



City of Blaine

City Council

June 3, 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, Chris Massoglia, Tom Newland, Jess Robertson and Lori Saroya.

ABSENT: None.

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; City Attorney Tom Loonan; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

4. Awards - Presentations - Organizational Business

None.

5. Communications

Councilmember Robertson congratulated all high school 2024 graduates from the communities three high schools, private and charter schools.

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 7:04PM.

Chris Hinze, attorney, shared comments in support of his client for the proposed rezoning of the East Blaine Mosque and Academy properties and discussed how this was the right location for a mosque in the community.

Jaylani Hussein, Executive Director of CAIR Minnesota, offered comments in support of the proposed rezoning for the East Blaine Mosque and Academy properties. He explained there was a huge demand for private schooling for Muslim residents in Blaine. He thanked Blaine for being a welcoming community and urged the council to support the rezoning.

Mahammad Aleem, 4780 128th Circle, shared his support of the proposed rezoning for the East Blaine Mosque and Academy stating there would be significant economic benefits to the community if this item were approved.

Talia, first grader in Blaine, encouraged the council to support the East Blaine Mosque and Academy.

Roho, first grader in Blaine, explained she was excited to attend a new school with her friends in Blaine.

Za, first grader in Blaine, encouraged the city council to support the Islamic school as this would be a place for him to learn about faith, math and be proud of the fact he was an Islamic American.

Moath Samari, resident of Blaine, explained he was a father of three boys and shared how the East Blaine Mosque and Academy would be a tremendous asset to the community. He encouraged the council to support the rezoning.

Sabri, first grader in Blaine, asked that the council support the East Blaine Mosque so she could learn with her friends in the community.

An audience member explained he was an eager parent who hoped the council would support the East Blaine Mosque and Academy. He discussed how this Islamic school would enrich the community, while nurturing the Islamic children in the community.

There being no further input, Mayor Sanders closed the Open Forum at 7:23PM.

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

Councilmember Massoglia encouraged the council to consider a transfer from the CIP fund instead of the strategic priorities fund for Item 8.4.

Motion adopted unanimously.

- 8.1.** 2024-198 Schedule of Bills Paid
Sponsors: Jason Zimmerman, Finance Director
- 8.2.** 2024-187 Approval of Minutes
Sponsors: Cathy Sorensen, City Clerk
- 8.3.** 2024-76 Notifying League of Minnesota Cities Insurance Trust That Monetary Limits on Tort Liability are Not Waived
Sponsors: Jason Zimmerman, Finance Director
- 8.4.** RES 24-115 Rescind Resolution 23-113 and Approve Resolution Authorizing Transfers From the General Fund and Strategic Priorities Fund to the Workers Compensation Fund and Self-Insurance Fund Retroactive to Fiscal Year 2023
Sponsors: Jason Zimmerman, Finance Director
- 8.5.** 2024-191 Approve Payment to Anoka County for 2024 Assessing Services
Sponsors: Jason Zimmerman, Finance Director
- 8.6.** RES 24-116 Resolution to Waive Municipal Consent for the TH 65 Project between the City of Blaine and the Minnesota Department of Transportation (MnDOT).
Sponsors: Daniel Schluender, Director of Engineering
- 8.7.** 2024-185 Motion to Authorize the Mayor and City Manager to Enter into a Contract with Braun Intertec for Construction Materials Testing Services for the 2024

Southwest Area Street Reconstruction Improvement Project, Improvement
Project No. 24-07

Sponsors: Daniel Schluender, Director of Engineering

- 8.8.** RES 24-108 Resolution to Approve Joint Powers Agreement with the City of Lino Lakes for Street Lighting at the 125th Avenue (CSAH 14) and Sunset Avenue (CR 53) roundabout, Improvement Project No. 23-10

Sponsors: Daniel Schluender, Director of Engineering

- 8.9.** 2024-194 Approve 2024-2025 Liquor License Renewals

Sponsors: Cathy Sorensen, City Clerk

- 8.10.** 2024-199 Approve a Temporary On-Sale Intoxicating Liquor License for Sgt. John Rice VFW at the VFW, 1374 109th Avenue NE

Sponsors: Cathy Sorensen, City Clerk

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

- 9.1.** 2024-196 Approve On-Sale and Sunday Intoxicating Liquor Licenses for Thai Twist, 1003 109th Ave NE

Sponsors: Cathy Sorensen, City Clerk

City Clerk Sorensen stated council is asked to approve the on-sale and Sunday intoxicating liquor licenses for Thai Twist to allow the ability to serve intoxicating spirits, beer and wine.

Mayor Sanders opened the public hearing at 7:26PM.

There being no public input, Mayor Sanders closed the public hearing at 7:26PM.

Moved by Councilmember Fleming, seconded by Councilmember Robertson, to Approve On-Sale and Sunday Intoxicating Liquor Licenses for Thai Twist at 1003 109th Ave NE.

Motion adopted unanimously.

10. Development Business

- 10.1.** ORD 24-2550 Second Reading
Ordinance Granting a Rezoning from Farm Residential (FR) to Development

Flex (DF) at 4255 125th Avenue NE and 12581 Lexington Avenue NE. Crispin Cove (Capital Trust Investment LLC). (Case File No. 24-0020/SLK)

Sponsors: Sheila Sellman, City Planner

City Planner Sellman stated the city council considered the rezoning, preliminary plat and conditional use permit on May 20, 2024. At the request of the applicant, the Council voted to table the request until June 3, 2024. The applicant is requesting a rezoning from FR (Farm Residential) to DF (Development Flex) for the construction of 40 single-family lots. Staff commented on how the plans for this project had changed since previously considered by the council, stating lots were now 60 feet wide and the outlot sizes had been reduced. It was noted the proposed changes would not impact the wetlands. The revised elevations were further reviewed with the council. She reported the planning commission held a public hearing on April 8 and recommended approval of the rezoning.

Moved by Mayor Sanders, seconded by Councilmember Massoglia, to remove this item from the table.

Motion adopted unanimously.

Moved by Councilmember Robertson, seconded by Councilmember Newland, to adopt the Second Reading of Ordinance 24-2550, Granting a Rezoning from Farm Residential (FR) to Development Flex (DF) at 4255 125th Avenue NE and 12581 Lexington Avenue NE.

Councilmembers Massoglia thanked the applicant for revising the plans to have larger lot sizes.

Councilmember Larson indicated she liked the new plan and thanked the applicant for preserving the wetlands and providing enhanced building materials, while also providing connectivity to the adjacent neighborhood.

Councilmember Saroya explained she had continued concerns with the possibility of eagle nests on the property. She questioned why the city has not researched or addressed this matter with the US Fish and Wildlife Service. She was of the opinion the city had to do more to ensure there were no eagles nests on this property. She then read a letter from the Minnesota Humane Society stating in the face of constituent concerns, a detailed description should be verified that no nests were on the property before moving forward with this project. She understood the city did not have an environmental review board and asked if the city had been in contact with the US Fish and Wildlife Service.

Mayor Sanders explained the city was being asked to consider rezoning and noted the environmental issues on the site were the responsibility of the watershed district. Director of Engineering Schluender reported he had an opportunity to reach out to the US Fish and Wildlife and noted they were aware of the fact there were bald eagles in the area, but had agreed there were no nests on site. He reiterated that if there were nests on site, the project would not have to stop, rather the developer would have to work around the nest site.

Councilmember Saroya asked if the US Fish and Wildlife sent somebody to the site to verify there were no nests. Mr. Schluender explained the US Fish and Wildlife did not send a

representative to the site, but rather has heard no activity that there was a nest on site and had no confirmation.

Councilmember Saroya commented she would like the city to send somebody to the property to search for eagles nests. She explained eagles have been seen on the site, so the logical conclusion was that there are nests. She was not convinced there were no nests on this property. In addition, she believed an environmental study should have been completed for this project and for this reason she would be a no vote for this project.

Councilmember Robertson thanked the development team for working with the city to revise the plans after receiving feedback from the council.

Motion adopted 6-1 (Councilmember Saroya opposed).

- 10.2.** RES 24-89 Resolution Granting Preliminary Plat Approval to Subdivide 21.52 Acres into 40 Single Family Lots and Two Outlots to be Known as Crispin Cove at 4255 125th Avenue and 12581 Lexington Avenue NE. Capital Trust Investment LLC (Case File No. 24-0020/SLK)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the city council considered the rezoning, preliminary plat and conditional use permit on May 20, 2024. At the request of the applicant, the Council voted to table the request until June 3, 2024. The applicant is requesting a preliminary plat to develop the site into 40 single family lots and two outlots for wetlands and ponding.

Moved by Councilmember Newland, seconded by Councilmember Massoglia, to adopt a Resolution Granting Preliminary Plat Approval to Subdivide 21.52 Acres into 40 Single Family Lots and Two Outlots to be Known as Crispin Cove at 4255 125th Avenue and 12581 Lexington Avenue NE.

Motion adopted 6-1 (Councilmember Saroya opposed).

- 10.3.** RES 24-90 Resolution Granting a Conditional Use Permit to Allow for the Construction of 40 Single Family Lots in the Development Flex (DF) Zoning District at 4255 125th Avenue NE and 12581 Lexington Avenue NE. Crispin Cove (Capital Trust Investment LLC). (Case File No. 24-0020/SLK)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the city council considered the rezoning, preliminary plat and conditional use permit on May 20, 2024. At the request of the applicant, the Council voted to table the request until June 3, 2024. The applicant is requesting a conditional use permit to allow the development of 40 single-family homes.

Moved by Councilmember Newland, seconded by Councilmember Massoglia to adopt a Resolution Granting a Conditional Use Permit to Allow for the Construction of 40 Single Family Lots in the Development Flex (DF) Zoning District at 4255 125th Avenue NE and

12581 Lexington Avenue NE.

Motion adopted 6-1 (Councilmember Saroya opposed).

- 10.4.** RES 24-95 Resolution Granting Preliminary Plat Approval to Create 13 Lots to be Known as Northtown Revitalization at 100 Northtown Drive NE. Northtown Mall (4th Dimension Properties, LLC) (Case File No. 24-0027/SAS)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a preliminary plat to create 13 lots in the Northtown Mall area. Staff commented on the request further and reported the planning commission recommends approval.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to adopt a Resolution Granting Preliminary Plat Approval to Create 13 Lots to be Known as Northtown Revitalization at 100 Northtown Drive NE.

Councilmember Saroya stated she believed this was a great project. She questioned how the proposed plat would impact the existing businesses. Ms. Sellman explained there should be no immediate impact on the existing businesses.

Councilmember Saroya asked if the existing business owners were contacted regarding the proposed change. Ms. Sellman stated she has not had individual conversations with the business owners, noting the mall was the property owner and they brought this request forward. She was unaware if the mall owner had had conversations with the existing business owners.

Motion adopted unanimously.

- 10.5.** RES 24-96 Resolution Granting a Conditional Use Permit for Zero Lot Line, and Shared Access and Parking in the County Road 10 Mixed Use Zoning District at 100 Northtown Drive NE. Northtown Mall (4th Dimension Properties, LLC) (Case File No. 24-0027/SAS)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a conditional use permit for zero lot line and shared access/parking as part of their plat, Northtown Revitalization.

Moved by Councilmember Newland, seconded by Councilmember Robertson, to adopt a Resolution Granting a Conditional Use Permit for Zero Lot Line, and Shared Access and Parking in the County Road 10 Mixed Use Zoning District at 100 Northtown Drive NE.

Motion adopted unanimously.

10.6. ORD 24-2551 First Reading

Ordinance Granting a Rezoning from Planned Business District (PBD) to Development Flex (DF) at 3680 Pheasant Ridge Drive. East Blaine Mosque and Academy (Case File No. 24-0023/SAS)

Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a rezoning to Development Flex (DF) to allow for a Mosque with a Pre-K through 8 school. The subject site is currently zoned Planned Business district and does not allow elementary schools.

Councilmember Robertson requested staff provide the council with additional materials on past proposals and other schools in industrial areas prior to the second reading. She then spoke about potential impacts of future growth and questioned if a precedent would be set if this item were approved.

Councilmember Saroya asked what other places of worship exist in the area and stated she wanted to understand those that include preschools. She reported she had received 40 emails in support of this project.

Declared by Mayor Sanders that Ordinance No. 24-2551, "Ordinance Granting a Rezoning from Planned Business District (PBD) to Development Flex (DF) at 3680 Pheasant Ridge Drive," be introduced and placed on file for second reading at the June 17, 2024 Council meeting.

10.7. ORD 24-2552 First Reading

Ordinance Granting a Rezoning from Single Family Residential (R-1AA) to Development Flex (DF) at 9240 W 35W Service Drive NE. Boulder Villas (Boulder Contracting) (Case File No. 24-0022/SLK)

Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a rezoning from FR (Farm Residential) to DF (Development Flex) for the construction of 11 single-family lots.

Declared by Mayor Sanders that Ordinance No. 24-2552, "Granting a Rezoning from Single Family Residential (R-1AA) to Development Flex (DF) at 9240 W 35W Service Drive NE," be introduced and placed on file for second reading at the June 17, 2024 Council meeting.

10.8. ORD 24-2554 First Reading

Ordinance Granting a Rezoning from Heavy Industrial (I-2) to Heavy Industrial (I-2A) to Allow Truck Sales at 10070 Davenport Street NE. JD Trailers Properties LLC (Capacity Spotter Trucks) (Case File No. 24-0026/SLK)

Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a rezoning from Heavy Industrial (I-2) to

Heavy Industrial (I-2A) to allow truck sales at their existing truck repair business.

Declared by Mayor Sanders that Ordinance No. 24-2554, "Granting a Rezoning from Heavy Industrial (I-2) to Heavy Industrial (I-2A) to Allow Truck Sales at 10070 Davenport Street NE," be introduced and placed on file for second reading at the June 17, 2024 Council meeting.

10.9. ORD 24-2555 First Reading

Ordinance Granting a Rezoning for Certain Parcels from Regional Recreation (RR) to 105th Redevelopment District (RD). City of Blaine (Case File No. 24-0029/SAS)

Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the request is to change the zoning for a small additional area in the master plan for redevelopment to 105th Avenue Redevelopment District (RD). When the original changes were made in anticipation of the redevelopment project, this area was not included and has since been added to the overall project.

Declared by Mayor Sanders that Ordinance No. 24-2555, "Granting a Rezoning for Certain Parcels from Regional Recreation (RR) to 105th Redevelopment District (RD)," be introduced and placed on file for second reading at the June 17, 2024 Council meeting.

10.10. ORD 24-2553 First Reading

Ordinance Granting Amendments to the City of Blaine Zoning Ordinance for Sections 26.06, 30.15, 30.25 and 30.54 Related to Regulations for Car Washes. City of Blaine (Case File No. 24-0028/EJT)

Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the proposed ordinance amendment adds performance standards for car washes and provides language for legal non-conforming car washes.

Declared by Mayor Sanders that Ordinance No. 24-2553, "Granting Amendments to the City of Blaine Zoning Ordinance for Sections 26.06, 30.15, 30.25 and 30.43 related to regulations for Car Washes," be introduced and placed on file for second reading at the June 17, 2024 Council meeting.

11. Administration

11.1. 2024-203 Approve Amendment to City Manager's Employment Contract

Sponsors: City Council

City Attorney Loonan reported the City Manager's 2023 performance evaluation and compensation review process has been completed. The city council has conducted a performance evaluation process and compensation review. The amendment outlines changes to the city manager's employment contract to reflect a 3% COLA increase to salary,

vacation accrual, and a deferred compensation amount. Council is asked to approve an amendment to the employment contract.

Mayor Sanders read a brief summary of what the council considered and concluded during its comprehensive performance evaluation of City Manager Wolfe. The council determined the City Manager was performing extremely well and served the city with diligence and thoughtfulness.

Moved by Mayor Sanders, seconded by Councilmember Robertson, to Approve Amendment to City Manager's Employment Contract.

Councilmember Saroya inquired what the pay raise would be within the employment contract. Mr. Loonan reported the proposed annual salary for the City Manager would be \$210,705.

Councilmember Saroya asked how this compares to cities such as Edina, Minnetonka, and Woodbury. Mr. Loonan explained he did not have the Edina, Minnetonka and Woodbury contracts in front of him, however understood that City Manager Wolfe's contract would place her in the middle of salary ranges with comparable cities.

Councilmember Saroya reported she was of the opinion that Edina, Minnetonka and Woodbury were not fair comparisons to Blaine. She wanted to see the city be honest about its service levels and services provided to residents. She stated under this city manager, Blaine lost \$1.5 million that residents were not aware of. She discussed how only one councilmember provided the city manager with 5 out of 5 ratings. She reviewed staff comments from the May 2023 strategic planning session that noted greatest threats to the city were loss of great employees due to poor leadership, diversity, equity and inclusion, employee burnout, volume of staff turnover, culture at city hall, recruitment and retention, having a collaborative vision for the future of the city, cohesive vision for the community once fully developed, clarity of top level direction and courageous staff, and a shift towards proactive work. She was of the opinion there was a lot of gatekeeping occurring and would not be able to support this contract.

Councilmember Robertson explained the council received an email from the city's employment attorney on May 17, 2024 identifying city manager salaries from 14 different cities, including the three mentioned by Councilmember Saroya. She appreciated the council having space to disagree, but she did not appreciate how Councilmember Saroya was disagreeing and placing targets on the City Manager. She reported some of the staff comments were due to the volatility of the council and had nothing to do with staff's leadership. She discussed how the city of Blaine had a city manager form of government and encouraged the council to stop bring crosshairs into the council chambers because the city manager did not deserve this. She stated the hurling of insults was getting really difficult to manage.

Councilmember Saroya called for a point of order and said she did not believe she was hurling insults but rather read straight from an evaluation and feedback from staff. She reported she was doing her due diligence as a councilmember and believed this was important prior to considering a salary increase for a staff member.

Councilmember Larson reported the council looked at the top ten cities for comparables and noted the salary was within the top ten cities' realm. She was of the opinion City Manager Wolfe was doing an amazing job and has always made her feel really great and not new or less than with the questions she has had as a new councilmember.

Councilmember Massoglia clarified an inaccuracy brought by Councilmember Saroya in that he first stated the unfortunate issue of fraud that occurred in 2023 when discussing the budget. He explained he made public comments regarding this and it was false that councilmembers could not talk about this. He reported this had nothing to do with City Manager Wolfe's performance, but rather was something other cities were being attacked with. He was of the opinion City Manager Wolfe was doing a phenomenal job and he did not appreciate how the comments read were directed at one person in order to paint this person in a bad light. He indicated this has been a very difficult environment to lead in and he appreciated the grace and tremendous efforts coming from City Manager Wolfe.

Motion adopted 6-1 (Councilmember Saroya opposed).

12. Other Business

None.

13. Adjournment

Moved by Councilmember Robertson, seconded by Councilmember Newland, to adjourn the meeting at 8:13PM.

Motion adopted unanimously.



Signed by

Tim Sanders, Mayor

Signed by

Catherine M. Sorensen, CMC, City Clerk