



City of Blaine

City Council

February 21, 2024 | 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 7:00PM 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 Terra Fleming, Leslie Larson, Tom Newland, Jess Robertson and Lori Saroya.

ABSENT: Councilmember Chris Massoglia.

Quorum Present.

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

4. Awards - Presentations - Organizational Business

- 4.1.** 2024-45 Police Department Citizen Award Recognitions
Sponsors: Brian Podany, Safety Services Manager/Police Chief

Mayor Sanders thanked all first responders for their dedicated service to the community and invited the audience to stand in a moment of silence to honor those who lost their lives in Burnsville in the line of duty.

Safety Services Director/Police Chief Podany stated each year, the Blaine Police Department

recognizes citizens in the community who have gone above and beyond what is expected of them to positively impact their fellow citizens and/or our law enforcement agency. The citizens are nominated by Blaine Police Department staff. Several citizens from the community were present to receive recognition from the Blaine Police Department for their actions in 2023 and early 2024 that directly benefited a fellow citizen and our law enforcement agency, including Bradley Miska for helping detain a combative suspect who was resisting arrest, Carla Holm for providing aid to a motorcycle crash victim, Kenton Pust for providing aid to a motorcycle crash victim, Jeffrey Ruff for performing CPR on a male who was not breathing at a fitness center, and Mark Morrisette for performing CPR on a male who was not breathing at a fitness center.

Mayor Sanders thanked these citizens for being the very best, for looking out for Blaine Police Officers and for each other. A standing ovation and round of applause was offered by all in attendance.

4.2. 2024-46 Police Officer Swearing-in Ceremony
Sponsors: Brian Podany, Safety Services Manager/Police Chief

Police Chief Podany stated when new officers successfully complete the field training program and advance to solo patrol, a swearing-in ceremony is performed in front of the City Council. This is a special time for new officers and their families to celebrate their accomplishments and be recognized in front of the Mayor, City Councilmembers, City Manager, Chief Podany, fellow police staff, and the public.

City Clerk Sorensen administered the Oath of Office to Officer Wakumoto and Officer Rice and welcomed them to the Blaine Police Department. Badges were pinned on and a round of applause was offered by all in attendance.

5. Communications

The Council invited the public to attend the Guns and Hoses hockey game on Friday, February 23 at the Blaine Super Rink at 5:00 p.m. along with the Polar Plunge at Lakeside Commons Beach being sponsored by the Blaine Police Department on Saturday, February 24.

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 7:38PM.

There being no input, Mayor Sanders closed the Open Forum at 7:38PM.

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.

Councilmember Newland noted he would be abstaining from the February 2 bills paid item.

Moved by Councilmember Robertson, seconded by Councilmember Newland, that the following items on the Consent Agenda be approved.

Motion adopted 6-0-1 (Councilmember Newland abstained).

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| 8.1. | 2024-47 | Schedule of Bills Paid
<i>Sponsors: Jason Zimmerman, Finance Director</i> |
| 8.2. | 2024-48 | Approval of Minutes
<i>Sponsors: Cathy Sorensen, City Clerk</i> |
| 8.3. | RES 24-28 | Resolution Granting Final Plat Approval to Create 34 Lots to be Known as Preserve at Lexington Waters Third Addition at 131st Avenue NE and Lever Street. Blaine 2022 LLC (Case File No. 24-0007/SAS)
<i>Sponsors: Sheila Sellman, City Planner</i> |
| 8.4. | RES 24-43 | Resolution Ordering the Preparation of an Alternative Urban Areawide Review for the Northtown Mall and Surrounding Area.
<i>Sponsors: Sheila Sellman, City Planner</i> |
| 8.5. | 2024-49 | Approve Payment to AXON Enterprises Inc. for the Officer Safety Plan Contract
<i>Sponsors: Brian Podany, Safety Services Manager/Police Chief</i> |
| 8.6. | 2024-50 | Approve Purchases from the Public Safety Funds
<i>Sponsors: Brian Podany, Safety Services Manager/Police Chief</i> |

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

9.1. 2024-51 Proposed Onsale Intoxicating Liquor License Fee Increase *Sponsors: Cathy Sorensen, City Clerk*

Ms. Sorensen stated in preparation for license renewals in June, staff is requesting council hold a public hearing and consider a motion regarding council's intention to increase on-sale liquor license fees from \$5,800 to \$7,800 for the 2024-2025 license period. This action is a result of 2024 budget discussions and review of current fees compared to other comparable cities. The last fee increase occurred in 2017. If approved, the proposed increase will place Blaine's license fee still below the average of other cities while still continuing to cover costs associated with licensing, regulation, and compliance checks. Statute requires notice and public hearing regarding a proposed fee increase, which was published in the city's official newspaper and mailed to all current license holders to either attend the public hearing or provide comments on the proposed fee. A survey of comparable cities' fees is included with fees ranging from \$5,000 (Ramsey) to \$13,204 (Chanhassen), with an average fee of \$7,930 and median fee of \$8,200. Most cities utilize a flat fee schedule, but four of the 19 cities surveyed utilize a tiered fee schedule based on either annual sales or building square footage.

Mayor Sanders opened the public hearing at 7:47PM.

There being no public input, Mayor Sanders closed the public hearing at 7:48PM.

Moved by Councilmember Fleming seconded by Councilmember Newland, to approve the Proposed Onsale Intoxicating Liquor License Fee Increase.

Councilmember Robertson explained she did not have a problem with the proposed fees increasing. However, she was interested in the City considering a tiered fee schedule based on square footage to lessen the impact on smaller restaurants.

Councilmember Fleming supported the city council further discussing a tiered fee schedule.

Councilmember Newland indicated the council approved the 2024 budget based on the proposed liquor fees. He stated he could support further discussions of a tiered fee schedule that could be considered for 2025. He asked when the city last increased the liquor fees. Ms. Sorensen stated the last fee increase occurred in 2017.

Councilmember Larson commented the city was still on the lower side and noted she was curious if a tiered fee schedule would increase the work that would have to be done by staff. Ms. Sorensen reported it was possible that a larger structure may have more partners and more background work would be required.

Council consensus was to move forward with the fees as recommended and supported the council possibly discussing a tiered fee schedule during the upcoming budget cycle.

Motion adopted unanimously.

- 9.2.** RES 24-42 Resolution Granting a Conditional Use Permit to Allow a Veterinary Clinic in the I-1 (Light Industrial) Zoning District at 10035 Flanders Court NE. Twin Cities Animal Rehab and Sports Medicine (Case File No. 24-0010/SLK)
Sponsors: Sheila Sellman, City Planner

City Planner Sellman stated the applicant is requesting a Conditional Use Permit (CUP) to open a physical rehabilitation center for small animals. Staff commented on the request further and recommended approval.

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

The applicant explained she was looking forward to opening a physical rehabilitation center for small animals in Blaine. She reported she currently has a location in Burnsville and was looking to expand to the north metro.

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

Moved by Councilmember Robertson, seconded by Councilmember Newland, to adopt a Resolution Granting a Conditional Use Permit to Allow a Veterinary Clinic in the I-1 (Light Industrial) Zoning District at 10035 Flanders Court NE.

Motion adopted unanimously.

10. Development Business

- 10.1.** RES 24-41 Resolution Granting a Conditional Use Permit Amendment to Clarify the Side Yard and Front Yard Setbacks in the Foxtail Hollow Townhome Development in the Development Flex (DF) Zoning District at 121st Avenue and Radisson Road NE. Foxtail Hollow Townhomes (Case File No. 24-0009/SLK)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated this Conditional Use Permit (CUP) Amendment request is to clarify the front and side yard setbacks that are adjacent to the internal private drive. Staff commented on the request further and recommended approval.

Moved by Councilmember Robertson, seconded by Councilmember Newland, to adopt a Resolution Granting a Conditional Use Permit Amendment to Clarify the Side Yard and Front Yard Setbacks in the Foxtail Hollow Townhome Development in the Development Flex (DF) Zoning District at 121st Avenue and Radisson Road NE.

Motion adopted unanimously.

- 10.2. RES 24-38** Resolution Granting a Conditional Use Permit to Allow a 1,610 Square-Foot Garage in the Farm Residential (FR) Zoning District at 4726 115th Avenue NE. Chris Rice (Case File No. 24-0006/SLK)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a Conditional Use Permit (CUP) to construct an attached 1,610 square foot garage for personal storage. Staff commented on the request further and reported the planning commission recommends approval with conditions.

Moved by Councilmember Newland, seconded by Councilmember Robertson, to adopt a Resolution Granting a Conditional Use Permit to Allow a 1,610 Square-Foot Garage in the Farm Residential (FR) Zoning District at 4726 115th Avenue NE.

Motion adopted unanimously.

- 10.3. ORD 24-2542 First Reading**
Ordinance Approving an Amendment to the Blaine Zoning Code to Create a New Zoning District, County Road 10 Mixed Use District. Northtown (City of Blaine) (Case File No. 24-0002/SAS)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated this was the first reading of a new ordinance, County Road 10 Mixed Use District as part of the Northtown Plan implementation. Staff commented further on the proposed ordinance and recommended introduction.

Declared by Mayor Sanders that Ordinance No. 24-2542, "Ordinance Approving an Amendment to the Blaine Zoning Code to Create a New Zoning District, County Road 10 Mixed Use District. Northtown (City of Blaine)," be introduced and placed on file for second reading at the March 4, 2024 Council meeting.

- 10.4. ORD 24-2543 First Reading**
Ordinance Rezoning Certain Parcels in the Northtown Area from Community Commercial (B-2) and Regional Commercial (B-3) to County Road 10 Mixed Use District. Northtown (City of Blaine) (Case File No. 24-0002/SAS)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated this item is the first reading of an ordinance to rezone certain parcels in the Northtown Area to County Road 10 Mixed Use District (MU) as part of implementing the Northtown Plan. Staff commented further on the proposed ordinance and recommended introduction.

Declared by Mayor Sanders that Ordinance No. 24-2543, "Rezoning Certain Parcels in the

Northtown Area from Community Commercial (B-2) and Regional Commercial (B-3) to County Road 10 Mixed Use District. Northtown. (City of Blaine)," be introduced and placed on file for second reading at the March 4, 2024 Council meeting.

11. Administration

11.1. ORD 24-2544 First Reading

Adopt an Extension to the Interim Ordinance for a Moratorium on Car Washes

Sponsors: Erik Thorvig, Community Development Director

Community Development Director Thorvig stated on September 6, 2023, the City Council adopted an interim ordinance placing a moratorium on new car washes in the City of Blaine. The purpose of the moratorium was to allow the Council time to study zoning regulations related to car washes and determine potential zoning district changes or text amendments. The moratorium was for six months and is set to expire on March 6, 2024. Minnesota State Statute allows cities to establish a moratorium to allow zoning studies for up to one-year. The City Council discussed zoning regulations related to car washes at their December 18, 2023, and February 12, 2024, workshops. Additional time is necessary to adopt proposed changes, therefore a six-month extension to the original moratorium is proposed through September 6, 2024. It is not anticipated that the full time extension is necessary to adopt the proposed changes. If the City Council adopts changes prior to September 6, 2024, the moratorium would be lifted and applications for car washes would be allowed under any new regulations adopted.

Declared by Mayor Sanders that Ordinance No. 24-2544, "Adopting an Extension to the Interim Ordinance for a Moratorium on Car Washes," be introduced and placed on file for second reading at the March 4, 2024 Council meeting.

11.2. ORD 24-2541 Second Reading

Amend Sec. 2-31. - Salaries of Mayor and Councilmembers

Sponsors: Cathy Sorensen, City Clerk

Ms. Sorensen stated council is asked to hold second reading and adopt the proposed ordinance amending council salary. It was noted this item was introduced at the February 5 City Council meeting.

Moved by Councilmember Newland, seconded by Councilmember Larson, to adopt the Second Reading of Ordinance No. 24-2541, Amend Sec. 2-31. - Salaries of Mayor and Councilmembers.

Councilmember Saroya expressed concern that there was no mechanism in place to measure if a salary increase was warranted. She was of the opinion the funding could be used for other needs in the city, such as offsetting street assessments for residents or for police wages.

Motion adopted 5-1 (Councilmember Saroya opposed).

12. Other Business

None.

13. Adjournment

Moved by Councilmember Newland, seconded by Councilmember Robertson, to adjourn the meeting at 8:06PM.

Motion adopted unanimously.



Signed by

Tim Sanders, Mayor

Signed by

Catherine M. Sorensen, CMC, City Clerk