



# City of Blaine Anoka County, Minnesota Minutes City Council

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

*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.*

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Monday, January 3, 2022

7:30 PM

Council Chambers

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**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.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**PRESENT:** Mayor Tim Sanders, Councilmembers Wes Hovland, Julie Jeppson, Chris Massoglia, Richard Paul, Jess Robertson and Jason Smith.

Adjunct Member Drew Brown.

**ABSENT:** None.

Quorum Present.

**ALSO PRESENT:** City Manager Michelle Wolfe; Community Development Director Erik Thorvig; City Planner Sheila Sellman; Public Works Director Jon Haukaas; Police Chief/Safety Services Manager Brian Podany; Finance Director Joe Huss; City Engineer Dan Schluender; City Attorney Chris Nelson; Communications Manager Ben Hayle; Stormwater Coordinator Megan Hedstrom; Deputy Finance Director Ali Bong; Senior Parks and Recreation Manager Jerome Krieger; and City Clerk Catherine Sorensen.

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

**4. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS**

**4.-1 2021 Fourth Quarter Donations**

**Attachments:**     [Donation Tracking 2021](#)

Safety Services Manager/Police Chief Podany stated the police department has received donations from members of the community as well as local businesses. The list of donors, amounts, and intended purpose was reviewed with the council. He explained the police department would like to recognize a very significant donation from Grace Schunk in the amount of \$15,000 for the K-9 program. He noted Grace was a long time resident of Blaine and has had several canines who have touched her deeply throughout her life. He recognized Grace Schunk and thanked her for her generous donation to the police department.

Grace Schunk, resident of Blaine, commented on the importance of dogs in her life and said she was happy to support the Blaine Police Department's K-9 program.

Mayor Sanders thanked Ms. Schunk for being a great community member and for her tremendous support of the police department's K-9 program.

**Moved by Councilmember Robertson, seconded by Councilmember Jeppson, that Resolution No. 22-001, "2021 Fourth Quarter Donations," be approved.**

**Motion adopted unanimously.**

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

#### 4.-2

### **Appointment of Liaisons to Various Boards and Commissions**

**Attachments:**     [2021 Appointments](#)

City Clerk Sorensen stated each year the City Council designates Council and/or staff liaisons to serve on various boards and commissions throughout the year.

**Moved by Councilmember Jeppson, seconded by Councilmember Robertson, that Motion 22-001, "Appointment of Liaisons to Various Boards and Commissions," be approved.**

**Motion adopted unanimously.**

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

#### 4.-3

### **Rules of Procedure and Quorum - Order of Business**

**Attachments:**     [Order of Business](#)

Ms. Sorensen stated council is asked to adopt the annual rules of

procedure and quorum - order of business for 2022.

**Moved by Councilmember Paul, seconded by Councilmember Jeppson, that Motion 22-002, "Rules of Procedure and Quorum – Order of Business," be approved.**

**Motion adopted unanimously.**

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

#### 4.-4

#### **Designate Official Newspapers for 2022**

Ms. Sorensen stated state law and city code require that city council designate a single newspaper as its official newspaper. Due to occasional publication deadlines that could impact scheduling an agenda item before the planning commission or city council, staff is recommending that council designate both the *Blaine/Spring Lake Park/Columbia Heights/Fridley Life* and *Star Tribune* as the official newspapers for 2022.

**Moved by Councilmember Smith, seconded by Councilmember Jeppson, that Motion 22-003, "Designate Official Newspapers for 2022," be approved.**

**Motion adopted unanimously.**

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

#### 4.-5

#### **Recording Secretary Service Agreement for 2022**

**Attachments:**     [Addendum](#)

Ms. Sorensen stated TimeSaver Off-Site Secretarial Service had been recording minutes for city council meetings since 1993, and in 2020 this family-owned business underwent organizational changes and formerly transferred the city's account to Minute Maker Secretarial. Ms. Guenther has been transcribing the city's minutes for several years and continues to do so under the new business name. Currently, Minute Maker Secretarial is recording minutes for all city council meetings, workshops, EDA meetings, planning commission, park advisory board, traffic commission, and natural resources conservation board meetings. Minute Maker Secretarial also covers special workshops and council meetings as needed and posts approved minutes to Legistar for public viewing on the city's webpage. The agreement reflects their fees for all recording services and extends the expiration date to December 31, 2022.

**Moved by Councilmember Jeppson, seconded by Councilmember Paul, that Motion 22-004, "Recording Secretary Service Agreement for 2022," be approved.**

**Motion adopted unanimously.**

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

**4.-6**

#### **Designate Official City Depositories for 2022**

Finance Director Huss stated this item fulfills the requirement of Minnesota State Statute 118A.02. 21st Century Bank serves as the City's primary banking services provider and US Bank is used as a depository for certain investment transactions. Village Bank is the primary provider for Twin Cities Gateway, the local tourism board for which Blaine serves as the fiscal agent.

**Moved by Councilmember Massoglia, seconded by Councilmember Paul, that Motion 22-005, "Designate Official City Depositories for 2022," be approved.**

**Motion adopted unanimously.**

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

**4.-7**

#### **Designate the Finance Director to Make Electronic Funds Transfers**

Mr. Huss stated in 2019 the city adopted its Electronic Funds Transfer (EFT) Policy, per Minnesota Statute 471.38. Pursuant to this policy the city council annually delegates the authority to make EFT's to the city's finance director.

**Moved by Councilmember Jeppson, seconded by Councilmember Robertson, that Motion 22-006, "Designate the Finance Director to Make Electronic Funds Transfers," be approved.**

**Motion adopted unanimously.**

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

**4.-8**

#### **Acknowledgement of Financial Contributions of Organizations Conducting Lawful Gambling**

Mr. Huss stated pursuant to Minnesota State Statute 349.213, the city is required to acknowledge the financial contributions of organizations conducting lawful gambling to the community. With regard to the statute, the city council acknowledges the following organizations for their contributions to the city's charitable gambling program:

Blaine Youth Hockey  
Blaine Festival  
Centennial HS Football Boosters

Sgt. John Rice VFW  
Spring Lake Park Lions  
Spring Lake Park Hockey Association

Mr. Huss reported in total, the groups listed above contributed over \$185,000 in charitable contributions to Blaine in 2021, helping to fund numerous charitable organizations including local food shelves, shelter services, and Blaine area high schools.

**Moved by Councilmember Robertson, seconded by Councilmember Hovland, that Motion 22-007, "Acknowledgement of Financial Contributions of Organizations Conducting Lawful Gambling," be approved.**

**Motion adopted unanimously.**

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

#### 4.-9

#### **Mission Statement Affirming Council/Staff Responsibilities**

Ms. Wolfe stated the city council initially adopted Resolution No. 86-41 defining certain responsibilities, defining expected council/staff relationships and performance expectations, assuring no recriminations for acting in the public interest, and pledging no self-serving activities at the expense of the public interest. This resolution has come to city council each year since 1986 for consideration and adoption at the first official meeting of the year.

Ms. Wolfe explained of note is the first "Whereas" clause, which includes the City of Blaine Mission Statement. As part of the strategic planning process in 2019, the City Council began work on a revised mission statement and on October 5, 2020, adopted Resolution 20-151 approving the City's 2020-2023 Strategic Plan. The Plan consists of six strategic priorities: effective communication, financial stability, growth management, organizational health, TH 65 improvement, and well-maintained infrastructure. Associated with each strategic priority is a set of desired outcomes, key outcome indicators, and performance targets that describe expected results and how results will be measured.

Ms. Wolfe reported as a result of this work the City's resulting Mission Statement is to deliver exceptional public services with the highest degree of professionalism and accountability. The mission statement will be accomplished through core values of transparency and openness; fairness and impartiality; creativity and innovation, respect and efficiency. This resolution should be regarded as more symbolic than substantive; however, the reminders contained in the resolution are important.

**Moved by Councilmember Jeppson, seconded by Councilmember Robertson, that Resolution No. 22-002, "Mission Statement Affirming Council/Staff**

Responsibilities," be approved.

Motion adopted unanimously.

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

**5. COMMUNICATIONS**

None.

**6. OPEN FORUM**

Mayor Sanders opened the Open Forum at 7:47PM.

There being no input, Mayor Sanders closed the Open Forum at 7:47PM.

**7. ADOPTION OF AGENDA**

The agenda was adopted as amended moving Item 11.2 to Item 11.4, moving Item 11.3 to Item 11.2 and creating a new Item 11.3 for the council to vote to close the meeting pursuant to Minnesota State Statute Section 13D.05, Subd. 3(b) to discuss the ongoing litigation between the city and Irene Tamblyn involving the property located at 12370 Lever Street NE.

**8. APPROVAL OF CONSENT AGENDA:**

Moved by Councilmember Robertson, seconded by Councilmember Smith, that the following be approved: Motion adopted unanimously.

**8.-1 Schedule of Bills Paid**

Attachments:     [December 17, 2021 Bills Paid](#)  
                              [December 17, 2021 Subset of Bills Paid](#)

Approved

**8.-2 Approval of Minutes**

Attachments:     [12-13-21 Workshop Minutes](#)  
                              [12-13-21 Truth in Taxation Minutes](#)  
                              [12-20-21 Closed Workshop - City Manager Performance Evaluation - Pending Litigation Discussion](#)

Approved

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

9.-1

**Granting a Conditional Use Permit to Allow for Indoor Auto Sales in an I-2 (Heavy Industrial) Zoning District at 1680 99th Lane NE, Suite 120. Mystique Auto Sales (PC21-0086/EES)**

Attachments:     [Attachments](#)

City Planner Sellman stated Mystique Auto Sales currently operates an auto body and detailing business with indoor auto sales at 9999 Goodhue Street NE and is proposing to move to 1680 99th Lane NE. The business occasionally has the opportunity to purchase vehicles from dealers and private owners who bring cars in for repairs. When the work on these vehicles are more than the owner would like to spend, Mystique Auto Sales will buy the vehicles and resell them when the repairs have been made. This requires the applicant to receive a dealer's license from the State of Minnesota.

Ms. Sellman reported the new location is an approximately 12,000 square foot existing building separated into four tenant spaces. Mystique Auto Sales will be using one for detailing, one for body work, and one for indoor auto sales. The fourth space (Suite 100) is not needed and will be leased to a different tenant. Auto repair, including body work, is a permitted use in the I-2 district. Any outside storage of vehicles is limited to vehicles being serviced and must be screened with 100% opaqueness (a solid fence). Vehicles being sold may not be stored outside.

Mayor Sanders opened the public hearing at 7:51PM.

Troy Noble, owner of Mystique Auto Sales, thanked the council for considering his request.

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

Councilmember Hovland asked if the applicant would have any outdoor storage associated with the auto sales. Mr. Noble reported he did not anticipate having much outdoor storage noting he preferred storing his vehicles indoors.

**Moved by Councilmember Massoglia, seconded by Councilmember Smith, that Resolution No. 22-003, "Granting a Conditional Use Permit to Allow for Indoor Auto Sales in an I-2 (Heavy Industrial) Zoning District at 1680 99th Lane NE, Suite 120," be approved.**

**Motion adopted unanimously.**

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

## 10. DEVELOPMENT BUSINESS

## 10.-1

**Granting Preliminary Plat Approval to Subdivide a 4.92 Acre Parcel into Nine Single Family Lots to be Known as Jefferson Ridge at 741 113th Avenue NE. Carlson McCain (Case File No. 21-0076/EES)**

**Attachments:**      [Attachments](#)  
[Unapproved PC Minutes 121421](#)

Ms. Sellman stated the proposed plat subdivides a 4.9 acre parcel into 8 new single family lots and a 1.4 acre parcel for the existing home for a total of 9 lots. It is located next to Jefferson Elementary on 113th Avenue. The property is zoned R-1 (Single Family) and the proposed subdivision meets the minimum lot size and dimensional standards of that zoning district. The subdivision includes extension of 114th Lane through the property connecting to the existing road on the east and west and creation of a cul-de-sac coming out of existing right of way at the 114th Avenue alignment. A ghost plat has been provided showing the ultimate development of the lot proposed to remain for the existing home and the adjacent property at 721 113th Avenue. The ghost plat proposes a cul-de-sac off of 113th for six lots. All of the lots on the ghost plat meet the dimensional requirements for the R-1 district.

**Moved by Councilmember Jeppson, seconded by Councilmember Smith, that Resolution No. 22-004, "Granting a Preliminary Plat Approval to Subdivide a 4.92 Acre Parcel into Nine Single Family Lots to be known as Jefferson Ridge at 741 113th Avenue NE," be approved.**

**Motion adopted unanimously.**

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

**10.-2**

## First Reading

**Granting a Rezoning from B-2 (Community Commercial) to DF  
(Development Flex) for 1.79 Acres at 9280 Baltimore St NE. Suite  
Living of Blaine (Hampton Companies) (Case File No.  
21-0071/SLK)**

**Attachments:**      [Attachments](#)  
                                  [Unapproved PC Minutes 121421](#)

Ms. Sellman stated the applicant, Suite Living, wishes to construct an assisted living/memory care facility just south of 93rd Avenue and adjacent to Highway 65 (east side). The site is currently zoned B-2 (Community Commercial) with a land use of CC (Community



Commercial). They are requesting a rezoning of the property to DF (Development Flex) and a conditional use permit to accommodate the assisted living facility of Suite Living.

Councilmember Robertson shared concerns about this zoning change because it was along Highway 65. She discussed how Highway 65 was evolving and would continue to redevelop going forward. She commented she would not likely approve this project given the fact other projects were denied and indicated that council should have a discussion about the city's priorities when it comes to housing. Community Development Director Thorvig stated he would provide additional information regarding the Highway 65 improvements and the timing of these improvements, along with how this use fits into the city's overall housing discussion prior to second reading.

**Declared by Mayor Sanders that Ordinance No. 22-2491, "Granting a Rezoning from B-2 (Community Commercial) to DF (Development Flex) for 1.79 Acres at 9280 Baltimore Street NE," be introduced and placed on file for second reading at the January 19, 2022 Council meeting.**

10.-3

**First Reading**

**Granting a Rezoning from PBD (Planned Business District) to DF (Development Flex) for 3.06 Acres at 4313 Ball Road NE. BeeHive Blaine (Case File No. 21-0074/SLK)**

**Attachments:**     [Attachments](#)  
[Unapproved PC Minutes 121421](#)

Ms. Sellman stated the applicant, BeeHive Blaine, proposes to construct a memory care facility just east of Lexington Avenue and adjacent to Ball Road. The site is currently zoned PBD (Planned Business District) with a land use of PI/PC (Planned Industrial/ Planned Commercial). They are requesting a rezoning of the property to DF (Development Flex) to accommodate the memory care facility of BeeHive Homes.

**Declared by Mayor Sanders that Ordinance No. 22-2492, "Granting a Rezoning from PBD (Planned Business District) to DF (Development Flex) for 3.06 Acres at 4313 Ball Road NE," be introduced and placed on file for second reading at the January 19, 2022 Council meeting.**

10.-4

**First Reading**

**Granting a Rezoning from FR (Farm Residential) to DF (Development Flex) for 9.82 Acres at 1080 and 1100 113th Avenue NE. Alexander Woods 3rd Addition (Capital Trust Development LLC) (Case File No. 21-0077/EES)**

**Attachments:**     [Attachments](#)  
[Unapproved PC Minutes 121421](#)

Ms. Sellman stated M/I Homes is proposing to develop 9.8 acres on the south side of 113th Avenue between Wicklow Woods and Alexander Woods. The applicant is requesting a rezoning, preliminary plat and conditional use permit. This will be a continuation of their Alexander Woods development.

Declared by Mayor Sanders that Ordinance No. 22-2493, "Granting a Rezoning from FR (Farm Residential) to DF (Development Flex) for 9.82 Acres at 1080 and 1100 113th Avenue NE," be introduced and placed on file for second reading at the January 19, 2022 Council meeting.

## 10.-5

**Attachments:**     [Zoning Ordinance](#)  
[Unapproved PC Minutes 121421](#)

Ms. Sellman stated in 2020, the City completed a major revision to the zoning code, which was the first major revision since the modern zoning code was adopted in 1984. From that process, staff observed that it would be beneficial to perform more regular updates to reduce instances of outdated or unclear code requirements. To that end, staff has begun a process to have an annual housekeeping update to the zoning code.

Declared by Mayor Sanders that Ordinance No. 22-2494, "Granting Amendments to Revise and Update Sections of the Blaine Zoning Ordinance," be introduced and placed on file for second reading at the January 19, 2022 Council meeting.

## 11. ADMINISTRATION

### 11.-1

**Authorize the Mayor and City Manager to Enter into a Contract with Bolton & Menk, Inc. for Professional Engineering Services for the Design and Construction administration for the Reconstruction of Lift Station 1, Improvement Project No. 22-05**

**Attachments:**     [Proposal\\_Lift Station and Forcemain](#)  
[22-05 Location Map-Lift Station 1.pdf](#)

City Engineer Schluender stated council is requested to approve a contract for professional services for design and construction administration for the renovation of Lift Station 1, Improvement Project No. 22-05. It was noted Lift Station 1, located at the intersection of 87th Avenue and Davenport Street, is the City's oldest lift station, installed in 1967. The lift station is an older wet well/dry well style of lift station with cast iron force main that has reached the end of its useful life. It is proposed to reconstruct Lift Station 1 to current City standards, which will

consist of a new wet well lift station, prefabricated control panel building and new force main.

**Moved by Councilmember Smith, seconded by Councilmember Hovland, that Motion 22-010, "Authorize the Mayor and City Manager to Enter into a Contract with Bolton & Menk, Inc. for Professional Engineering Services for the Design and Construction Administration for the Reconstruction of Lift Station 1," be approved.**

**Motion adopted unanimously.**

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

## 11.-2

### Approval of Labor Attorney Contract

**Attachments:**     [Response to Request for Proposals](#)  
[Contract](#)

City Manager Wolfe stated city council is being asked to review and approve a labor attorney contract with Eckberg and Lammers. As a best practice, staff periodically reviews existing contracts and conducts Request for Proposals (RFP) processes to ensure ongoing value of services. In 2021, it was determined that the city should conduct a process for labor and employment attorney services. The city has contracted with Scott Lepak of Barny, Guzy & Steffen Ltd to do labor attorney work for several years. He did not respond to this new RFP citing work load. The city has used several other attorneys over the years, on a case-by-case basis, for employment law matters. This process included both labor and employment legal services. Staff commented on the process that was followed to review the attorneys and recommended the council approve a contract with Eckberg and Lammers.

**Moved by Councilmember Massoglia, seconded by Councilmember Jeppson, that Motion 22-011, "Approval of Labor Attorney Contract," be approved.**

**Motion adopted unanimously.**

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

## 11.-3 Move to a Closed Session Meeting

Mayor Sanders stated pursuant to Minnesota State Statute Section 13D.05, Subd. 3(b) the Council would be entering into a closed session to discuss the ongoing litigation between the city and Irene Tamblyn involving the property located at 12370 Lever Street NE.

**Moved by Councilmember Robertson, seconded by Councilmember Hovland, to move to a Closed Session Meeting," be approved.**

**Motion adopted unanimously.**

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

Mayor Sanders recessed the city council to a closed meeting at 8:12PM.

Mayor Sanders reconvened the city council meeting at 9:09PM.

**11.-4**

**Resolution Approving the Use of Eminent Domain to Acquire Private Property Located at 12730 Lever Street NE as Required for Improvement Project No. 17-07, Lever Street from 125th Avenue NE to 132nd Avenue NE Alignment**

City Attorney Nelson stated as part of the Lever Street Improvement Project (17-07), the city needs to acquire certain permanent and temporary easements over the property located at 12730 Lever Street NE, PID 01-31-23-31-0003. The city authorized the city attorney to commence the pre-condemnation process for acquisition, which required the city to obtain an appraisal and engage in good faith negotiations with the property owner, Irene Tamblyn, to acquire the easements. The city has proceeded with the pre-condemnation process, obtained an appraisal, provided its appraisal to the property owner, and engaged in good faith negotiations to acquire the easements. At this time, the parties are at an impasse in negotiations. The city attorney issued a final written offer to the property owner, which the property owner may accept. If the property owner does not accept the final written offer, the city will need to commence condemnation proceedings to acquire the easements. By approving the proposed resolution, the city council is authorizing the city attorney to commence a condemnation proceeding to acquire the easements. The city attorney recommends adoption of the proposed resolution.

**Moved by Councilmember Smith, seconded by Councilmember Jeppson, that Resolution No. 22-005, "Resolution Approving the Use of Eminent Domain to Acquire Private Property located at 12730 Lever Street NE as Required for Improvement Project No. 17-07, Lever Street from 125th Avenue NE to 132nd Avenue NE Alignment," be approved.**

**Motion adopted 6-1 (Councilmember Massoglia opposed).**

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

**Nay:** 1 - Councilmember Massoglia

**12. OTHER BUSINESS**

None.

**13. ADJOURNMENT**

Moved by Councilmember Robertson, seconded by Councilmember Jeppson,  
to adjourn the meeting at 9:14PM.

Motion adopted unanimously.