



City of Blaine

City Council

June 5, 2023 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order by the Mayor

The meeting was called to order at 7:09PM 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 Leslie Larson, Chris Massoglia, Tom Newland, Jess Robertson and Lori Saroya.

ABSENT: Councilmember Terra Fleming.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Eric Thorvig; City Planner Sheila Sellman; Safety Services Director/Police Chief Brian Podany; Finance Director Joe Huss; Director of Engineering Dan Schluender; Senior Parks and Recreation Manager Jerome Krieger; Police Sergeant Travis Hale; City Attorney Tom Loonan; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

4. Awards - Presentations - Organizational Business

None.

5. Communications

Councilmember Massoglia thanked Steve Guider for all of his efforts on the Veterans Memorial Park and for hosting a meaningful ceremony on Memorial Day.

6. Open Forum

Open Forum is an opportunity for the public to present an issue or concern to City Council. There is a maximum of fifteen minutes set aside for open forum. Each presentation should be limited to no more than three minutes. If your item needs follow-up from the City, staff will arrange for that follow-up and will contact you to let you know what is being done. Thank you for coming this evening.

Mayor Sanders opened the Open Forum at 7:10PM.

Greg Strafaccia, 3925 112th Avenue, requested the council reopen the discussion of the barricaded roads within the Sanctuary Preserve. He reported his neighborhood only had one road in and one road out. He feared the children in the neighborhood were being put at risk given the fact they have to be on the bus 50 to 60 hours more each year. He explained he would like the two barricaded roads reopened.

Jesse Lopez, 3623 112th Circle, explained the opening of 114th was presented at the August 1, 2022 city council meeting. He requested the council revisit this issue in order to have the barricades within the Sanctuary Preserve neighborhood removed.

There being no further input, Mayor Sanders closed the Open Forum at 7:15PM.

7. Adoption of Agenda

The agenda was adopted as presented.

8. Approval of Consent Agenda:

All items listed under the "Consent Agenda" are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

Moved by Councilmember Newland, seconded by Councilmember Robertson, that the Consent Agenda be approved in its entirety.

Motion adopted unanimously.

8.1. 2023-224 Schedule of Bills Paid
Sponsors: Joe Huss, Finance Director/Asst. City Manager

8.2. 2023-208 Approval of Minutes
Sponsors: Cathy Sorensen, City Clerk

- 8.3.** 2023-197 Approve Amended Policy Governing Fingerprint-Based Criminal History Record Information (CHRI) Checks Made for Non-Criminal Justice Purposes
Sponsors: Cathy Sorensen, City Clerk
- 8.4.** RES 23-96 Resolution Granting Final Plat Approval to Subdivide 19.24 Acres into 2 Single Family Lots, 28 Townhome Lots, Common Space and One Outlot to be Known as Meadowland Estates West at 2741 and 2775 125th Avenue NE. Herbst Raich Investments, LLC (Case File No. 23-0048/SAS)
Sponsors: Sheila Sellman, City Planner
- 8.5.** 2023-214 Approve Temporary Road Closure for Blaine Festival and Parade
Sponsors: Jerome Krieger, Sr. Recreation Manager
- 8.6.** 2023-217 Authorize Temporary Removal of Parking Restrictions on 103rd Lane and National Street for a Centennial Elementary School Event on October 4, 2023 (Rain Date: October 5, 2023)
Sponsors: Daniel Schluender, Director of Engineering
- 8.7.** RES 23-102 Approve Premise Permit for Lawful Gambling Activity for Blaine Backcourt Club dba Blaine Youth Basketball
Sponsors: Cathy Sorensen, City Clerk
- 8.8.** 2023-222 Approve Carnival License for Amusement Attractions for the Blaine Festival
Sponsors: Cathy Sorensen, City Clerk
- 8.9.** 2023-226 Approve a Tobacco and Tobacco Products License for MN Restwood, Inc., dba Blaine One Stop
Sponsors: Cathy Sorensen, City Clerk
- 8.10.** 2023-227 Approve 2023-2024 Liquor License Renewals
Sponsors: Cathy Sorensen, City Clerk

- 8.11.** 2023-229 Approve New Vending Truck License for Mark Seburg of Scoops En Route LLC
Sponsors: Cathy Sorensen, City Clerk
- 8.12.** 2023-230 Approve a Tobacco and Tobacco Products License for 65 HEY LLC, dba 65 Tobacco, 10404 Baltimore Street Ave NE, Suite 105
Sponsors: Cathy Sorensen, City Clerk

9. 7:00 PM - Public Hearing and Items Published for a Certain Time

- 9.1.** RES 23-97 Resolution Vacating Highway Easements, per Document No. 512382 & 515713 As Recorded with Anoka County, Vacation No. V23-03
Sponsors: Daniel Schluender, Director of Engineering

Director of Engineering Schluender stated the city received a petition dated April 19, 2023 from Nathan Fair, representing the property owner, requesting the vacation of the highway easements per Document No's. 512385 and 515713 as recorded; according to the recorded plats thereof in Anoka County, Minnesota.

Mayor Sanders opened the public hearing at 7:17PM.

There being no public input, Mayor Sanders closed the public hearing at 7:17PM.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to adopt Resolution 23-97, Vacating Highway Easements as presented.

Motion adopted unanimously.

- 9.2.** RES 23-98 Resolution Granting a Conditional Use Permit to Allow Live Entertainment in the B-2 (Community Commercial) Zoning District at 10950 Club West Parkway NE, #160. The Rusty Bumblebee (Case File No. 23-0052/SLK)
Sponsors: Sheila Sellman, City Planner

City Planner Sellman stated the Rusty Bumblebee is requesting a Conditional Use Permit (CUP) for live entertainment at an existing restaurant. The property is currently zoned B-2. Staff commented further on the request and recommended approval.

Mayor Sanders opened the public hearing at 7:19PM.

There being no public input, Mayor Sanders closed the public hearing at 7:19PM.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to adopt

Resolution 23-98 as presented.

Councilmember Newland asked if the permit would allow for outdoor music on both patios.

Ms. Sellman explained outdoor music would be allowed on either patio.

Motion adopted unanimously.

10. Development Business

- 10.1. RES 23-92** Resolution Granting a Variance to Allow a Fence Taller than Four-Feet in the Front Yard Along One Property Line at 10655 Quincy Boulevard NE. Robin Bieniek (Case File No. 23-0039/SAS)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a variance to allow an eight foot privacy fence along the northern property line. The code allows for a four foot fence in the front yard. The applicant has modified the request to change the fence from 6-feet to 8-feet. It was noted the applicant has a history of conflict with the neighbor. Staff commented further on the request and recommended approval of the eight foot fence with conditions.

Moved by Councilmember Newland, seconded by Councilmember Robertson, to adopt Resolution 23-92 as presented. Motion adopted unanimously.

- 10.2. RES 23-95** Resolution Granting a Conditional Use Permit for an Office in the POD (Planned Office District) Zoning District at 3925 Pheasant Ridge Drive NE. Minnesota State Emergency Operations Center (Wold Architects and Engineers) (Case File No. 23-0038/SAS)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a Conditional Use Permit (CUP) for an office use in the POD (Planned Office District) at 3925 Pheasant Ridge Drive for an emergency operation center. Staff commented further on the request and recommended approval.

Moved by Councilmember Newland, seconded by Councilmember Robertson, to adopt Resolution 23-95 as presented.

Councilmember Newland explained he supported this request and he was honored to have this type of facility in the city of Blaine. Motion adopted unanimously.

- 10.3. RES 23-91** Resolution Granting a Conditional Use Permit Amendment that will Allow up to 2,901 Square Feet of Garage/Accessory Space and a 47-Foot Side Yard Setback for a Garage Addition on an RF (Residential Flex) Zoned Property at 2704 Fox Ridge NE. Jim Sunderland (Case File No. 23-0033/SLK)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is proposing a 2,040 square foot addition to their existing garage for an RV and additional storage space. The proposed addition and existing garage would total 2,901 square feet. A 47-foot side yard setback for the garage addition is also being requested. Staff commented further on the request and recommended approval.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to adopt Resolution 23-91 as presented. Motion adopted unanimously.

10.4. RES 23-93 Resolution Granting a Conditional Use Permit for Outside Storage and Multiple Buildings on One Lot in the I-2 (Heavy Industrial) Zoning District at 10101 Naples Street NE. Park Construction Company (Carlson Group LLC) (Case File No. 23-0020/EES)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant, Park Construction, is proposing a contractor's yard with outside storage of equipment and materials. The conditional use permit is for outside storage and multiple buildings on a lot. Staff recommends approval with conditions.

Moved by Councilmember Newland, seconded by Councilmember Robertson, to adopt Resolution 23-93 as presented.

Councilmember Massoglia requested further information regarding the typical length for interim use permits. Ms. Sellman stated interim use permits were similar to a conditional use permit, except a timeframe was set. She noted in the I-2 zoning district, interim use permits were required for concrete crushing. She reported the proposed interim use permit would expire after three years.

Jeff Carlson, owner of Park Construction, shared he would prefer a five-year permit but understood it was only a three-year permit. He explained he would like to continue the concrete crushing into the future. Ms. Sellman clarified interim use permits in the I-2 zoning district were only good for three years.

Mr. Carlson asked if the new fence could be connected to the Central Transport fence to allow it to be inside his yard for cleaning and snow storage purposes. Ms. Sellman stated it was a condition for approval to have the fence as recommended by staff, noting it was a best practice to not plow snow into storm ponds. She reported if the council was not concerned about the maintenance of the pond, the condition could be changed.

Councilmember Robertson asked if the stormwater pond was a watershed requirement. Mr. Schluender explained the pond was required by the watershed district to manage the water runoff from the site.

Councilmember Robertson indicated she was not inclined to approve something other than what was approved for the site by the watershed district. She stated she did not support leaving the pond open so snow could be pushed into it. Mr. Carlson reported the pond was designed to treat all of the water runoff from the property. He noted he had to maintain and clean out the pond, which was why he would like to have access to the pond.

Mayor Sanders questioned if this item should be revisited at the next council meeting in order to allow staff to work with the applicant on the fence placement. Ms. Sellman stated it was staff's recommendation to not fence off the pond and it is a best practice to not plow snow into the drainage pond. She reported she could try and work something out with the applicant if the council wanted to postpone action on this item.

Councilmember Massoglia explained he did not believe the council has had enough time to review the narrative from the applicant prior to making a decision on this item.

Mayor Sanders supported this item being tabled to the June 20 meeting for further consideration.

Councilmember Newland indicated he would rather work with the applicant in order to keep this project within city code. He stated he was inclined to support staff's recommendation.

Councilmember Saroya asked how the two week delay would impact the applicant. Mr. Carlson stated a two week delay would not impact his business.

Councilmember Saroya explained she appreciated this business being in Blaine and noted she would like more information regarding the fence before approving the request.

Moved by Mayor Sanders, seconded by Councilmember Newland, to postpone consideration of Resolution 23-93 to the June 20, 2023 city council meeting.

Motion adopted unanimously.

- 10.5. RES 23-94** Resolution Granting an Interim Use Permit to Operate a Contractors' Yard for Concrete Crushing in the I-2 (Heavy Industrial) Zoning District at 10101 Naples Street NE. Park Construction Company (Carlson Group LLC) (Case File No. 23-0020/EES)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting an interim use permit to allow concrete crushing as part of a contractor's yard. The interim use permit would approve the use with conditions for a period of three years.

Moved by Mayor Sanders, seconded by Councilmember Newland, to postpone consideration of this item to the June 20, 2023 city council meeting.

Motion adopted unanimously.

11. Administration

- 11.1. 2023-218** Amend Project Budget for the Happy Acres General Site improvements to the amount of \$895,000, Project No. 22-41
Sponsors: Jerome Krieger, Sr. Recreation Manager

Senior Parks and Recreation Manager Krieger stated the Happy Acres General Site Improvement project was adopted at the September 7, 2022 council meeting for \$809,046 plus a 5% contingency totaling \$850,000. Originally, staff were conservative with the contingency requesting 5% instead of the more common 10%. Because there had been two rounds of bids, staff had a higher level of confidence in the number and did not have reason to believe soils would be an issue. Of note, staff were not aware of dumping that historically occurred on the site. The project consisted of removing and expanding the existing parking lot, reconstructing the trail and installing two stormwater infiltration basins. An alternate bid item to remove and reconstruct a portion of bituminous trail at the end of 119th Circle, add ADA pedestrian ramps, and add storm sewer to help drain the cul-de-sac was also included in this project. The majority of the construction was completed in the fall of 2022 with the exception of pavement markings, signage, and final turf establishment, which is being completed in the spring of 2023. Staff commented on the soil conditions that were found on the site and requested the council amend the project budget for Happy Acres to the amount of \$895,000. It was noted reserves from the Parks Development Fund would be used to cover this project.

Moved by Councilmember Newland, seconded by Councilmember Saroya, to adopt Resolution 23-218 as presented.

Motion adopted unanimously.

12. Other Business

None.

13. Adjournment

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to adjourn the meeting at 7:49PM.

Motion adopted unanimously.



Signed by

Tim Sanders, Mayor

Signed by

Cathy Sorensen, CMC, City Clerk

