at 7:46PM.

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

Moved by Councilmember Hovland, seconded by Councilmember Massoglia, that Motion No. 21-57, "Approve On-Sale and Sunday Intoxicating Liquor License for Elevage Management Group, LLC dba Oliver's Blaine located at 10901 Baltimore Street NE, #100, 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

9.-2

Vacation of Parcel 9D, City of Blaine Highway Right-of-Way Plat No. 3, Vacation No. V20-04

Attachments: [Petitions](#)

[PUBLIC STORAGE CENTRAL FIRST ADDITION 2020-03-26](#)

City Engineer Schluender stated the city received a petition dated February 18, 2021 from Jarrod Yates, representing Public Storage and Bud Dropps, adjacent property owner, requesting the vacation of right-of-way easement of Parcel 9D, city of Blaine Highway Right-of-Way Plat No. 3, Johnson Street NE Right-of-Way as Platted in Nauman Acres. The property was originally acquired via condemnation from an adjacent property by the City as a remnant associated with the Ulysses Street project. The right-of-way is no longer needed to provide access to the adjacent parcel as both parcels are under a single ownership. The applicants represent a majority of the affected property abutting this easement. Engineering staff has reviewed the request and is in agreement with the vacation.

Mayor Sanders opened the public hearing at 7:48PM.

There being no public input, Mayor Sanders closed the public hearing at 7:49PM.

Moved by Councilmember Hovland, seconded by Councilmember Paul, that Resolution No. 21-050, "Vacation of Parcel 9D, City of Blaine Highway

Right-of-Way Plat No. 3," be approved.

A roll call vote was taken. Motion adopted 6-1 (Councilmember Jeppson opposed).

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

Nay: 1 - Councilmember Jeppson

9.-3

Adopting Assessment for 132nd Lane and Taylor Street Area Reconstructions, Improvement Project No. 19-18

Attachments: [Location Map-Aerial](#)
 [Assessable Parcels Map](#)
 [19-18 Proposed Final Assessment Roll](#)

Mr. Schluender stated Improvement Project No. 19-18 included the reconstruction of 132nd Lane from Taylor Street to Central Avenue NE, Taylor Street from 129th Avenue to 132nd Lane, 132nd Avenue from Johnson Street to Central Avenue NE, 131st Lane from Lincoln Street to Central Avenue NE, 129th Avenue from Polk Street to Taylor Street, Pierce Street from Taylor Street to 132nd Lane, Lincoln Street from 131st Lane to 132nd Lane, and Johnson Street from Taylor Street to 132nd Lane. Improvements included reclaiming existing bituminous pavement, reconstructing all curb and gutter, minor storm sewer improvements, water hydrant replacements, bituminous pavement and appurtenant construction. Staff reviewed the costs for the project in detail and recommended the council adopt the assessments for Improvement Project No. 19-18.

Mayor Sanders opened the public hearing at 7:52PM.

There being no public input, Mayor Sanders closed the public hearing at 7:52PM.

Councilmember Massoglia asked if the Montessori school was being assessed for 132nd Lane and the Central Avenue frontage road. Mr. Schluender explained this property was being assessed for 132nd Lane. He noted the service road was done years ago and was not being assessed.

Moved by Councilmember Hovland, seconded by Councilmember Jeppson, that Resolution No. 21-051, "Adopting Assessment for 132nd Lane and Taylor Street Area 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

9.-4

Adopting Assessment for Reconstruction of University Avenue from 125th Lane to Bengal Drive, Improvement Project No. 19-22

Attachments: [19-22 Proposed Final Assessment Roll](#)
 [Assessment Map](#)

Mr. Schluender stated Improvement Project No. 19-22 included the reconstruction of University Avenue from 125th Lane to Bengal Drive. Proposed improvements included reclaiming the existing bituminous pavement, removal of all existing concrete curb and gutter, minor storm sewer improvements, aggregate base, installation of new concrete curb and gutter and bituminous pavement and appurtenant construction. Staff reviewed the costs for the project in detail and recommended the council adopt the assessments for Improvement Project No. 19-22.

Mayor Sanders opened the public hearing at 7:56PM.

There being no public input, Mayor Sanders closed the public hearing at 7:57PM.

Moved by Councilmember Jeppson, seconded by Mayor Sanders, that Resolution No. 21-052, "Adopting Assessment for Reconstruction of University Avenue from 125th Lane to Bengal Drive," 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 a Conditional Use Permit for 16 Seats in an Outdoor Dining Area in a B-2 (Community Commercial) Zoning District at 10901 Baltimore Street NE, #100. Brix Properties, LLC (Oliver's/Elevage Development Group) (Case File No. 21-0013/LSJ)

Attachments: [Attachments](#)
 [PC Draft Minutes](#)

Community Development Director Thorvig stated Elevage Development Group is proposing to open Oliver's restaurant in the former Tournament Liquors, and the owner wishes to operate with an outdoor dining patio. Tournament Liquors was located on the northwest corner of 109th Avenue and Baltimore Street. The applicant and owner of the building,

Elevage Development Group, has sold the liquor business and would now like to reuse the building as a restaurant (Oliver's) and personal office for the business. The site is zoned B-2 (Community Commercial) and a restaurant is a permitted use in this district. To complement the restaurant, the applicant would also like to offer 16 seats in an outdoor dining area on the west side of the building. This aspect of the restaurant requires a conditional use permit in the B-2 (Community Commercial) zoning district. Staff provided further comment on the request and recommended approval.

Councilmember Robertson stated she appreciated the fact there were local business owners willing to make an investment in the city. She indicated support of the outdoor seating and looked forward to having this new restaurant in the community.

Moved by Councilmember Robertson, seconded by Councilmember Hovland, that Resolution No. 21-053, "Granting a Conditional Use Permit for 16 Seats in an Outdoor Dining Area in a B-2 (Community Commercial) Zoning District at 10901 Baltimore Street NE, #100," 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

Granting a Conditional Use Permit for the Construction of Two Apartment Buildings Totaling 152 Units in a DF (Development Flex) Zoning District on the Northwest Corner of 85th Avenue and 93rd Avenue (Airport Road). Glenfield Park Estates (Kuepers Inc.) (Case File No. 21-0011/EES)

Attachments: [Attachments](#)
 [Draft PC Minutes](#)

Mr. Thorvig stated the applicant is requesting a conditional use permit to allow for the construction of two apartment buildings totaling 152 units at the northwest corner of 85th Avenue and 93rd Avenue (Airport Road). It was noted the apartment buildings would be four-stories in height, three floors of apartments and the first floor would be used for parking. The amenities within the apartment complexes were reviewed in detail with the council. A traffic study was completed for this project and was reviewed by Anoka County, Ramsey County and the city of Blaine. The proposal is consistent with the land use and zoning for the parcel and previous similar approvals. Staff reported the Planning Commission recommended approval of the project with conditions.

Moved by Councilmember Jeppson, seconded by Councilmember Hovland, that Resolution No. 21-054, "Granting a Conditional Use Permit for the Construction of Two Apartment Buildings totaling 152 Units in a DF

(Development Flex) Zoning District on the Northwest Corner of 85th Avenue and 93rd Avenue (Airport Road)," 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.-3

Granting a Conditional Use Permit for the Construction of Three Light Industrial/Office Buildings Totaling 317,400 Square Feet and an 8-Foot Fence on the Western Edge of the Project in a PBD (Planned Business District) Zoning District at 85th Avenue NE (County Road J) and I-35W Service Drive. Blaine 35 Business Park (Artis REIT) (Case File No. 21-0004/EES)

Mr. Thorvig stated the applicant is proposing three high-finish light industrial buildings totaling 317,400 square feet. All uses/sites in the PBD (Planned Business District) require a conditional use permit. Artis REIT is proposing to construct three light industrial/office buildings with 118,500, 98,900, and 100,000 square feet. The buildings do not have identified tenants, however, the approved land uses will include office, office/showroom, light manufacturing and warehouse. Any warehouse use requires a minimum of 25% of the square footage be used for office or manufacturing. Outside storage is not permitted in the PBD zoning district. Building C may be constructed as a build to suit project. It was noted the developer has been working with the DNR to address impacted endangered vegetation on the site. The screening proposed for the west property line was described in detail. Staff provided further comment regarding the conditional use permit and recommended approval.

Paul Becker, 8601 Edison Street, explained he spoke at the planning commission meeting noting he had concerns regarding the lack of a buffer. He recommended trees or fencing be considered by the developer along with an eight foot berm. He stated he understood an eight foot fence was being installed, but is concerned the trees will die because they will not get sunlight. He is concerned how the surrounding properties would be impacted by filling in the wetlands. He stated this was a beautiful property that he has been a good neighbor to for the past 25 years. He discussed how water was running off of the subject property and recommended the grading plan be further reviewed so that he does not have water in his basement.

Mr. Thorvig reported the civil engineering plans go through a very thorough review by the watershed district to make sure the stormwater systems work. He explained adjacent property owners are not allowed to discharge stormwater onto neighboring properties.

Mr. Schluender commented the storm sewer system that was created for this project has been reviewed by the watershed district and city staff. He indicated the underground structure below the parking lot was actually floodplain storage mitigation for the low spots that are being filled in. He reported the site would remain balanced from what it is today to when it is constructed. He asked the owner or design engineer to discuss the details further with the council.

Alex Rexrode, Artis REIT, thanked the council for their time and consideration. He stated he appreciated Mr. Becker for bringing forward his valid concerns. He explained this was a very challenging site to develop. He reported he has been working with Sambatek, the Rice Creek Watershed District and the city's engineering department to ensure the overall design meets all site requirements. He commented on the eight foot fence and swale that would be installed.

Pete Merrill, project manager for Sambatek, described the drainage swale and fencing that was being proposed along the west property line. He reported there was no intent to drain water onto neighboring properties. He indicated this was a challenging site to develop and noted the stormwater would be pushed to the perimeter of a parking lot. He noted this site and campus was designed to detain the 1% chance annual storm. He stated part of the Rice Creek Watershed's requirements was to provide 1:1 compensatory storage for the floodplain. He explained this requirement was being met.

Councilmember Hovland asked if this property drained into Judicial Ditch 1 (JD1). Mr. Schluender reported this was the case.

Councilmember Hovland commented further on how slow JD1 drained, noting a beaver had been trapped in this ditch before. He stated he was concerned that if the drainage was not correct, there could be big problems for the adjacent property owners. He indicated he would rather see this site over-engineered than under. Mr. Schluender explained the Rice Creek Watershed District had authority over this ditch and had a maintenance program in place. He noted the watershed district was aware of the drainage challenges in this part of the city.

Mayor Sanders questioned who would be responsible if the storm water drainage were to spill over onto neighboring properties. Mr. Schluender indicated if this were to occur, the residents should contact the city's engineering department and the city would work to rectify this issue.

Mr. Becker stated again he was concerned about how water would flow

from the west property line onto adjacent properties. He questioned what kind of trees would be planted along the west property line. Mr. Thorvig reviewed the landscaping plan in further detail.

Mr. Rexrode explained a number of professional engineers along with city staff have reviewed and engineered these plans. He was confident and supported the ability of these professionals. He stated he stood behind these plans. However, if the plans fail, that would be the responsibility of the developer and he would work to make things right.

Corey Haugen, 8651 Edison Street, stated he was concerned with the water ponding. He indicated his backyard was already saturated after a one inch rainfall. He wanted to be assured that he did not get water in his basement. He explained he also had concerns with street light impacts and the noise that would be generated from the manufacturing uses.

Moved by Councilmember Hovland, seconded by Councilmember Paul, that Resolution No. 21-055, "Granting a Conditional Use Permit for the Construction of Three Light Industrial/ Office Buildings Totaling 317,400 Square Feet and an 8-Foot Fence on the Western Edge of the Project in a PBD (Planned Business District) Zoning District at 85th Avenue NE (County Road J) and I-35W Service Drive," 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 Preliminary Plat to Subdivide Approximately 28.8 Acres into Three Lots to be Known as Blaine 35 Business Park at 85th Avenue NE (County Road J) and I-35W Service Drive. Artis REIT (Case File No. 21-0004/EES)

Attachments: [Attachments](#)
 [Draft PC Minutes](#)

Mr. Thorvig stated the applicant is proposing three high-finish light industrial buildings totaling 317,400 square feet. The preliminary plat is consistent with the subdivision standards and the conditional use permit applies conditions typical to industrial development in the PBD. The proposed preliminary plat creates three lots, one for each building and dedicates right of way for 35W Service Road, which is currently located within an easement on the property. Park dedication for the platted lots becomes due at final plat approval, based on the industrial rate in effect at the time of development for the 24.49 total acres of upland within the plat. If final platted in 2021, the industrial rate of \$6,702 per acre will result in a total park dedication payment of \$164,132.

Councilmember Robertson commented she supported this project and

appreciated how transparent and engaged Artis REIT has been throughout this entire project.

Councilmember Hovland stated if this project was done properly, he anticipated the water situation should be improved.

Moved by Councilmember Hovland, seconded by Councilmember Jeppson, that Resolution No. 21-056, "Granting a Preliminary Plat to Subdivide Approximately 28.8 Acres into Three Lots to be Known as Blaine 35 Business Park at 85th Avenue NE (County Road J) and I-35W Service Drive," 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

First Reading

**Granting a Rezoning from FR (Farm Residential) to DF
(Development Flex) for 26 Acres at 12621, 12691 and 12701
Lexington Avenue NE. Lexington Woods (D.R. Horton) (Case File
No. 21-0009/SLK)**

Attachments: [Attachments](#)
 [Draft PC Minutes](#)

Mr. Thorvig stated this application is a request to rezone a 26 acre parcel from FR (Farm Residential) to DF (Development Flex) and for a conditional use permit for the construction of 66 single family homes. Currently, the property has an existing zoning designation of FR (Farm Residential) and is guided in the Comprehensive Plan as LDR (Low Density Residential). The property is within the MUSA (Metropolitan Urban Service Area) which indicates it is intended to be served with city sewer and water. The zoning proposed for the project is DF (Development Flex) to cover all of the residential uses. With the DF zoning, housing products and neighborhood design issues will require and be regulated by a Conditional Use Permit (CUP). It was noted the new homes would be owner occupied and not rental, as was originally proposed by D.R. Horton. Staff commented further on the rezoning and recommended approval.

Declared by Mayor Sanders that Ordinance No. 21-2467, "Granting a Rezoning from FR (Farm Residential) to DF (Development Flex) for 26 Acres at 12621, 12691, and 12701 Lexington Avenue NE," be introduced and placed on file for second reading at the April 19, 2021 Council meeting.

Councilmember Hovland stated he did not like the right-in, right-out access points and the u-turns that were required. He suggested the city and developer explore full turning movements for this project. Mr. Thorvig

reported this project connects to the Lennar development to the north. He stated residents could use the public residential street through the Lennar development in order to go south.

Councilmember Paul asked if there were any neighbors coming forward with complaints. Mr. Thorvig explained no comments were made by the public at the planning commission meeting. He stated staff had received several questions from the public regarding the rental component. He indicated the proposed project was consistent with the city's long-term plan for this area of Blaine.

10.-6

Granting Final Plat Approval to Subdivide a 0.97 Acre Parcel into Three Single Family Lots to be Known as Hennum Meadows 2nd Addition. Daniel Hennum (Case File No. 21-0022/SLK)

Attachments: [Attachments](#)

Mr. Thorvig stated the final plat is consistent with the preliminary plat approved in June 2019 with an extension granted in January 2020. On June 3, 2019, the applicant received approval of a preliminary plat from the city council for a subdivision known as Hennum Meadows 2nd Addition that includes 0.97 acres and three single family lots. The applicant has been working with the Coon Creek Watershed related to ponding issues and anticipates starting the project in the summer of 2021.

Moved by Councilmember Massoglia, seconded by Councilmember Jeppson, that Resolution No. 21-057, "Granting Final Plat Approval to Subdivide a 0.97 Acre Parcel into Three Single Family Lots to be Known as Hennum Meadows 2nd 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

10.-7

Granting Final Plat Approval to Subdivide a 3.61 Acre Parcel into Seven Single Family Lots to be Known as Elizabeth Marie Estates at 2791 93rd Avenue NE. Paul Hennum (Case File No. 21-0021/EES)

Attachments: [Attachments - Final Plat](#)

Mr. Thorvig stated the applicant is requesting approval of a final plat for a seven-lot subdivision southeast of the airport. The final plat is consistent with the approved preliminary plat and the subdivision and zoning ordinances. The proposed plat contains seven single-family lots to be known as Elizabeth Marie Estates. The property is zoned R-1 and is located on the northwest corner of Bataan Street NE and 93rd Avenue NE. All of the lot sizes exceed the minimum lot size of 10,000 square

feet. The lot sizes range from 12,883 to 33,304 square feet. All lots also meet the required 80 foot width and 125 foot depth.

Moved by Councilmember Massoglia, seconded by Councilmember Jeppson, that Resolution No. 21-058, "Granting Final Plat Approval to Subdivide a 3.61 Acre Parcel into Seven Single Family Lots to be Known as Elizabeth Marie Estates at 2791 93rd Avenue 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.-8

First Reading

Granting a Rezoning from I-2 (Heavy Industrial) to I-1 (Light Industrial) for 18.50 Acres at 10201 Xylite Street NE. City of Blaine (Case File No. 21-0007/LSJ)

Attachments: [Attachments](#)
 [Draft PC Minutes](#)

Mr. Thorvig stated the City is proposing to rezone the 18.50 acres immediately south of the Sanctuary 5th and 9th Additions from I-2 (Heavy Industrial) to I-1 (Light Industrial). The property in question is the 18.50 acres located directly south of the Sanctuary 5th and 9th Additions. This property is currently owned by Premier Banks and is zoned I-2 (Heavy Industrial) with a land use of HI (Heavy Industrial). Premier Banks obtained the property via foreclosure in 2019.

Declared by Mayor Sanders that Ordinance No. 21-2468, "Granting a Rezoning from I-2 (Heavy Industrial) to I-1 (Light Industrial) for 18.50 Acres at 10201 Xylite Street NE," be introduced and placed on file for second reading at the April 19, 2021 Council meeting.

11. ADMINISTRATION

11.-1

Approve Plans and Specifications and Order Advertisement for Bids for the 99th Avenue and 101st Avenue Rehabilitation, Improvement Project No. 21-08

Attachments: [Location Map](#)

Mr. Schluender stated the public hearing for the proposed improvement project was held on February 1, 2021, and the city council ordered the preparation of plans and specifications with Resolution No. 21-014. The proposed project will reconstruct 99th Avenue from 101st Avenue to Trunk Highway 65 and 101st Avenue from 99th Avenue to University Avenue. Proposed improvements include a 2.5-inch mill/overlay, including a chip seal on the milled surface, upgrades to the existing

signal system at the 99th Avenue/Clover Leaf Parkway intersection and repairs to the existing sidewalk, traffic control signage, and appurtenant construction. It was noted plans and specifications have been prepared as directed. Staff requested the council approve the plans and specifications and order advertisement of bids.

Moved by Councilmember Hovland, seconded by Councilmember Paul, that Resolution No. 21-059, "Approve Plans and Specifications and Order Advertisement of Bids for the 99th Avenue and 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.-2

Declare Cost to be Assessed, Order Preparation and Call for Hearing on Proposed Assessment for 105th Avenue Reconstruction and 115th Avenue Rehabilitations, Improvement Project No. 18-17

Attachments: [2020 Location Map.pdf](#)
 [Assessable Parcels Map.pdf](#)
 [Proposed Final Assessment Roll.pdf](#)

Mr. Schluender stated Improvement Project No. 18-17 was ordered by the city council on March 7, 2019 with Resolution 19-28. A construction contract was awarded to Valley Paving, Inc. by the city council on April 6, 2020 with Resolution No. 20-55 and construction was completed in the fall of 2020. This project included the reconstruction of 105th Avenue from University Avenue to Jefferson Street, 115th Avenue from Jefferson Street to Tyler Street, Quincy Street from 113th Avenue to 115th Avenue, Van Buren Court from 115th Avenue to the cul de sac, and Tyler Street from 113th Avenue to 115th Lane. Staff reviewed the project costs in detail and recommended the council declare the costs to be assessed.

Councilmember Massoglia commented that Blaine United Methodist Church was being assessed at the 35% rate. Mr. Schluender explained this was the case because the underlying land use for this parcel was residential.

Moved by Councilmember Jeppson, seconded by Councilmember Paul, that Resolution No. 21-060, "Declare Costs to be Assessed, Order Preparation and Call for Hearing on Proposed Assessment for 105th Avenue Reconstruction and 115th 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

11.-3

Accepting GreenCorps Application

Attachments: [Application](#)

Water Resources Manager Haug stated the city has applied to the Minnesota Pollution Control Agency (MPCA) to host an AmeriCorps member from the Minnesota GreenCorps, a program of the Minnesota Pollution Control Agency (MPCA), for the 2021-2022 program year. The goal of the member's position will be to work directly with the Blaine business community as well as the public to create awareness about water quality issues such as chloride. The position will also work to develop methods to track and determine an incentive program for those who make positive changes.

Moved by Councilmember Hovland, seconded by Councilmember Jeppson, that Resolution No. 21-061, "Accepting GreenCorps Application," 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

Wetland Credit Sales for Harper's Landing

Attachments: [Contract](#)

Ms. Haug stated the current development proposal of the Harper's Landing plat in the city of Blaine has impacts to wetlands. The applicant has requested to purchase 30,918.89 square feet (0.7098 acres) of wetland credits from the Site 7 Wetland Bank that are necessary for the proposed project to meet permit requirements. Harper's Landing would like to purchase the necessary 30,918.89 square feet (0.7098 acres) of wetland credit from the city (Site 7) Wetland Bank at a value of \$2.50 per square foot. The cost of the wetland credit purchase is \$77,297.22 based on 30,918.89 square feet. In addition, the developer will cover any of the city's out of pocket costs for withdrawing the credits. Please note, when the Site 7 Wetland Bank was created, the pro forma was based on the sale of the wetland credits at a unit cost of \$1.75-\$2.00 per square foot. The city's wetland bank currently has about 8 acres of credits available with an additional 12 acres slated to be made available for sale in the next few months.

Moved by Councilmember Paul, seconded by Councilmember Smith, that Resolution No. 21-062, "Wetland Credit Sales for Harper's Landing," 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

Wetland Credit Sales for Meadowland Estates

Attachments: [Contract](#)

Ms. Haug stated the current development proposal of the Meadowland Estates plat in the city of Blaine has impacts to wetlands. The applicant has requested to purchase 30,796.92 square feet (0.7070 acres) of wetland credits from the Site 7 Wetland Bank that are necessary for the proposed project to meet permit requirements. Meadowlands Estates would like to purchase the necessary 30,796.92 square feet (0.7070 acres) of wetland credit from the city of Blaine (Site 7) Wetland Bank at a value of \$2.50 per square foot. The cost of the wetland credit purchase is \$76,992.30 based on 30,796.92 square feet. In addition, the developer will cover the city's out of pocket costs for withdrawing the credits.

Moved by Councilmember Robertson, seconded by Councilmember Hovland, that Resolution No. 21-063, "Wetland Credit Sales for Meadowland Estates," 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

Adopt City of Blaine Water Supply Plan

Attachments: [WSP - Blaine FINAL Dec 2020](#)
 [CERTIFICATE OF ADOPTION](#)
 [CC WS Minutes - Blaine Water Supply Plan](#)

Public Works Director Haukaas stated all public water suppliers in Minnesota that operate a public water distribution system, serve more than 1,000 people and/or all cities in the seven-county metropolitan area, must have a water supply plan approved by the Department of Natural Resources (DNR) per state statutes. The goal of the water supply plan is to help water suppliers implement long term water sustainability and conservation measures and to develop critical emergency preparedness measures. State Statutes require that water supply plans be updated every 10 years and the city of Blaine hired Barr Engineering Company to prepare the required water supply plan updates and shepherd the plan through the DNR review and approval process. Final approval of the plan was received from the DNR on September 11, 2020. Upon completion of the review and approval of the plan, the DNR requires that the city of

Blaine officially adopt the approved plan.

Moved by Councilmember Hovland, seconded by Councilmember Jeppson, that Resolution No. 21-064, "Adopt City of Blaine Water Supply Plan," 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

First Reading

Residential Picketing Ordinance

Safety Services Manager/Police Chief Podany stated the council is asked to consider first reading of a proposed ordinance that would regulate residential picketing within the city. Recently multiple cities have enacted ordinances regulating targeted picketing in residential neighborhoods. This subject was given increased attention last summer after multiple high profile protests occurred in residential neighborhoods and maintaining peaceful residential neighborhoods is important to the city. The council reviewed the topic and sample ordinance at the January 11 workshop. Staff answered questions from council that confirmed the ordinance would only pertain to residential neighborhoods including apartments, townhomes, mobile homes and single-family homes and that should picketing occur on private property the property owner could contact the police.

Police Chief Podany reported there are multiple cities that have enacted targeted picketing ordinances regulating this activity and multiple ordinances were reviewed in preparation of this proposed ordinance in Blaine. Some of these ordinances have been created recently while others have been around for years. It was noted staff worked extensively with the city attorney's office and received input from a resident and a portion of that input was incorporated into the ordinance. When this matter originally came up, staff was concerned due to the need to protect the constitutional freedoms we have in this country and the importance of maintaining livable, peaceful neighborhoods. Legislation regarding targeted residential picketing has been addressed both at the US Supreme Court Level and at the State Court level and legislation has been upheld. Although the ordinance controls targeted picketing in residential areas, the right to peacefully protest in other areas is preserved and not affected.

Declared by Mayor Sanders that Ordinance No. 21-2469, "Residential Picketing Ordinance," be introduced and placed on file for second reading at the April 19, 2021 Council meeting.

11.-8

**Approve Mutual Aid Agreement for Law Enforcement Services
with the City of Minneapolis**

Attachments: [Mutual Aid Agreement](#)

Police Chief Podany stated council is asked to approve the proposed mutual aid agreement with the city of Minneapolis for law enforcement services. The city's emergency management ordinance was adopted in 2008 and states the local emergency management director "shall present such agreements (i.e., mutual aid) for the city council for its action." Minnesota Statute Section 12.25, Subd. 1 states that the local emergency management director "is directly responsible for the organization, administration, and operation of the local organization for emergency management, subject to the direction and control of the local governing body." Per Minnesota Statute Section 12.27, Subd. 1 states that the local emergency management director "may, in collaboration with other public and private agencies within this state, develop or cause to be developed mutual aid arrangements for reciprocal emergency aid and assistance in an emergency or disaster too great to be deal with unassisted." Cities benefit from mutual aid agreements by providing and receiving assistance when needed in events such as potential civil unrest as may be occurring in Minneapolis. He requested the council direct himself, the city manager and the mayor to execute this agreement.

Councilmember Robertson thanked Police Chief Podany for moving this item from the consent agenda. She explained she fully supported the Blaine Police Department and their efforts to protect and serve the community and thanked the chief for the thorough presentation on this item and appreciated the clarity this provided on the agreement.

Moved by Councilmember Hovland, seconded by Councilmember Robertson, that Motion No. 21-59, "Approve Mutual Aid Agreement for Law Enforcement Services with the City of Minneapolis," 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 Robertson, seconded by Councilmember Hovland, to adjourn the meeting at 9:10PM.

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