



City of Blaine

City Council

September 4, 2024 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

AGENDA

1. Call to Order by the Mayor

2. Pledge of Allegiance

3. Roll Call

4. Awards - Presentations - Organizational Business

5. Communications

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.

7. Adoption of Agenda

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.

8.1. 2024-386 Schedule of Bills Paid
Sponsors: Jason Zimmerman, Finance Director

8.2. 2024-388 Approval of Minutes
Sponsors: Cathy Sorensen, City Clerk

8.3. 2024-328 Approve a Temporary Liquor License for the Chinese Community Center
Festival of Asian Culture and Foods
Sponsors: Cathy Sorensen, City Clerk

- 8.4.** 2024-364 Authorizing the Acquisition of Permanent Easement consistent with State Law for the 2024 Southwest Area Street Reconstruction Project, Improvement Project Number 24-07
Sponsors: Daniel Schluender, Director of Engineering
- 8.5.** RES 24-168 Resolution to Receive Petition and Order Public Hearing for Vacation of a portion of a Drainage and Utility Easement, on the west side, Lot 2, Block 3, Radisson Industrial Park, according to the recorded plat thereof, Anoka County, Minnesota; Vacation No. V24-04
Sponsors: Daniel Schluender, Director of Engineering
- 8.6.** RES 24-169 Resolution Authorizing an Interfund Loan for Advance of Certain Costs in Connection with a Tax Increment Financing District and Declaring the Official Intent to Reimburse Certain Capital Expenditures of a Project from the Proceeds of Tax-Exempt Bonds.
Sponsors: Jason Zimmerman, Finance Director
- 8.7.** ORD 24-2562 Second Reading
Amending Chapter 38 - Fire Prevention and Protection, Article II. Minnesota State Fire Code, Sec. 38-33 Fire Protection Permits and Inspection Program; Fire Sprinkler Systems
Sponsors: Todd Miller, Deputy Fire Marshal

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

- 9.1.** 2024-359 Consider On-Sale and Sunday Intoxicating Liquor Licenses for 21 168. LLC dba bb.q Chicken, 9360 Baltimore Street NE, Suite 100, Blaine
Sponsors: Cathy Sorensen, City Clerk
- 9.2.** RES 24-170 Resolution Adopting Assessment for 2023 Southeast Area Street Reconstructions, Improvement Project No. 23-08.
Sponsors: Daniel Schluender, Director of Engineering

10. Development Business

- 10.1.** RES 24-160 Resolution Granting a Variance to Store Semi-Trailers in a Portion of the Front Yard at 3701 85th Avenue NE. Old Dominion Freight Line (Case File No. 24-0046/EES)
Sponsors: Sheila Sellman, City Planner
- 10.2.** ORD 24-2559 First Reading
Ordinance Granting an Amendment to the City of Blaine Zoning Ordinance to Modify the Storm Shelter Requirement in the Manufactured Home (R-4) Zoning District to Match State Rules. Park of Four Seasons (Lakeshore Management) (Case File No. 23-0074/EES)

Sponsors: Sheila Sellman, City Planner

- 10.3.** ORD 24-2558 First Reading
Ordinance Approving a Rezoning from Medium Density Multifamily (R-3B) to Low Density Multi-Family (R-3A) at 10001 Polk Street NE. City of Blaine (Case File No. 24-0048/EJT)

Sponsors: Sheila Sellman, City Planner

- 10.4.** ORD 24-2561 First Reading
Ordinance Approving a Rezoning from Light Industrial (I-1) to Low Density Multi-Family (R-3A) at 10041 Polk Street NE. City of Blaine (Case File No. 24-0048/EJT)

Sponsors: Sheila Sellman, City Planner

- 10.5.** ORD 24-2557 Second Reading
Ordinance Approving Amendments to Section 39.901 (Definitions) and Section 30.904 (Permitted Uses in the 105th Avenue Redevelopment District) of the Zoning Ordinance to Add Cigar Lounge as a Permitted Use. Society Cigars (Pinpoint Community Development) (Case File No. 24-0040/SAS)

Sponsors: Sheila Sellman, City Planner

- 10.6.** ORD 24-2560 First Reading
Ordinance Approving Amendments to Section 29.010 Farm Residential (FR) and Section 29.020 Residential Estate (RE) of the Zoning Ordinance, Adding Ground Mounted Solar Systems as Accessory Uses. City of Blaine (Case File No. 24-0047/SLK)

Sponsors: Sheila Sellman, City Planner

11. Administration

- 11.1.** ORD 24-2563 First Reading
Amending Chapter 42 - Health and Sanitation, Article II. - Tobacco, Division 2. - License, Sec. 42-61. Generally.

Sponsors: Cathy Sorensen, City Clerk

- 11.2.** ORD 24-2564 First Reading
Article II. Intoxicating Liquor and 3.2 Percent Malt Liquor, Sec. 6-33. Definitions, Sec. 6-36. License Required; Number of Licenses, and Sec. 6-38. Kinds of Liquor Licenses.

Sponsors: Cathy Sorensen, City Clerk

- 11.3.** ORD 24-2556 First Reading
Amending Chapter 82 - Traffic and Vehicles, Article I. - In General, Article IV. - Stopping, Standing, and Parking, Adding Sec. 82-157 Median Safety

Sponsors: Brian Podany, Safety Services Manager/Police Chief

12. Other Business

13. Adjournment

CITY OF BLAINE

**SUBSET OF PAYMENTS BETWEEN \$20,000 AND \$50,000 FROM THE SCHEDULE OF BILLS PAID
APPROVED ON 9/4/2024 FOR PAYMENTS THE WEEK OF 8/9/2024**

Vendor Name	Description	Amount
SHORT ELLIOTT HENDRICKSON INC	Construction Services-Pleasure Creek	\$ 20,922.68
DODGE OF BURNSVILLE	Dodge Durango Patrol Vehicle	\$ 42,577.00
DODGE OF BURNSVILLE	Dodge Durango Patrol Vehicle	\$ 42,577.00
DODGE OF BURNSVILLE	Dodge Durango Patrol Vehicle	\$ 42,577.00
CENTER FOR ENERGY & ENVIRONMENT	EDA HIL Loans - June 2024	\$ 43,450.00
G E KNUTSON INC	SP19-009, South Terrace Cove	\$ 48,673.50

CITY OF BLAINE**SCHEDULE OF BILLS PAID****APPROVED ON 9/04/2024 FOR PAYMENTS THE WEEK OF 8/16/2024**

Vendor Name	Description	Amount
4 ACE PRODUCTIONS	Presentation at Safety Camp	\$ 395.00
ACEK9	Temp monitor system for new K9	\$ 923.32
ALLIANCE TECHNICAL GROUP LLC	Water testing/analysis	\$ 660.00
ALLINA HEALTH SYSTEM	3rd quarter education	\$ 1,000.00
AMAZON CAPITAL SERVICES	New Hire green folders	\$ 19.88
AMAZON CAPITAL SERVICES	Computer Charging Cords	\$ 8.99
AMAZON CAPITAL SERVICES	Rollers-Canon scanner	\$ 74.40
AMAZON CAPITAL SERVICES	Wireless key pad and mouse	\$ 77.49
AMAZON CAPITAL SERVICES	Microphone for events	\$ 38.76
AMAZON CAPITAL SERVICES	PW Mech; Tire Tools	\$ 40.82
AMAZON CAPITAL SERVICES	PW Mech; Tire Tools	\$ 219.56
AMAZON CAPITAL SERVICES	3 I Phone Cords for charging	\$ 7.98
AMAZON CAPITAL SERVICES	Office Supplies	\$ 107.66
AMAZON CAPITAL SERVICES	Mouse	\$ 30.22
AMAZON CAPITAL SERVICES	pens, white out, label tape	\$ 193.16
AMAZON CAPITAL SERVICES	Computer Parts & Components	\$ 489.58
AMAZON CAPITAL SERVICES	vent cover for trailer	\$ 30.99
AMAZON CAPITAL SERVICES	Mouse	\$ 359.97
AMAZON CAPITAL SERVICES	iPhone case/screen protector	\$ 44.94
ANOKA COUNTY	2024 County Recordings	\$ 138.00
ANOKA COUNTY	2024 Mortgage Recordings	\$ 46.00
ANOKA COUNTY LICENSE BUREAU	New Registration - PD	\$ 87.00
AT&T	Cell tower dump - # 24105283	\$ 245.00
AT&T MOBILITY	EMPLOYEE CELL PHONES	\$ 10,519.34
AT&T MOBILITY	Cell Phone Trade-In	\$ (130.00)
AUTOMATIC SYSTEMS COMPANY	Well # Vega Replace	\$ 4,521.00
AUTONATION FORD	Heater/AC Repair; 2379	\$ 2,649.03
AUTONATION FORD	Engine Repair; 5302	\$ 351.82
BARNUM COMPANIES INC	CH quarterly planned maint	\$ 1,650.00
BARR ENGINEERING COMPANY	WTP2 Preventative Maint	\$ 6,601.37
BAUER BUILT INC	Tire Change; 4603	\$ 157.60
BEAUDRY OIL & PROPANE	Fuel Delivery	\$ 9,092.83
BEAUDRY OIL & PROPANE	Fuel Delivery	\$ 10,884.44
BERNHOF LUCY	Park & Rec Refund	\$ 13.80
BERNHOF LUCY	Park/Rec Refund	\$ 13.80
BLAINE CENTRAL VET CLINIC	Blaine Central Vet Clinic	\$ 1,800.00
BLANKENSHIP DANIELLE	Park & Rec Refund	\$ 13.80

BLANKENSHIP DANIELLE	Park/Rec Refund	\$ 13.80
BOLTON & MENK INC	T-Mobile - Tower 2	\$ 402.00
BOUND TREE MEDICAL LLC	Medical supplies	\$ 99.36
BOUND TREE MEDICAL LLC	Medical supplies	\$ 11.79
BOUND TREE MEDICAL LLC	Medical Supplies	\$ 296.08
BRAUN INTERTEC CORPORATION	Construction Materials Testing	\$ 2,975.00
CAPITAL REAL ESTATE	Heartland Dental, Noodles & Co.	\$ 5,000.00
CAPITAL REAL ESTATE	B22-04253, Cafe Zupas	\$ 2,550.00
CARR'S TREE SERVICE INC	Tree Removal/limb pruning	\$ 1,800.00
CENTERPOINT ENERGY	Gas Service	\$ 353.81
CENTRAL TURF & IRRIGATION	Irrigation Supplies Check valves	\$ 1,767.22
CENTURYLINK	Telephone Service	\$ 127.36
CHAMBERS AMANDA	Park/Rec Refund	\$ 13.80
CINTAS CORPORATION	CH Mats/Rugs	\$ 205.47
CINTAS CORPORATION	Uniform/Rug Rentals - PW	\$ 232.95
CINTAS CORPORATION	MAYC - Mats/Rugs	\$ 38.42
CINTAS CORPORATION	CH med cabinet supplies	\$ 279.00
CINTAS CORPORATION	Cold storage medical cabinet	\$ 61.73
CLIMB THEATRE	Presentation at Safety Camp	\$ 550.00
COMCAST	Cable TV	\$ 36.22
COMCAST	PW Cable TV	\$ 20.98
COMCAST	Internet for Public Wi-Fi	\$ 306.08
COON RAPIDS POLICE DEPT	3M RPS for Outside Police Services	\$ 2,014.86
CORE & MAIN LP	2" Meters for Resale	\$ 16,799.63
CORE & MAIN LP	1.5" and 2" Meters for Resale	\$ 2,033.00
CRISTINO ROBERT	Park/Rec Refund	\$ 13.80
CRISTINO ROBERT	Park & Rec Refund	\$ 13.80
CUB FOODS INC	USA Cup Soccer supplies	\$ 45.95
D R HORTON INC	Escrow Refund - 13048 Ghia St NE	\$ 7,300.00
D R HORTON INC	Escrow Refund - 13056 Erskin St NE	\$ 4,900.00
D R HORTON INC	Escrow Refund - 13030 Ghia St NE	\$ 4,800.00
D R HORTON INC	Escrow Refund - 13038 Erskin St NE	\$ 4,900.00
D R HORTON INC	Escrow Refund - 13042 Ghia St NE	\$ 7,300.00
D R HORTON INC	Escrow Refund - 13044 Erskin St NE	\$ 4,900.00
DARRELL'S CONTRACTING INC	Blacktop Repair; Eastside Park	\$ 4,100.00
EASTMAN ROSE	Park/Rec Refund	\$ 13.80
ECM PUBLISHERS INC	2024 Public Hearing Notices	\$ 75.25
EDWARDS ALAN	Softball Umpire Fees	\$ 372.00
ELECTRIC PUMP INC	Sewer LS 12 Soft Starter	\$ 5,973.62
ELECTRIC PUMP INC	Sewer LS 4 Soft Starter	\$ 6,914.15
ELECTRIC PUMP INC	Sewer Mini Cas; LS 13 pump 1	\$ 1,540.86
EMERGENCY AUTOMOTIVE TECH	Tonneau Cover PD Vehicle	\$ 374.99
FACTORY MOTOR PARTS COMPANY	Battery for 4431	\$ 140.52
FELLOWS MEGAN	Park/Rec Refund	\$ 13.80

FERGUSON ENTERPRISES INC #1657	WTP 3 system parts	\$ 1,119.64
FLAGSHIP RECREATION	Playground Parts: President Park	\$ 2,757.35
FRANKENSIGNS INC	PD locker nameplates	\$ 208.00
FRIENDLY CHEVROLET INC	Pads/Rotors for PD Stock	\$ 648.86
FRIENDLY CHEVROLET INC	Pads/Rotors for PD Stock	\$ 1,764.36
FRIENDLY CHEVROLET INC	Pads/Rotors for PD Stock	\$ 466.64
FRIENDLY CHEVROLET INC	Pads/Rotors for PD Stock	\$ 466.64
FRIENDLY CHEVROLET INC	Pads/Rotors for PD Stock	\$ 466.64
GOEDEKE BRIDGET	Park/Rec Refund	\$ 13.80
GOPHER STATE ONE CALL INC	2024 Water & Sewer Locate Fees	\$ 1,744.20
GRAINGER	Key drop box; water	\$ 77.79
GREAT RIVER AUTOMATION LLC	PW - BAS upgrade	\$ 8,850.00
GREAT RIVER AUTOMATION LLC	PW - BAS upgrade	\$ 8,525.00
GREAT RIVER AUTOMATION LLC	PW - BAS upgrade	\$ 7,080.00
GREAT RIVER AUTOMATION LLC	PW - BAS upgrade	\$ 22,165.00
GREAT RIVER AUTOMATION LLC	PW - BAS upgrade	\$ 1,770.00
GREAT RIVER AUTOMATION LLC	PW - BAS upgrade	\$ 3,410.00
GREAT RIVER AUTOMATION LLC	PW MAU-13 controller upgrade	\$ 3,362.00
GROUP HEALTH NON-PATIENT A/R	Wellness Program Charges (June)	\$ 231.00
HACH COMPANY	Water Testing Equipment Maint	\$ 7,111.00
HAMBLETON CARRIE	Park/Rec Refund	\$ 13.80
HANSON SPORTS LLC	Summer Sports Camps	\$ 1,278.80
HAUSER DREW	DJ for Safety Camp	\$ 172.50
HAWKINS INC	Water Treatment Chemicals	\$ 11,383.95
HERITAGE LANDSCAPE SUPPLY GROUP	Round up for Parks	\$ 399.84
HOFFMAN RACHAEL	Park/Rec Refund	\$ 13.80
INGINA LLC	Summer tech camp	\$ 572.00
INTEGRA CLEAR COMPANY	F350's Dechlorinator/Diffuser Kits	\$ 6,637.00
INTOXIMETERS INC	PBT Repair S/N 13111022	\$ 195.00
JOHNSON LITHO GRAPHICS	August MAYCConnect Newsletter	\$ 2,012.89
JUNKERT AMANDA	Park/Rec Refund	\$ 13.80
KATH FUEL OIL SERVICE COMPANY	Grease/Oil for Mechanics	\$ 2,556.82
LENNAR	Escrow Refund - 4358 129th Ct NE	\$ 7,200.00
LENNAR	Escrow Refund - 4287 129th Ave NE	\$ 4,700.00
LENNAR	Escrow Refund - 12912 Isetta Ct NE	\$ 4,900.00
LOWE'S HOME CENTERS INC	Hex bit drivers; Water	\$ 49.36
LRS PORTABLES OF MINNESOTA	Satellite Rental - Parks	\$ 122.38
MACQUEEN EQUIPMENT INC	Flail Kit/Blades/Bolts-1322-3	\$ 675.10
MANAGED SERVICES INC	CH soap, tp, liners	\$ 756.59
MARTIN MARIETTA MATERIALS	Patching Material for Streets/Water	\$ 330.06
MASERA KRISTA	Park/Rec Refund	\$ 13.80
MC TOOL & SAFETY SALES	7 Mil Gloves/Jake Hammer	\$ 1,265.43
MCNELLIS ASHLEE	Park/Rec Refund	\$ 13.80
MENARDS - BLAINE	PW Storm; Batteries	\$ 73.68

MENARDS - BLAINE	CH plug in, cable, connector	\$ 68.87
MENARDS - BLAINE	Wheel Barrows/Rakes/Pitch Forks	\$ 903.75
MENARDS - BLAINE	Tie Downs; Sign Shop	\$ 22.35
MENARDS - BLAINE	glue, threshold, door seal, tape	\$ 65.08
METRO SALES INCORPORATED	Copier Maintenance and Support	\$ 480.36
METRO SALES INCORPORATED	Copier Maintenance and Support	\$ 587.70
METRO SALES INCORPORATED	Copier Maintenance and Support	\$ 4,038.00
MICKMAN BROTHERS INC	Median Maintenance	\$ 2,921.90
MICKMAN BROTHERS INC	Median Maintenance	\$ 2,157.14
MICKMAN BROTHERS INC	109th/105th Weed Control	\$ 1,335.71
MICKMAN BROTHERS INC	Removal of dead tree in median	\$ 200.00
MILLERBERND KATHERINE	Park/Rec Refund	\$ 13.80
MINNESOTA EQUIPMENT - HAM LAKE	Weed Whip; PW	\$ 92.97
MINNESOTA EQUIPMENT - ISANTI	Filters for PW Stock	\$ 215.74
MINNESOTA POLLUTION CONTROL	Wastewater Examination fees	\$ 385.00
MTI DISTRIBUTING INC	Tie Rod/Blades; Mowers	\$ 438.66
MTI DISTRIBUTING INC	Spray Tips; 2429	\$ 119.12
MUIRHEAD KELLY	Park/Rec Refund	\$ 13.80
NEHRING ERIC	Park/Rec Refund	\$ 125.00
NORTHLAND CAPITAL EQUIPMENT	Fitness Equipment Lease	\$ 832.43
OLDS KIRSTEN	Park/Rec Refund	\$ 13.80
OLDS KIRSTEN	Park/Rec Refund	\$ 13.80
OLEARY MICHAEL	Park/Rec Refund	\$ 13.80
O'REILLY AUTOMOTIVE INC	Credit	\$ (31.99)
O'REILLY AUTOMOTIVE INC	Motor Oil for PD Stock	\$ 179.76
O'REILLY AUTOMOTIVE INC	Pads/Rotors; 5287	\$ 169.99
O'REILLY AUTOMOTIVE INC	Trailer lights	\$ 62.37
O'REILLY AUTOMOTIVE INC	Batteries	\$ 166.04
O'REILLY AUTOMOTIVE INC	Cabin Filter	\$ 10.99
PAFFY'S PEST CONTROL INC	PW - Monthly pest control	\$ 134.00
PAFFY'S PEST CONTROL INC	CH - monthly pest control	\$ 80.35
PAFFY'S PEST CONTROL INC	MAYC - Monthly pest control	\$ 59.75
PANEK AIMEE	Park & Rec Refund	\$ 125.00
PENDERGRASSS ALI	Park/Rec Refund	\$ 13.80
PIONEER CYCLE	Helmet and Gloves for officers	\$ 103.99
PIONEER CYCLE	Helmet and Gloves for officers	\$ 107.00
PIONEER MANUFACTURING COMPANY	Lining Paint for Parks	\$ 2,655.00
PITNEY BOWES INC	Postage Machine supplies	\$ 531.15
PRECISE MRM LLC	PW GPS Management - June	\$ 1,480.00
PRECISION LAND AND TREE CLEARING	Fibar for Parks	\$ 2,405.00
PROFESSIONAL MECHANICAL SERVICES	Permit Refund B24-03065	\$ 60.00
PRO-TEC DESIGN INC	Bandshell WiFi Patch Panel	\$ 752.56
QUEST 2001 LLC	SP23-0005, Culver's Blaine	\$ 4,445.00
RAMSEY COUNTY	Traffic Signal Maintenance	\$ 115.00

RDO EQUIPMENT COMPANY	Filter - PW Stock	\$ 340.57
ROERS ELIZABETH	Park/Rec Refund	\$ 13.80
ROERS ELIZABETH	Park/Rec Refund	\$ 13.80
S & S INDUSTRIAL SUPPLY INC	Bolt removal sockets - Streets	\$ 116.66
SAM'S CLUB/SYNCHRONY BANK	Concessions for Lakeside Park	\$ 315.72
SAM'S CLUB/SYNCHRONY BANK	items for pork chop dinner	\$ 324.60
SAM'S CLUB/SYNCHRONY BANK	Concessions for Lakeside Park	\$ 157.84
SAM'S CLUB/SYNCHRONY BANK	Food for safety camp	\$ 55.26
SAM'S CLUB/SYNCHRONY BANK	Cash Register for Lakeside Park	\$ 133.74
SAM'S CLUB/SYNCHRONY BANK	items for pork chop dinner	\$ 87.67
SAM'S CLUB/SYNCHRONY BANK	items for pork chop dinner	\$ 47.54
SAM'S CLUB/SYNCHRONY BANK	Park/Rec Supplies	\$ 216.10
SAM'S CLUB/SYNCHRONY BANK	Concessions for Lakeside Park	\$ 212.66
SERNA BLANCA L	Home Improvement Grant	\$ 2,668.00
SOHLER AMANDA	Park/Rec Refund	\$ 13.80
SOKOL QUOCTUYEN NINI	Park/Rec Refund	\$ 13.80
STERICYCLE INC	Credit	\$ (373.02)
STERICYCLE INC	Paper Shredding	\$ 266.29
STERICYCLE INC	June shred	\$ 145.59
STONE CREEK HOMES INC	Escrow Refund - 2543 Quail Creek	\$ 4,900.00
SUBURBAN TIRE WHOLESALE INC	Tires for 5303	\$ 270.06
SUBURBAN TIRE WHOLESALE INC	Tires for PD Stock	\$ 1,524.00
SUSTAINABLE SAFARI LLC	Presentation at Safety Camp	\$ 435.00
TJO TX-MN	SP16-06, Blaine Mini Storage	\$ 9,880.00
TRI-STATE BOBCAT INC	Toolcat CV Shaft supplies	\$ 650.33
TRI-STATE BOBCAT INC	Blade kit/Plates/Bearing	\$ 472.17
TURK BRITTANY	Park/Rec Refund	\$ 13.80
TWIN CITIES FANTASY FACTORY LLC	Presentation at Safety Camp	\$ 750.00
US BANK	2021A Paying Agent Fees	\$ 500.00
VANG TOU	Reimbursement for training	\$ 493.29
WOLF LISA	Park/Rec Refund	\$ 27.60
WSB & ASSOCIATES INC	99th Ave/Baltimore St Roundabout	\$ 300.00
WSB & ASSOCIATES INC	AUAR Contract - Northtown	\$ 2,121.75
WSB & ASSOCIATES INC	NW Area St Reconstruction	\$ 7,430.25
XCEL ENERGY	Electric Service - Siren	\$ 10.00
XCEL ENERGY	Electric Service - Signal	\$ 64.99
XCEL ENERGY	Electric Service - Signal	\$ 61.40
XCEL ENERGY	Electric Service	\$ 11.74
ZERO ABUSE PROJECT	Presentation at Safety Camp	\$ 450.00

CITY OF BLAINE

**SUBSET OF PAYMENTS BETWEEN \$20,000 AND \$50,000 FROM THE SCHEDULE OF BILLS PAID
APPROVED ON 9/4/2024 FOR PAYMENTS THE WEEK OF 8/16/2024**

Vendor Name	Description	Amount
GREAT RIVER AUTOMATION LLC	PW - BAS upgrade	\$ 22,165.00

CITY OF BLAINE**SCHEDULE OF BILLS PAID****APPROVED ON 9/4/2024 FOR PAYMENTS THE WEEK OF 8/9/2024**

Vendor Name	Description	Amount
AMAZON CAPITAL SERVICES	Phone Case - Engineering	\$ 19.99
AMAZON CAPITAL SERVICES	Supplies for Playnet	\$ 43.14
AMAZON CAPITAL SERVICES	PW Charging Station, Gatorade	\$ 318.83
AMAZON CAPITAL SERVICES	PW - Tools	\$ 57.19
AMAZON CAPITAL SERVICES	Ergo mouse (3), Tylenol (2)	\$ 120.05
AMAZON CAPITAL SERVICES	Curtains quiet room	\$ 19.00
AMAZON CAPITAL SERVICES	Anti-Fatigue floor mat	\$ 49.95
AMAZON CAPITAL SERVICES	Clear Self-Adhesive Filling Labels	\$ 19.70
AMAZON CAPITAL SERVICES	supplies for Playnet	\$ 96.90
AMAZON CAPITAL SERVICES	Bins, Mop, Table, Calendar	\$ 213.79
AMAZON CAPITAL SERVICES	PW Self Inking Stamp	\$ 38.40
AMERICAN ENVIRONMENTAL LLC	Repair Storm Sewer	\$ 5,660.00
ANOKA COUNTY LICENSE BUREAU	Tab Renewal - PD	\$ 32.50
ANOKA COUNTY TREASURY DEPT	Connect Anoka County Fiber	\$ 812.50
ANOKA POLICE DEPARTMENT	3M RPS for Outside Police Services	\$ 1,440.00
ASPEN MILLS INC	clothing and uniforms	\$ 1,139.95
ASPEN MILLS INC	clothing and uniforms	\$ 325.70
ASPEN MILLS INC	clothing and uniforms	\$ 109.99
ASPEN MILLS INC	clothing and uniforms	\$ 109.99
ASPEN MILLS INC	clothing and uniforms	\$ 2,021.21
ASPEN MILLS INC	clothing and uniforms	\$ 2,717.15
ASPEN MILLS INC	clothing and uniforms	\$ 2,661.01
ASPEN MILLS INC	clothing and uniforms	\$ 2,646.70
ASPEN MILLS INC	clothing and uniforms	\$ 49.99
ASPEN MILLS INC	clothing and uniforms	\$ 159.90
ASPEN MILLS INC	clothing and uniforms	\$ 67.45
ASPEN MILLS INC	clothing and uniforms	\$ 26.85
ASPEN MILLS INC	clothing and uniforms	\$ 7.43
ASPEN MILLS INC	clothing and uniforms	\$ 137.90
ASPEN MILLS INC	clothing and uniforms	\$ 219.79
ASPEN MILLS INC	clothing and uniforms	\$ 137.90
ASPEN MILLS INC	clothing and uniforms	\$ 111.90
ASPEN MILLS INC	clothing and uniforms	\$ 299.92
ASPEN MILLS INC	clothing and uniforms	\$ 84.85
ASPEN MILLS INC	clothing and uniforms	\$ 1,695.12
ASPEN MILLS INC	clothing and uniforms	\$ 183.85
ASTLEFORD INTERNATIONAL	Lights for 4615	\$ 78.39

AT&T MOBILITY	Cell Phone Service - PD	\$	8,358.28
AXON ENTERPRISES INC	Taser holsters/mounts	\$	83.20
AXON ENTERPRISES INC	Taser holsters/mounts	\$	204.80
AXON ENTERPRISES INC	inert taser training magazines	\$	320.00
BACHMAN TRENT	Meal/hotel for training	\$	413.84
BARNUM COMPANIES INC	PD planned maintenance gates	\$	280.00
BARR ENGINEERING COMPANY	WTP #4 Construction	\$	2,601.80
BARR ENGINEERING COMPANY	WTPs 1-3 Upgrade Project	\$	195.50
BCA-CHAU RECORDS	Liquor license background fees	\$	33.25
BCI CONSTRUCTION INC	Aquatone Bandshell Construction	\$	76,698.25
BEAUDRY OIL & PROPANE	Fuel Delivery	\$	5,040.17
BEAUDRY OIL & PROPANE	Fuel Delivery	\$	13,271.40
BLAINE AREA PET HOSPITAL PA	Veterinary Services for Canines	\$	602.27
BLAINE AREA PET HOSPITAL PA	Veterinary Services for Canines	\$	337.91
BLAINE CUSTOM APPAREL	Kickball Shirts	\$	1,385.50
BOLTON & MENK INC	SW Area St Reconstruction	\$	12,770.50
BOLTON & MENK INC	Lift Station 1 Force Main	\$	660.50
BOLTON & MENK INC	Lead Service Line Inventory	\$	12,655.50
BOLTON & MENK INC	Lift Station 13 Force Main Phase 2	\$	5,222.00
BOLTON & MENK INC	Ulysses & 117th Ave Roundabout	\$	490.29
BOLTON & MENK INC	Ulysses/117th Roundabout	\$	6,637.00
BOUND TREE MEDICAL LLC	Medical Supplies	\$	263.58
CAPITAL ONE TRADE CREDIT	Tools/Supplies for F350 #4629	\$	627.68
CAPITAL ONE TRADE CREDIT	Tool box/Light/battery/Tote	\$	612.67
CAPITAL ONE TRADE CREDIT	Tools/Supplies for F350 #4630	\$	1,687.98
CAPITAL ONE TRADE CREDIT	Tools/Supplies for F350 #4630	\$	486.48
CAPITAL ONE TRADE CREDIT	Transfer Pump - Parks	\$	309.44
CAPITAL ONE TRADE CREDIT	Lift assist for trailer 2332	\$	189.99
CAPITAL ONE TRADE CREDIT	Tools/Supplies for F350 #4629	\$	1,275.14
CAPITAL ONE TRADE CREDIT	Tools/Supplies for F350 #4628	\$	1,765.90
CAPITAL ONE TRADE CREDIT	Tools/Supplies for F350 #4629	\$	241.28
CAPSTONE HOMES INC	Escrow Refund - 2099 120th Ave NE	\$	4,800.00
CARLSON CAREY	CDL Reimbursement	\$	11.00
CENTENNIAL LAKES POLICE DEPT	3M RPS for Outside Police Services	\$	630.24
CENTER FOR ENERGY & ENVIRONMENT	EDA HIL Loans - June 2024	\$	43,450.00
CENTERPOINT ENERGY	July 2024 Gas Service	\$	3,246.50
CENTRAL TURF & IRRIGATION SUPPLY	Irrigation Supplies	\$	583.03
CINTAS CORPORATION	Uniform/Rug Rentals - PW	\$	424.75
CINTAS CORPORATION	MAYC - Mats/Rugs	\$	38.42
CINTAS CORPORATION	MAYC medical cabinet supplies	\$	7.15
CITY OF LEXINGTON	August 2024 Sewer	\$	4,295.35
COLUMBIA HEIGHTS POLICE DEPT	3M RPS for Outside Police Services	\$	540.00
COMO LUBE & SUPPLIES INC	Disposal fees	\$	10.00
COMO LUBE & SUPPLIES INC	Disposal fees; Used Oil Filters	\$	60.00

COMPUTER EXPLORERS	Summer tech camps	\$	2,540.00
CONFITREK INC	Training software - PD	\$	7,392.00
CONNEXUS ENERGY	951 124th Ln NE/Well #12,#13	\$	9,895.12
CONNEXUS ENERGY	10801 Town Square Drive	\$	10,966.70
CREATIVE HOMES INC	Escrow Refund - 13235 Jewell St NE	\$	4,900.00
CREATIVE HOMES INC	Escrow Refund - 13227 Jewell St NE	\$	5,000.00
CUSTOM TRUCK ONE SOURCE	Hose for Crane repair; 1248	\$	701.92
CYBER ADVISORS INC	Networking Assistance	\$	337.50
CYBER ADVISORS INC	Networking Assistance	\$	530.00
CYBER ADVISORS INC	SharePoint Intranet Consulting	\$	1,125.00
CYBER ADVISORS INC	iSCSI and Veeam Assistance	\$	562.50
D R HORTON INC	Escrow Refund - 13091 Erskin St NE	\$	7,400.00
D R HORTON INC	Escrow Refund - 12720 Erskin St NE	\$	4,900.00
D R HORTON INC	Escrow Refund - 12673 Erskin St NE	\$	4,900.00
D R HORTON INC	Escrow Refund - 12674 Erskin St NE	\$	4,900.00
D R HORTON INC	Escrow Refund - 12669 Erskin St NE	\$	4,900.00
D R HORTON INC	Escrow Refund - 12678 Erskin St NE	\$	4,900.00
D R HORTON INC	Escrow Refund - 12655 Erskin St NE	\$	7,400.00
D R HORTON INC	Escrow Refund - 12748 Erskin St NE	\$	4,900.00
D R HORTON INC	Escrow Refund - 12546 Edison Cir NE	\$	7,300.00
DARRELL'S CONTRACTING INC	Blacktop repair at East Lake Park	\$	4,100.00
DODGE OF BURNSVILLE	Dodge Durango Patrol Vehicle	\$	42,577.00
DODGE OF BURNSVILLE	Dodge Durango Patrol Vehicle	\$	42,577.00
DODGE OF BURNSVILLE	Dodge Durango Patrol Vehicle	\$	42,577.00
DOUGLAS KERR UNDERGROUND LLC	NE Area Street Reconstruction	\$	62,369.59
ECM PUBLISHERS INC	Publication	\$	32.25
EDUCATION & TRAINING SERVICES	PW Adv Mgmt/Supervisory Training	\$	2,745.00
EMERGENCY AUTOMOTIVE TECH	Upfit Squad 5333	\$	4,058.82
ENVIRONMENTAL EQUIPMENT	Water Pump; 4615	\$	668.00
ENVIROTECH SERVICES INC	Dust Control - Gravel Roads	\$	13,404.72
FERGUSON ENTERPRISES LLC #3325	Tools/Supplies for F350	\$	537.47
FERGUSON WATERWORKS #2518	Tools/Supplies for F350 #4629	\$	1,516.56
FERGUSON WATERWORKS #2518	Tools/Supplies for F350	\$	1,446.31
FERGUSON WATERWORKS #2518	Tools/Supplies for F350 #4630	\$	837.84
FISHING LIBRARY LLC	Summer Fishing Class	\$	180.00
FLEXIBLE PIPE TOOLS & EQUIPMENT	Butterfly Valve; 4506	\$	1,438.60
FRIDLEY POLICE DEPARTMENT	3M RPS for Outside Police Services	\$	11,210.00
FRIENDLY CHEVROLET INC	Fuel Door; 5329	\$	23.43
FRIENDLY CHEVROLET INC	Rotor bolts for PD Stock	\$	13.58
FRIENDLY CHEVROLET INC	Rotor bolts for PD Stock	\$	27.16
FRIENDLY CHEVROLET INC	Blower Motor; 5314	\$	145.82
G E KNUTSON INC	SP19-009, South Terrace Cove	\$	48,673.50
GALLS LLC	Clothing and uniforms	\$	360.00
GALLS LLC	Clothing and uniforms	\$	270.00

GRAINGER	Pressure gauge; Water	\$	64.45
HANSON SPORTS LLC	Summer Skyhawks Camp	\$	7,504.20
HAWKINS INC	Water Treatment Chemicals	\$	8,996.00
INNOVATIVE OFFICE SOLUTIONS	Copy Paper	\$	468.80
INSIGHT PUBLIC SECTOR INC	UPS for the Bandshell	\$	523.64
INSIGHT PUBLIC SECTOR INC	Creative Cloud license for GIS	\$	915.89
JEFF BELZER'S ROSEVILLE AUTO INC	Tensioner/Pully for 5323	\$	401.47
JEFF BELZER'S ROSEVILLE AUTO INC	Drive & Axle shaft; 5323	\$	945.55
JONATHAN HOMES OF MN LLC	Refund Permit #B24-01762	\$	215.00
KNOBLAUCH KYLENE	Softball Umpire Fees	\$	1,071.00
LAGOON NATHAN	Work boots - Seasonal	\$	30.00
LANDBRIDGE ECOLOGICAL	BMP & Mitigation Maintenance	\$	5,075.00
LAWSON PRODUCTS INC	Mechanic shop supplies	\$	913.31
LAWSON PRODUCTS INC	Mechanic shop supplies	\$	808.75
LAWSON PRODUCTS INC	Water: Curb Stop Parts	\$	117.59
LAWSON PRODUCTS INC	Mechanic shop supplies: Grommet	\$	22.25
LAWSON PRODUCTS INC	Mechanic shop supplies	\$	1,287.47
LAWSON PRODUCTS INC	Credit	\$	(1,925.11)
LENNAR	Escrow Refund - 4476 128th Ln NE	\$	4,700.00
LENNAR	Escrow Refund - 3502 110th Ln NE	\$	4,900.00
LENNAR	Escrow Refund - 12885 Isetta Ct NE	\$	4,900.00
LENNAR	Escrow Refund - 3626 110th Ln NE	\$	4,800.00
LENNAR	Escrow Refund - 3649 110th Ln NE	\$	4,700.00
LENNAR	Escrow Refund - 3505 110th Ln NE	\$	4,800.00
LENNAR	Escrow Refund - 3559 110th Ln NE	\$	4,800.00
LENNAR	Escrow Refund - 11040 Okinawa St NE	\$	7,300.00
LENNAR	Escrow Refund - 11050 Okinawa St NE	\$	4,600.00
LENNAR	Escrow Refund - 11055 Okinawa St NE	\$	4,900.00
LENNAR	Escrow Refund - 4441 128th Ln NE	\$	4,900.00
LENNAR	Escrow Refund - 12854 Fraizer St NE	\$	4,800.00
LENNAR	Escrow Refund - 11020 Okinawa St NE	\$	4,900.00
LENNAR	Escrow Refund - 11065 Okinawa St NE	\$	5,000.00
LENNAR	Escrow Refund - 11060 Okinawa St NE	\$	4,700.00
LLOYDS CONSTRUCTION SERVICES INC	Demo Refund - 4608 103rd Ln NE	\$	2,000.00
LUTHER BROOKDALE CHEVROLET	Seat belt Warning/Air bags; 5307	\$	896.01
MARTIN MARIETTA MATERIALS	Patching Material for Storm Water	\$	68.50
MAYER ARTS INC	Summer Theater Camps	\$	3,096.00
MENARDS - BLAINE	Sewer Supplies	\$	31.42
MENARDS - BLAINE	WTP Repair parts	\$	30.57
MENARDS - BLAINE	Mechanic shop supplies	\$	78.27
MENARDS - BLAINE	hose for the gardeners	\$	45.98
MENARDS - BLAINE	Mechanic shop supplies	\$	16.49
MENARDS - BLAINE	3M CP Supplies - PD	\$	129.20
MENARDS - BLAINE	Antenna, wall mount	\$	53.92

MIDWAY FORD COMPANY	Credit	\$ (1,457.00)
MIDWAY FORD COMPANY	Rotor/Pads/Kits; PW Stock	\$ 1,579.00
MIDWAY FORD COMPANY	Seat Belt Assembly/Resistor; 4485	\$ 317.34
MIDWAY FORD COMPANY	Taillight; 2424	\$ 233.32
MIDWAY FORD COMPANY	Sensors for 3424	\$ 195.12
MIDWAY FORD COMPANY	Sensors for 3424	\$ 106.92
MIDWAY FORD COMPANY	Credit	\$ (73.04)
MIDWAY FORD COMPANY	Credit	\$ (75.00)
MILLS FLEET FARM	HYDRANT PERMIT DEPOSIT REFUND	\$ 263.79
MINERAL SERVICE PLUS	HYDRANT METER DEPOSIT REFUND	\$ 4,153.60
MINNESOTA HIGHWAY SAFETY	PIT hybrid training	\$ 645.00
MINNESOTA VALLEY TESTING LABS	Water testing at Lakeside Commons Park	\$ 76.00
MISSLING ARLEN	Park/Rec Refund	\$ 68.00
MN GIS/LIS CONSORTIUM	MN GIS/LIS Conference Registration; PW	\$ 625.00
MN GIS/LIS CONSORTIUM	MN GIS/LIS Conference Registration; PW	\$ 1,250.00
MORREIM BRADLEY	Jury Duty Mileage Reimburse	\$ 50.22
MTI DISTRIBUTING INC	B/O Mower Blades - Stock/Mirrors	\$ 108.96
MTI DISTRIBUTING INC	B/O Mower Blades - Stock/Mirrors	\$ 118.55
MTI DISTRIBUTING INC	Belts-V for PW Stock	\$ 147.94
MTI DISTRIBUTING INC	Belts-V for PW Stock	\$ 87.38
NATIONAL SPORTS CENTER	HYDRANT METER DEPOSIT REFUND	\$ 375.00
NATIONAL SPORTS CENTER	HYDRANT METER DEPOSIT REFUND	\$ 375.00
NATIONAL SPORTS CENTER	MASC/COB Field 55/46 Construction #5	\$ 2,200,000.00
NORTHERN SANITARY SUPPLY CO	Hand Soap/Dispensers: LAC/BBC/JPC	\$ 718.20
OFFICE OF MNIT SERVICES	Telephone and Internet Services	\$ 586.68
OPENGOV INC	Expenses for OpenGov	\$ 376.36
O'REILLY AUTOMOTIVE INC	Filters/Fuel stabilizer; PW Stock	\$ 62.94
O'REILLY AUTOMOTIVE INC	Filters/Fuel stabilizer; PW Stock	\$ 238.83
O'REILLY AUTOMOTIVE INC	Vehicle Parts; PW stock & 5248	\$ 30.00
O'REILLY AUTOMOTIVE INC	Vehicle Parts; PW stock & 5248	\$ 149.99
O'REILLY AUTOMOTIVE INC	Vehicle Parts; PW stock & 5248	\$ 35.92
PAULSON CONSTRUCTION	Escrow Refund - 2578 110th Ct NE	\$ 4,900.00
PERFORMANCE LAWN CARE	Lawn mowing - contracted for violations	\$ 529.81
PERFORMANCE LAWN CARE	Lawn mowing - contracted for violations	\$ 132.45
PERFORMANCE LAWN CARE	Lawn mowing - contracted for violations	\$ 75.69
PERFORMANCE LAWN CARE	Lawn mowing - contracted for violations	\$ 197.33
PERFORMANCE LAWN CARE	Lawn mowing - contracted for violations	\$ 132.45
PERFORMANCE LAWN CARE	Lawn mowing - contracted for violations	\$ 113.53
PERFORMANCE LAWN CARE	Lawn mowing - contracted for violations	\$ 94.61
PERFORMANCE LAWN CARE	Lawn mowing - contracted for violations	\$ 113.53
PERFORMANCE LAWN CARE	Lawn mowing - contracted for violations	\$ 113.53
PERFORMANCE LAWN CARE	Lawn mowing - contracted for violations	\$ 189.22
PERFORMANCE LAWN CARE	Lawn mowing - contracted for violations	\$ 189.22
PERFORMANCE LAWN CARE	Lawn mowing - contracted for violations	\$ 75.69

PERFORMANCE LAWN CARE	Lawn mowing - contracted for violations	\$	75.69
PIKUS EUGENE	Well Interference Settlement	\$	8,527.09
PRINT CENTRAL	Name Plate for Council Chambers	\$	53.17
PRINT CENTRAL	Business cards - Duchene and Anttila	\$	78.00
PRINT CENTRAL	Business cards - Wicklander	\$	39.00
RAMSEY POLICE DEPARTMENT	3M RPS for Outside Police Services	\$	2,688.00
RDO EQUIPMENT COMPANY	Sensor; 1308	\$	81.37
SHORT ELLIOTT HENDRICKSON INC	Construction Services-Pleasure Creek	\$	20,922.68
STANDARD INSURANCE COMPANY	Life Insurance	\$	9,104.00
STAR TRIBUNE	Publication	\$	139.04
STAR TRIBUNE	Publication	\$	139.04
STAR TRIBUNE	Publication	\$	86.90
STAR TRIBUNE	Publication	\$	159.58
STATE OF MINNESOTA DEED	Loan Repayment August 2024	\$	1,568.24
STATE OF MINNESOTA DEED	June 2024 Loan Repayment	\$	3,619.05
SUBURBAN TIRE WHOLESALE INC	Tires for PD Stock	\$	3,600.00
SUN LIFE FINANCIAL	Long Term Disability Insurance	\$	4,952.73
SURPLUS SERVICES	Cabinets for Mechanics Parts Room	\$	240.00
TEAMSTERS LOCAL #320 WELFARE	Police Dental - Group #1609	\$	7,524.00
TENICITY LLC	Summer Tennis Lessons	\$	3,033.60
TINTPROS FRIDLEY/SLP	Window Tint-Distracted Driving Truck	\$	250.00
T-MOBILE USA INC	Timing advanced data service	\$	50.00
TOLL GAS & WELDING SUPPLY	Welding Bay Supplies	\$	195.20
TRI-STATE BOBCAT INC	Fender; 1238	\$	482.08
TRI-STATE BOBCAT INC	Filters	\$	59.68
TRI-STATE BOBCAT INC	Weed whip heads, Mower blades	\$	112.16
TRI-STATE BOBCAT INC	Plug/Bolts/Clips; 1309	\$	34.57
TRI-STATE BOBCAT INC	Filters for PW Stock	\$	111.67
TRI-STATE BOBCAT INC	Screws for 1309	\$	14.90
TRI-STATE BOBCAT INC	Kage Plow for 4454-6	\$	7,695.00
TWIN CITIES TRANSPORT	Tow Bills for Investigations	\$	170.00
TWIN CITIES TRANSPORT	Tow for Squad 5216	\$	125.00
ULINE	Election Equipment - Cords and Straps	\$	169.61
VALLEY PAVING INC	Ulysses St - 117th Ave Roundabout	\$	98,059.90
WINBERG COMPANIES LLC	LAC Hockey Rinks	\$	216,972.20
YOUR HOME IMPROVEMENT CO	Permit Refund B24-02913	\$	330.99
ZOLL MEDICAL CORPORATION	ResQPods for Patrol Operations	\$	1,184.00
		\$	3,334,450.65



City of Blaine

City Council Workshop

August 19, 2024 | 5:30 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

NOTICE OF WORKSHOP MEETING

In accordance with the provisions of Section 3.01 of the Blaine City Charter, a Council Workshop meeting is scheduled for the following purpose:

1. Call to Order

The meeting was called to order by Mayor Sanders at 5:30PM.

2. 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 Erik Thorvig; Safety Services Director/Police Chief Brian Podany; Director of Administrative Services Scott Johnson; Finance Director Jason Zimmerman; Deputy Public Works Director Jason Grode; Director of Engineering Dan Schluender; Public Works Water Supervisor Kristian Gaasland; City Attorneys Tom Loonan and Erik Larson; Web Coordinator Heidi Andrea; and City Clerk Catherine Sorensen.

3. New Business

- 3.1.** 2024-350 105th Redevelopment Updates/Discussion
Sponsors: Erik Thorvig, Community Development Director

Community Development Director Thorvig stated the City Council last discussed the project at the July 8, 2024, workshop. He provided an update on recent property purchases and noted there were two key properties remaining. It was noted the developer has identified estimated costs related to the right-of-way construction, utilities, infrastructure, public

space/landscaping, site work and demolition for the east and west portions of the district as follows:

West District - \$13,010,000

East District - \$12,220,000

TOTAL - \$25,230,000

Mr. Thorvig explained the developer anticipates receiving actual bids for the horizontal work the week of August 12. This will memorialize the actual costs. The developer desires to begin construction of the West District infrastructure in the fall of 2024. Activity in the East District which may begin in 2024 include demolition, utilities, and site preparation, with a majority of the work occurring in 2025. The most common financing mechanism for redevelopment areas such as this is tax increment financing (TIF). TIF utilizes property taxes generated by new development in the redevelopment district to fund various improvements within a district. Common uses of TIF include:

- Site acquisition
- Cleanup of hazardous substances, pollution or contaminants
- Site preparation such as building demolition and construction of utilities, roads and sidewalks.
- Parking facilities

Mr. Thorvig reported based on development projections in the East District where a new redevelopment TIF district could be created, it is estimated that approximately \$28,290,000 in TIF would be available to finance various qualifying activities listed above. Up to 25% of the TIF proceeds (\$7,070,000) can be spent outside the TIF district. The West District was included in the tax abatement area to finance the turf fields and cannot be included in a TIF district. Therefore, only 25% of the TIF proceeds can be utilized in the West District for infrastructure improvements. Based on this information, there is sufficient TIF revenue to fund activities in the East District, however a shortage in the West District.

Mr. Thorvig commented due to the shortfall of available TIF that can be utilized in the West District, alternative scenarios have been discussed. The City and development team are analyzing a scenario where the bond for the event stadium would be increased from \$34MM to approximately \$40MM to finance improvements to the event stadium and other infrastructure in the West District. Revenue sources to repay the bond would still include developer lease payments to repay the event stadium portion and then a combination of eligible TIF and/or excess abatement revenue that may be generated from the West District. In previous workshop discussions, it was noted that there is an expectation that additional tax abatement revenue will occur as a result of higher than projected development values in the West District. Excess abatement revenues can be utilized to pay debt service from higher bond issuance. If excess abatement revenue doesn't exist, TIF proceeds can be utilized to pay the higher debt service.

Mr. Thorvig stated the EDA is actively negotiating with property owners to complete acquisition of the remaining three parcels. The EDA does not have enough existing cash-on-hand to complete purchases if they occur in 2024/early 2025. TIF bond sale proceeds are an eligible use of funds for site acquisition. If TIF bonds are sold in 2024, the City would be

reimbursed for the acquisition of 2043 105th Avenue and have additional cash-on-hand to fund additional purchases. An appraisal is being completed to determine the value of the city/EDA owned land that will be sold to the developer. Land sale proceeds would replenish EDA funds balances in the future. These funding sources would provide significant advancement in the early phases of the development including the event stadium, all project infrastructure (roads, utilities, etc.), public spaces, demolition, final property acquisitions and replenishment of certain EDA expenses that have occurred for the project, including property acquisition and reimbursable costs for design.

Corey Burstad, Elevage Development, provided an update on the progress that has been made for the 105th Redevelopment project, offering information on the tax abatement process and parameters. He discussed the event stadium design with the council and noted all horizontal work was done for the west district. He explained his original plan was to have the first baseball pitch in the spring of 2026, but the timing of the project may push this out to the spring of 2027. However, he noted events could be held at the stadium beginning in the fall of 2026. He anticipated construction of the stadium would begin in February of 2025. He stated he was very comfortable with where the plans were at this time.

Robb Bader, Bader Development, commented on the infrastructure work that would be completed yet this fall.

Mr. Thorvig discussed the zoning ordinance that was approved by the council in 2022 and noted some amendments were necessary. He stated these amendments would be brought forward for council consideration in September or October. He indicated the development agreement would be coming to the city council for consideration on September 16.

City Attorney Erik Larson provided further comment on the master development agreement. He stated he anticipated the agreement would be 55 pages that provides a road map for this development. He stated the agreement would have three primary areas, which included a description of the project (public and private infrastructure), the project finances (public and private investment), and discussion regarding the land.

Mr. Thorvig described the two different financing options, which included TIF and bonding, that have been discussed with the developer for this project. He noted \$25 million in infrastructure work has to be done for this development. He indicated he would like to get the vacant EDA buildings demolished yet in 2024 noting site work would begin in 2025. He explained \$29 million of TIF would be generated from the development and the City was looking to do a bond issuance in the fall of 2024. He indicated these funds would then be used to repay the City's Strategic Priorities Fund, while also providing funds for remaining purchases and necessary infrastructure work. He commented further on the proposed bond issuance noting the City would have money available by November 14.

Mikaela Huot, Baker Tilly, discussed the parameters resolution in further detail with the council. She explained the council would be asked to accept the bid for the bonds while also setting a maximum amount for the bonds and interest rate.

Councilmember Massoglia thanked staff and the developers for all of their hard work on this project. He requested further information on how TIF would be used. Mr. Thorvig explained the initial projections show the amount of proposed TIF provided enough funds to

accomplish the four components for the first phase of the development. Mr. Bader explained additional TIF may be needed in a future phase for the parking.

Councilmember Massoglia asked what the value of the property would be. Ms. Huot estimated the taxable market value of the land was \$173 million.

Mayor Sanders thanked staff and the development team for the update and for their continued efforts on this project.

3.2. 2024-346 2025 Budget - General Fund Budget and City/EDA Property Tax Levy
Sponsors: Jason Zimmerman, Finance Director

Finance Director Zimmerman provided a presentation on the initial General Fund and Economic Development Authority (EDA) budgets as well as preliminary levy options, which include funding for capital improvements and debt service. Another council workshop is scheduled to address any outstanding questions to prepare for adoption of the 2025 preliminary levy, which will come before the council on September 16. This first formal workshop regarding the 2025 operating budgets and property tax levy is intended to begin the annual process of aligning city council priorities with financial resources to provide Blaine property owners, residents, and visitors with quality city services at a responsible tax level. While this discussion is very preliminary, with many assumptions, it will help set expectations for staff and create a more efficient budgetary process while striving for outcomes that align with council goals. Staff noted that in order to present this information, it will be broken down into baseline assumptions, department requested enhancements, and new positions. He described how the proposed levy met the service goals of the city council. He reviewed how the median value homeowner would be impacted by the proposed levy while also comparing the levy to peer communities. Staff commented further on the proposed tax levy scenarios and requested comments and direction from the council how to proceed.

City Manager Wolfe explained public safety were driving costs for the city, along with public works and maintenance costs. She reported of all of the comparable cities, Blaine is the only community that does not have two or three other significant sources of revenue besides property taxes. She indicated only 10% of cities in Minnesota do not receive Local Government Aid and Blaine was within that 10%. She indicated this was a big part of the story the city was dealing with when compiling the preliminary levy.

Councilmember Larson questioned why the city does not receive Local Government Aid. Ms. Wolfe explained LGA was a calculation within Statute and Blaine did not qualify.

Mayor Sanders recessed the workshop meeting at 6:53PM.

Mayor Sanders reconvened the workshop meeting at 7:57PM.

Mr. Zimmerman provided further comment on the capital levy and debt service for was spent on a yearly basis on city's streets, parks and trails and the SBM Fire Department. He reviewed the requests for each of these categories per year and noted the borrowing fees

for the city. He discussed how debt for the 105th Area Redevelopment project would be structured and added to the tax levy. He reiterated that city services would remain as is in 2025 and depending on the scenario, only specific new staff members would be added. Additional information was provided to the council regarding the potential levy scenarios.

Ms. Wolfe explained the items shaded in blue were an increase but were items she believed were necessary. She reported if no new public works staff were hired, she suggested the council consider additional seasonal staff members during the summer months.

Councilmember Robertson thanked staff for the high level of detail provided to the council within this presentation. She stated it was difficult from a council perspective to fund or address the concerns of the public sometimes given the dollar amount attached to these concerns. She indicated the City Forester had passed away and the city has not rehired for this position, which was leading to many calls and complaints from residents regarding trees. She understood there were residents who were concerned about emerald ash borer clean up, trail maintenance and properly maintained medians. She indicated each of these things come with a cost and residents need to understand the cost to complete these tasks on behalf of the community.

Councilmember Robertson excused herself from the meeting at 8:33PM.

Councilmember Newland explained with Scenario 4, the city of Blaine would be comparable to Maple Grove and Plymouth. Mr. Zimmerman reported this was the case.

Councilmember Newland indicated two of the Night to Unite parties he attended occurred at city parks where he heard comments about park maintenance and dead tree removal within the city's parks. He stated the city needed to continue to add the items residents wanted. He explained it was expensive to operate the city, especially as the city continues to grow. He did not believe the city could maintain a flat level of services given the fact residents want more services. He supported increasing the levy in order to get caught up on services.

Councilmember Newland asked what new staff members were proposed within the budget. Ms. Wolfe stated two new police officers and a fleet manager were proposed within the budget. She indicated additional staff members were being considered in the utilities department. Mr. Zimmerman indicated the vast majority of the staffing requests were coming from public safety and public works. He explained these requests were consistent with the city council's goals to provide current level of services given how the city was growing.

Ms. Wolfe commented on how a staffing study was necessary for the police department in order to better understand the needs of the police going forward. Mr. Zimmerman stated Blaine had the second largest police department in the north metro and it was expensive to hire and pay officers.

Councilmember Newland stated he was not supportive of Scenario 1 but could support Scenario 3.

Councilmember Larson supported the City Forester position being looked at again given the

number of comments she has received regarding dead trees in the community.

Councilmember Massoglia explained he wanted to see the city level out its spending. He indicated he may not be able to support a 10% increase in the levy. He stated the debt levy increase was concerning to him. He commented he would want to learn more about the benefits of having a forester versus partnering with contractors.

Mayor Sanders stated the preliminary levy should be the highest levy the city council could support then indicated he could support Scenario 3 at this time.

Further discussion ensued regarding the facilities budget and the five year CIP.

Councilmember Newland asked if additional small group discussions would be held with the council members. Ms. Wolfe stated she would be more than happy to do this.

General consensus of the council was to support Scenario 3 which included a 17.10% increase as the maximum amount of the preliminary levy and to request staff to bring this item back at an upcoming workshop to review the proposed EDA levy.

4. Other Business

None.

5. Adjournment

The workshop was adjourned at 8:55PM.



City of Blaine

City Council

August 19, 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 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 Erik Thorvig; Safety Services Director/Police Chief Brian Podany; Director of Administrative Services Scott Johnson; Finance Director Jason Zimmerman; Deputy Public Works Director Jason Grode; Director of Engineering Dan Schluender; Public Works Water Supervisor Kristian Gaasland; City Attorney Tom Loonan; Web Coordinator Heidi Andrea; Interim Fire Marshal Todd Miller; Fire Inspector Andy Luedtke; and City Clerk Catherine Sorensen.

4. Awards - Presentations - Organizational Business

None.

5. Communications

Councilmember Saroya invited the public to attend an open house on Monday, August 26 at 5:30PM regarding EDA-owned properties near Chuck E. Cheese and Auto Zone.

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 7:03PM.

Dr. Roger Day, 9701 Xebec Street NE, explained he had a medical practice out of his home. He shared comments regarding State regulatory documents that have destroyed his livelihood and his request to the Blaine Police Department to assist along with other cities.

Kayla Zechmann, 11649 Jefferson Street, shared comments regarding the city manager's salary, discussed the previous pay cap per State Statute along with the 2024 performance review. She referenced the fraud investigation and asked when the public would be updated on the investigation. She stated she was curious how the city would ensure this doesn't happen again.

Nichole Swanson, 11874 Zumbrota Street, commented on the differences in the number of restaurants and other amenities between the east side and west side of Blaine. She expressed concern regarding conduct during Blaine council meetings. She noted there has been name-calling, grievances, and bullying of staff. She spoke about the recent fraud investigation and how she felt the story was released to the media for campaign purposes and encouraged Councilmember Saroya to continue supporting the police department and that she was praying for the council.

Chelsea Skogen, American Lung Association representative, spoke against the proposed zoning text amendment that would allow cigar lounges in Blaine and discussed the adverse impacts of smoking on the public.

Dana Carlson, 287 117th Avenue NE, discussed an incident that occurred to him in north Georgia 27 years ago and spoke regarding his concerns that continue today and noted there was a need for records.

There being no further input, Mayor Sanders closed the Open Forum at 7:21PM.

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 Saroya requested Items 8.4 and 8.5 be removed from the Consent Agenda for further discussion.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, that Items 8.1, 8.2, and 8.3 on the Consent Agenda be approved.

Motion adopted 6-0-1 (Councilmember Newland abstained from Item 8.1 due to potential conflict of interest).

- 8.1.** 2024-363 Schedule of Bills Paid
Sponsors: Jason Zimmerman, Finance Director

- 8.2.** 2024-362 Approval of Minutes
Sponsors: Cathy Sorensen, City Clerk

- 8.3.** RES 24-152 Resolution to Declare Costs to be Assessed, Order Preparation and Call for Public Hearing on Proposed Assessment for the 2023 Northwest Area Street Reconstruction, Improvement Project No. 23-06
Sponsors: Daniel Schluender, Director of Engineering

- 8.4.** RES 24-163 Resolution Granting Final Plat Approval to Create One Lot and Three Outlots to be Known as One Hundred Fifth Redevelopment. EB Blaine Development LLC (Case File No. 24-0052/SAS)
Sponsors: Sheila Sellman, City Planner

Councilmember Saroya noted she will be voting against Item 8.4 due to unresolved issues and conflicts of interest regarding the project.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to adopt a Resolution Granting Final Plat Approval to Create One Lot and Three Outlots to be Known as One Hundred Fifth Redevelopment.

Motion adopted 6-1 (Councilmember Saroya opposed).

- 8.5.** 2024-361 Approve a Tobacco and Tobacco Products License for Irie Vybz Jamaican Restaurant LLC located at 76 Northtown Drive
Sponsors: Cathy Sorensen, City Clerk

Councilmember Saroya explained she will be abstaining from acting on this item due to recent donations from the applicant to her re-election campaign and asked if there is a policy regarding campaign donations and actions by the council.

City Attorney Tom Loonan reported nothing in state statute restricts acting on items due to campaign donations.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to Approve a Tobacco and Tobacco Products License for Irie Vybz Jamaican Restaurant LLC located at 76 Northtown Drive.

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

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

- 9.1.** RES 24-154 Resolution Granting a Conditional Use Permit Amendment to Allow Preschool/Daycare in Addition to a K-8 School and Place of Worship in the Development Flex (DF) Zoning District at 3680 Pheasant Ridge Drive. East Blaine Mosque and Academy (Case File No. 24-0051/SAS)
Sponsors: Sheila Sellman, City Planner

Community Development Director Thorvig stated the applicant is requesting a conditional use permit amendment to allow for preschool/daycare in addition to a K-8 school and place of worship. Staff commented on the request further and recommended approval.

Mayor Sanders opened the public hearing at 7:29PM.

Chris Hinze, the applicant's attorney, provided the council with further information regarding the proposed preschool/daycare noting this would be a complimentary use to the K-8 school.

There being no additional public input, Mayor Sanders closed the public hearing at 7:33PM.

Moved by Councilmember Robertson, seconded by Councilmember Newland, to adopt a Resolution Granting a Conditional Use Permit Amendment to Allow Preschool/Daycare in Addition to a K-8 School and Place of Worship in the Development Flex (DF) Zoning District at 3680 Pheasant Ridge Drive.

Councilmember Larson indicated concerns have been raised from adjacent industrial property owners due to increased traffic, incompatibility of the proposed use and noted this use was not in keeping with the character of the surrounding zoning. For these reasons, she would be voting against the CUP amendment.

Councilmember Newland stated he appreciated the fact the applicant had provided floor plans for the council to review.

Motion adopted 6-1 (Councilmember Larson opposed).

10. Development Business

- 10.1.** ORD 24-2557 First Reading
Ordinance Approving Amendments to Section 39.901 (Definitions) and

Section 30.904 (Permitted Uses in the 105th Avenue Redevelopment District) of the Zoning Ordinance to Add Cigar Lounge as a Permitted Use. Society Cigars (Pinpoint Community Development) (Case File No. 24-0040/SAS)
Sponsors: Sheila Sellman, City Planner

Mr. Thorvig stated the applicant is requesting an ordinance amendment to the 105th Redevelopment District to allow a cigar lounge. He reviewed the comments received from the public and requested the council introduce the ordinance.

Declared by Mayor Sanders that Ordinance No. 24-2557, "Approving Amendments to Section 39.901 (Definitions) and Section 30.904 (Permitted Uses in the 105th Avenue Redevelopment District) of the Zoning Ordinance to Add Cigar Lounge as a Permitted Use. Society Cigars (Pinpoint Community Development)," be introduced and placed on file for second reading at the September 4, 2024 Council meeting.

11. Administration

- 11.1. RES 24-157** Resolution Accepting a Bid from Kurilla Contracting in the Amount of \$59,180 for the 2024 Blaine Storm Outlet Project, I/P 24-50
Sponsors: Daniel Schluender, Director of Engineering

Director of Engineering Schluender requested the council accept a bid and approve a contract with Kurilla Contracting for the 2024 Storm Outlet Project, Project No. 24-50. This project was approved in the 2024 Budget. The project consists of the removal and installation of various storm sewer outlet aprons and pipe, grading around the new pipe and aprons to provide cover over the pipe and match existing ground, and turf restoration throughout the City as shown in the plans. It was noted bids were received electronically at 10:00 AM, August 7, 2024, for Project No. 24-50. A total of 8 bids were received, ranging from \$59,180.00 to \$112,548.84 with one bid deemed non-responsive. The 3 lowest bidders and Engineer's estimate were reviewed with the council. Bids have been checked and tabulated, and it has been determined that Kurilla Contracting of Buffalo, Minnesota is the lowest bidder. The Engineering Department has not worked with Kurilla Contracting in the past but they have provided example projects for projects completed in other cities in the area. Staff has contacted a number of these Cities and recommends that the low bid be accepted, and a contract entered into with Kurilla Contracting. City Council is also asked to approve a 10% contingency to bring the total project budget to \$65,098.00. The funding source for this project is the Storm Water Capital Fund and there are sufficient funds budgeted to cover these costs.

Moved by Councilmember Massoglia, seconded by Councilmember Newland, to adopt a Resolution Accepting a Bid from Kurilla Contracting in the Amount of \$59,180 for the 2024 Blaine Storm Outlet Project.

Motion adopted unanimously.

11.2. ORD 24-2562 First Reading

Amending Chapter 38 - Fire Prevention and Protection, Article II. Minnesota State Fire Code, Sec. 38-33 Fire Protection Permits and Inspection Program; Fire Sprinkler Systems

Sponsors: Todd Miller, Deputy Fire Marshal

Fire Inspector Andy Luedtke requested council hold the first reading of a proposed ordinance to delegate authority for fire protection permits and inspections.

Declared by Mayor Sanders that Ordinance No. 24-2562, "Amending Chapter 38 - Fire Prevention and Protection, Article II. Minnesota State Fire Code, Sec. 38-33 Fire Protection Permits and Inspection Program; Fire Sprinkler Systems," be introduced and placed on file for second reading at the September 4, 2024 Council meeting.

12. Other Business

Moved by Councilmember Saroya to request an independent investigation on the city manager's salary increase and the recent handling of the active fraud investigation. Motion failed for lack of a second.

13. Adjournment

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to adjourn the meeting at 7:45PM to reconvene the recessed workshop.

Motion adopted unanimously.



City of Blaine Staff Report

File Number: 2024-328

Agenda Date	Status
September 4, 2024	
In Control	File Type
City Council	Motion

Approval of Consent Agenda: -

Agenda Item # 8.3

Approve a Temporary Liquor License for the Chinese Community Center Festival of Asian Culture and Foods

Executive Summary

Council is being asked to approve a temporary on-sale intoxicating liquor license for an event held by the Chinese Community Center Festival of Asian Culture and Food at 301 Northtown Drive NE.

Background

The Chinese Community Center is requesting issuance of a temporary on-sale intoxicating liquor license for the Taste of Asia Minnesota special event on October 19-20, 2024. They have submitted the state application, appropriate fee, and liquor liability insurance for this event. They have also applied for the required special event license that will be approved administratively.

Strategic Plan Relationship

Special event-related licensing relates most closely with the collaboration and engagement strategic priority as it allows the city to foster communication and engagement with local civic groups and provides opportunities for the public to gather.

Board/Commission Review

N/A

Financial Impact

License fees established by the council cover costs of license review and issuance.

Public Outreach/Input

No public notice is required for this license type.

Staff Recommendation

By motion, approve a temporary on-sale intoxicating liquor license for the Chinese Community Center Festival of Asian Culture and Food located at 301 Northtown Drive NE on October 19-20, 2024.

Attachment List

1. Taste of Asia 2024 -Final

Taste Of Asia

SAT OCT 19TH, 2024

11AM TO 8PM

SUN OCT 20TH, 2024

12PM TO 5PM

ASIA VILLAGE

**301 NORTHTOWN DR NE,
BLAINE, MN 55434**

亞洲美食嘉年華 亞洲美食嘉年華

Азийн хоолны багт наадам

アジアフードカーニバル

Karnaval Makanan Asia

Lễ hội ẩm thực Châu Á

ເທດສະການອາຫານອາຊີ

အာရှအစားအသုံးပွဲတော်

एशियाई खाद्य कार्निवल

เทศกาลอาหารเอเชีย

아시안 푸드 카니발

Hương vị Châu Á

Taste of Asia



www.TasteofAsiaMN.org

Street Food ♦ Cultural Exhibits ♦ Art and Performances



City of Blaine Staff Report

File Number: 2024-364

Agenda Date	Status
September 4, 2024	
In Control	File Type
City Council	Motion

Approval of Consent Agenda: - Daniel Schluender, Director of Engineering

Agenda Item # 8.4

Authorizing the Acquisition of Permanent Easement consistent with State Law for the 2024 Southwest Area Street Reconstruction Project, Improvement Project Number 24-07

Executive Summary

The City Council previously authorized the design and preparation of plans and specifications for improvements to the 2024 Southwest Area Street Reconstruction. The proposed improvements require permanent easements to be acquired from 12 different adjacent properties to complete the project as designed. The project and need for additional easements has been discussed with the property owners and they are willing to consider offers for these acquisitions. Appraisals have been completed and initial offers sent to property owners. 5 of these properties have previously been negotiated with and had offers accepted. An additional 1 property has currently been negotiated with and had an offer accepted.

Background

The project will reconstruct the following streets:

Area 1

- 89th Avenue (from University Avenue to MN Trunk Highway 65)

Area 2

- 85th Avenue (from dead end west of Lincoln Street to Central Avenue Service Road)
- Lincoln Street (from 85th Avenue to 89th Avenue)

Area 3

- 85th Avenue (from Lincoln Street to MN-65)

Area 4

- Central Avenue Service Road (From 500 feet south of 87th Avenue to the cul-de-sac just south of 89th Avenue)

The City entered into a contract with Henning Professional Services (HPS) to provide Right-of-Way acquisition services for the project. The proposed improvements require permanent easements to be acquired from 12 different adjacent properties to complete the project as designed. The project and need for additional easements has been discussed with the property owners and they are willing to consider offers for these acquisitions. Appraisals have been completed and initial offers sent to property owners.

1 of these properties have currently been negotiated with and accepted an offer.

- Parcel #4: \$2,400.00 was negotiated with property at 173 89th Avenue NE for public sidewalk easement.

City Council is being asked to authorize the Mayor and City Manager to acquire the above easement for the 2024 Southwest Area Street Reconstruction Project.

Strategic Plan Relationship

The project aligns with the City's strategic initiatives for growth management and providing well-maintained infrastructure by providing high-quality street surfaces.

Board/Commission Review

Not applicable

Financial Impact

The project will be funded by a combination of assessments and bond proceeds placed in the City Pavement Management Program (PMP) Fund, Public Utility Funds and Municipal State Aid System Funds. The 2023 CIP PMP project budget included \$113,500 for consulting and the 2024 PMP CIP includes \$5,760,000 of funding for consulting, construction, and contingencies for a total PMP project budget of \$5,873,500. Stormwater, Sanitary Sewer and Water Utility Funds also had CIP budget amounts appropriated as listed in the table below.

Funding Source	Appropriated Amount	Amended Appropriation Including Contingency
PMP Funds (T2407)	\$4,123,500	\$5,504,800
State Aid Municipal Funds (T2407)	\$1,750,000	\$1,750,000
Water Utility Funds (U2415)	\$521,000	\$1,234,300
Storm Utility Funds (U2350)	\$500,000	\$500,000
Sewer Utility Funds (U2404)	\$93,000	\$93,000
Total	\$6,987,500	\$9,082,100

To date, \$1,131,020.88 has been encumbered for engineering consulting fees and easement acquisition, leaving a remaining total project budget of \$7,951,079.12. Staff anticipates improvements to begin in 2024 and be completed in 2025. Based on the progress of the project, bonding for 2024 pavement management projects may be sized accordingly. Upon issuance of the bonds, the City Council will approve annual debt service property tax levies and utility rates to fund the repayment of the bonds.

The costs associated with the acquisition of a permanent easement are anticipated to be contained within the existing/amended appropriation, which was formally approved at the May 6, 2024, City Council meeting in connection with the award of bid for construction services. Staff is not recommending any additional amendments at this time.

Public Outreach/Input

The project is being conducted pursuant to MN Statutes, Chapter 429 and is compliant with all public notification requirements thereof.

Staff Recommendation

By motion, authorize the Mayor and City Manager to acquire the needed permanent easement at 173 89th Avenue NE from Gebi and Dureti Tufaa in the amount of \$2,400 for the Blaine MN for the 2024 Southwest Area Street Reconstruction project.

Attachment List

1. Payment Request - 173 89th Avenue
2. Sidewalk Easement Agreement - 173 89th Avenue
3. MOU - 173 89th Avenue
4. 24-07 Project Area Map



**HENNING
PROFESSIONAL
SERVICES**

PO Box 25376
Woodbury, MN 55125
651.295.9660

Date: August 7, 2024

To: Cody Sylvester, Project Engineer
City of Blaine

From: Gregg Larson
Right of Way Specialist
Henning Professional Services, Inc.

Re: **PAYMENT REQUEST**
City Project: 89th Avenue Reconstruction Project
Parcel: 4
PID #(s): 31-31-23-23-0005
Property Address: 173 89th Avenue NE, Blaine, MN

Make check payable to: Gebi and Dureti Tufaa
11536 Yancy Court NE
Blaine, MN 55449

Payment Amount: **\$2,400**

Notes/Enclosed: Original Easement for execution and recording
Original MOU for execution
W9

Please mail the check with a copy of the signed MOU directly
to property owner at the address above.

Please also email a copy of the recorded easement, signed
MOU and check to Cindy Landon at
CLandon@HenningProfessionalServices.com.

PAYMENT SUMMARY		
Public Sidewalk Easement 462 sq.ft. or 0.01 acres	=	\$ 2,400
TOTAL (rounded to):	=	\$ 2,400

SIDEWALK EASEMENT AGREEMENT

THIS SIDEWALK EASEMENT AGREEMENT is dated and effective as of August 5, 2024, by and between Gebi Tufaa and Dureti Tufaa, persons married to each other ("Grantor"), and the City of Blaine, a Minnesota municipal corporation (the "City").

RECITALS

A. Grantor is the owner of a parcel of land located in Anoka County, Minnesota, and legally described on the attached **Exhibit A** (the "Property").

B. The City desires to obtain an easement for sidewalk purposes on, over, under, across, and through portions of the Property.

C. Grantor has agreed to grant the easement to the City through the execution of this Agreement.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, both parties hereby agree as follows:

1. Grant of Easement. For good and valuable consideration, receipt of which is acknowledged by Grantor, Grantor, for themselves, their successors and assigns, hereby declares, creates, grants and establishes a perpetual easement (the "Easement") for the benefit of the City and the public for sidewalk purposes on, over, under, across and through that portion of the Property legally described and depicted on the attached **Exhibit B-1** and **Exhibit B-2** (the "Easement Area").

2. Scope of Easement. The easement rights granted in this Agreement are permanent in nature and include the rights of the City, its contractors, agents, servants, and assigns, to enter the Easement Area at any time that it may see fit, without notice, to construct, reconstruct, inspect, repair, and maintain public facilities over, across, on, under, and through the Easement Area, and the right to remove obstructions reasonably interfering with the location, construction and maintenance of such public facilities. The Easement rights further include, but are not limited to, the right of ingress and egress over the Easement Area to access the Easement for the purposes of construction, maintenance, repair and replacement of any and all facilities and improvements ancillary, incident or related the Easement. Grantor shall not place any improvements or landscaping in the Easement Area.

3. Maintenance of Easement Area. The Easement Area shall be kept and maintained by the City at the City's sole cost and expense, in a condition consistent with other City sidewalks. Maintenance of the Easement Area shall include operating, maintaining, repairing and replacing the improvements and other areas within the Easement Area, unless damaged by Grantor or anyone acting under Grantor in which case costs or repair shall be paid by Grantor.

4. Covenants Run with the Land. The benefits and burdens created by this Agreement shall constitute covenants running with the land and shall benefit and be binding

upon all present and future owners, and their respective successors and assigns, of any portion of the Property and upon each person having any interest therein derived through any owner thereof.

5. Termination of Easement. The Easement declared, granted, established, and conveyed in this Agreement is permanent in nature and may be terminated only by an agreement in writing signed by both parties. As and to the extent required for any reason, the parties agree to execute a recordable document to memorialize, record, or effect any such termination.

6. Successors and Assigns. This Agreement shall be binding upon and shall inure to the benefit of both parties, and their successors and assigns.

7. Entire Agreement and Modification. This Agreement represents the entire agreement and understanding of the parties with respect to the subject matter hereof and supersedes any and all previous agreements of whatever nature between the parties with respect to the subject matter. This Agreement may not be altered or amended except by an agreement in writing signed by all parties.

8. Governing Law. This Agreement is entered into in and shall be governed by and construed in accordance with the internal laws of the State of Minnesota.

9. Severability. If any term or provision of this Agreement is ever determined to be invalid or unenforceable for any reason, such term or provision shall be severed from this Agreement without affecting the validity or enforceability of the remainder of this Agreement.

10. Attorneys' Fees. In the event either party is required to enforce the terms of this Agreement through legal action, the prevailing party, as determined by a court of competent jurisdiction, shall be entitled to recover its reasonable attorneys' fees and costs.

[Signature pages follow.]

Page 39 of 192

CITY:

City of Blaine,
Minnesota municipal corporation

By _____

Name: Tim Sanders

Title: Mayor

By _____

Name: Michelle Wolfe

Title: City Manager

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

Personally came before me on _____, 2024, the above-named Tim Sanders, Mayor, and Michelle Wolfe, City Manager, of the City of Blaine, a municipal corporation organized under the laws of the State of Minnesota, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public

[Signature Page to Easement Agreement]

This instrument was drafted by:

Eckberg Lammers, P.C. (THRL)
1809 Northwestern Avenue
Stillwater, MN 55082

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

All that part of Lot 4, Auditor's Subdivision No. 143, lying South of the North 247 feet thereof,
Anoka County, Minnesota.

PID 31-31-23-23-0005

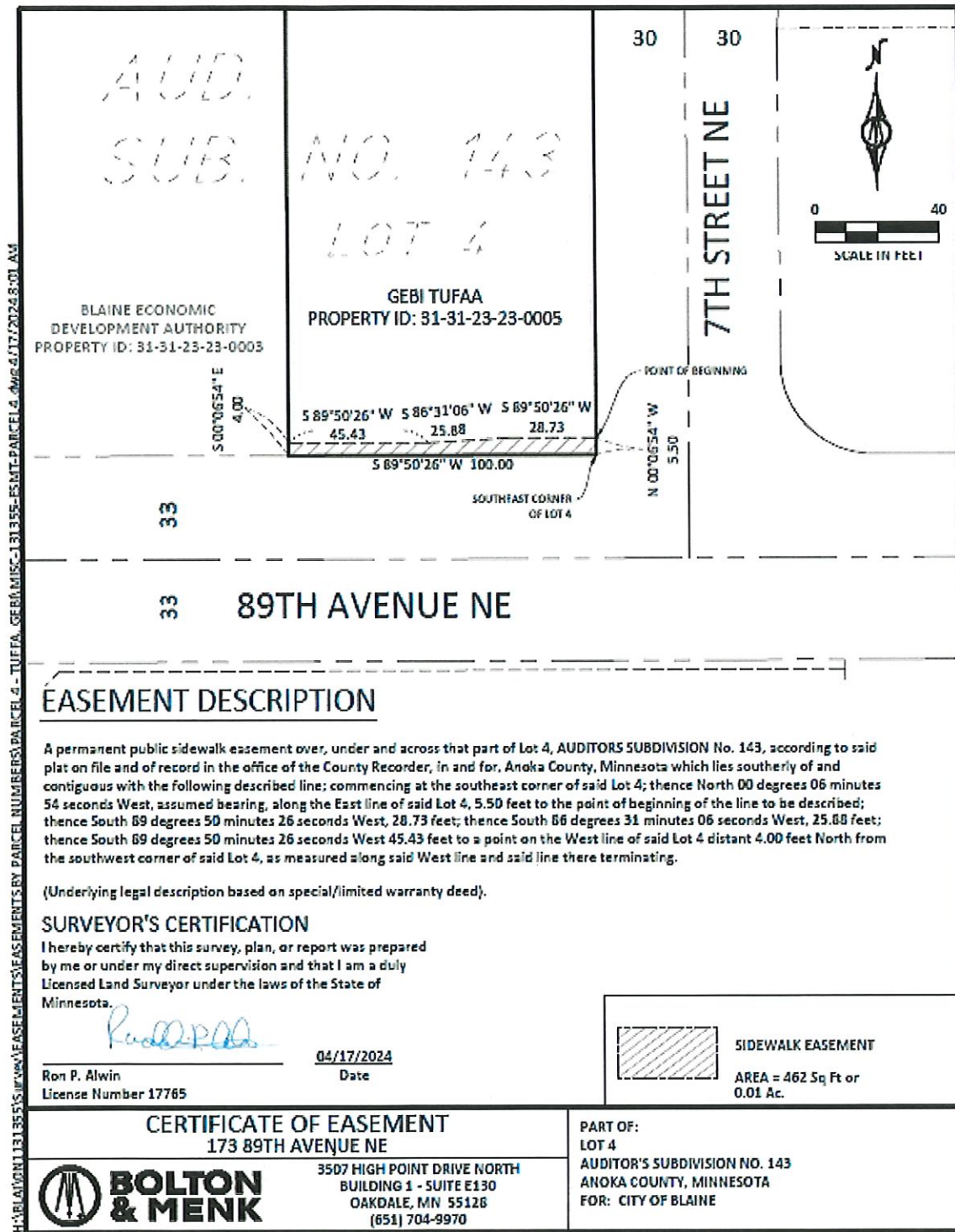
EXHIBIT B-1

EASEMENT DESCRIPTION

A permanent public sidewalk easement over, under and across that part of Lot 4, AUDITORS SUBDIVISION No. 143, according to said plat on file and of record in the office of the County Recorder, in and for, Anoka County, Minnesota which lies southerly of and contiguous with the following described line; commencing at the southeast corner of said Lot 4; thence North 00 degrees 06 minutes 54 seconds West, assumed bearing, along the East line of said Lot 4, 5.50 feet to the point of beginning of the line to be described; thence South 89 degrees 50 minutes 26 seconds West, 28.73 feet; thence South 86 degrees 31 minutes 06 seconds West, 25.88 feet; thence South 89 degrees 50 minutes 26 seconds West 45.43 feet to a point on the West line of said Lot 4 distant 4.00 feet North from the southwest corner of said Lot 4, as measured along said West line and said line there terminating.

EXHIBIT B-2

EASEMENT DEPICTION



MEMORANDUM OF UNDERSTANDING
City of Blaine – 89th Avenue Reconstruction Project

Fee Owner(s): Gebi Tufaa and Dureti Tufaa
PID: 31-31-23-23-0005
Property Address: 173 89th Ave. NE, Blaine, MN 55434

On this 5TH day of AUGUST, 2024, Gebi Tufaa and Dureti Tufaa, persons married to each other, Owner(s) of the above-described parcel of property located in the City of Blaine (the "City"), County of Anoka, and State of Minnesota, did execute and deliver a conveyance of real estate rights to the City.

This agreement is now made and entered as a memorandum of all the terms, and the only terms, agreed upon in connection with the above transaction. It is hereby acknowledged and agreed upon between the parties that:

1. The Owner(s) have been furnished with the approved estimate of just compensation for the property rights acquired and a summary statement of the basis for the estimate. The Owner(s) understand that the acquired property rights are for use in connection with the construction of the city project as listed above.
2. The Owner(s) understand and acknowledge that the Agent for the City has no direct, indirect, present, or contemplated future personal interest in the property or in any benefits from the acquisition of the property rights.
3. That in full compensation for the conveyance of said property, the City shall pay the Owner(s) the sum of **Two Thousand, Four Hundred and no/100 Dollars (\$2,400)** for easement(s) and damages. Owner(s) understand that payment by the City must await City Council approval, verification of marketable title, and lender consents, if needed.
4. In the event of a clerical error, Grantor, whether one or more, agree to cooperate in correcting the error including but not limited to resigning all documents.
5. Additionally: n/a

It is understood and agreed that the entire agreement of the parties is contained in this Memorandum of Understanding and Easement Document(s) dated AUGUST 5, 2024 and that these documents and agreements include all oral agreements, representations, and negotiations between the parties.

City of Blaine

Date: _____

By: _____

Printed Name: _____

Title: _____

Date: _____

By: _____

Printed Name: _____

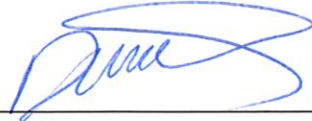
Title: _____

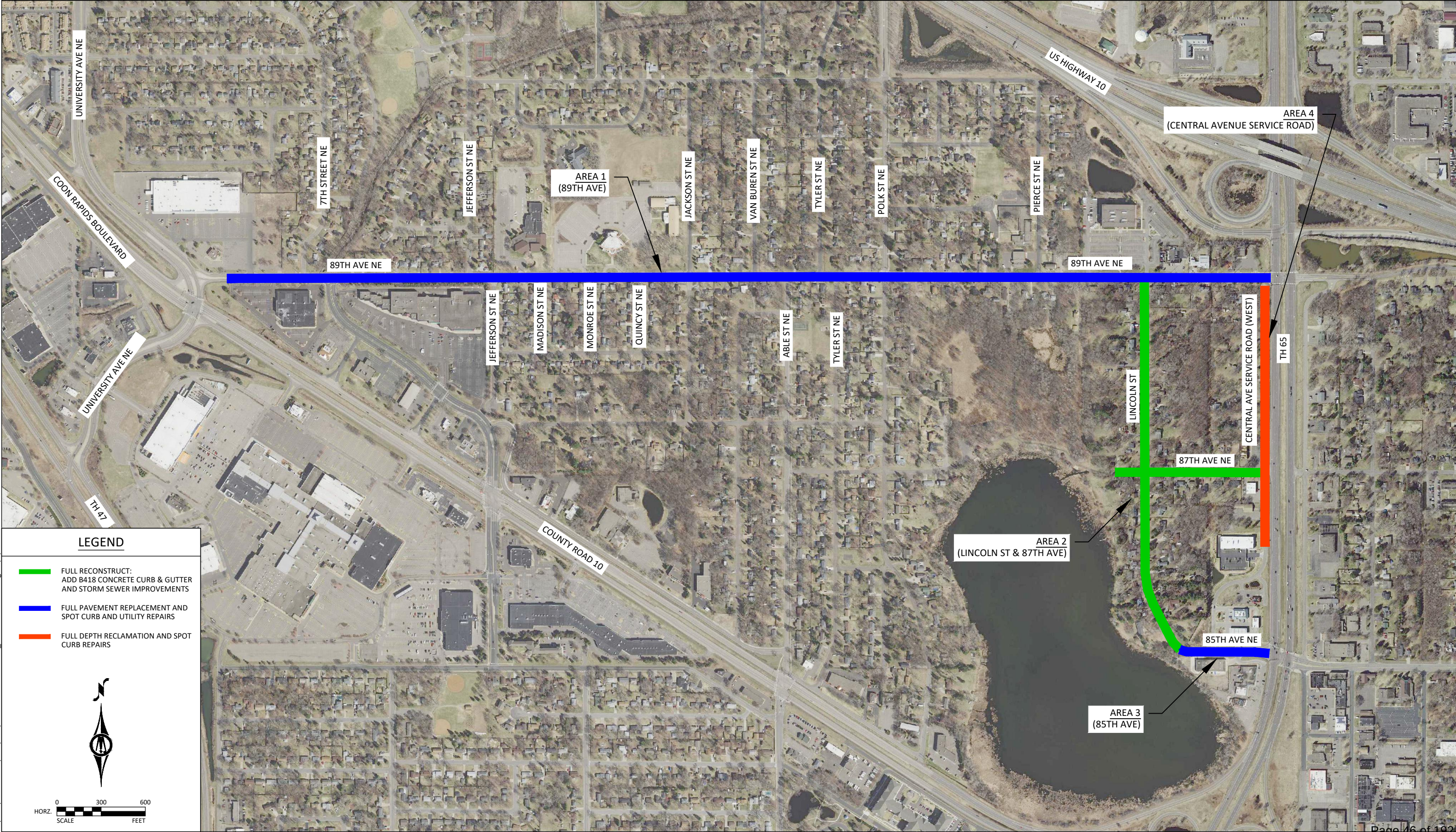
Owners

Date: 8/5/24

By: 
Gebi Tufaa

Date: 8/5/24

By: 
Dureti Tufaa





City of Blaine Staff Report

File Number: RES 24-168

Agenda Date	Status
September 4, 2024	
In Control	File Type
City Council	Resolution

Approval of Consent Agenda: - Daniel Schluender, Director of Engineering

Agenda Item # 8.5

Resolution to Receive Petition and Order Public Hearing for Vacation of a portion of a Drainage and Utility Easement, on the west side, Lot 2, Block 3, Radisson Industrial Park, according to the recorded plat thereof, Anoka County, Minnesota; Vacation No. V24-04

Executive Summary

The City received a petition dated August 21, 2024 from Ken Scherring representing LaMettry's Collision, Inc., requesting the vacation of a portion of a Drainage and Utility Easements, on the west side of Lot 2, Block 3, Radisson Industrial Park; according to the recorded plat thereof, Anoka County, Minnesota; see Attached Exhibit A for Description.

Background

The existing drainage and utility easement will be re-worked to allow for the construction of a retaining wall in the area. The retaining wall will be maintained by the property owner and therefore, the east 5-feet of existing easement will be vacated. Engineering staff has reviewed the request and agrees with the vacation.

Schedule of Actions

9/4/2024	Receive Petition and Order Public Hearing
10/7/2024	Public Hearing and Adopt Vacation resolution

Strategic Plan Relationship

This item is part of the city's strategic plan for Growth Management.

Board/Commission Review

This item was not presented to any boards or commissions. Public input will be received by council at the Public Hearing on October 7, 2024.

Financial Impact

No Financial Impact to the city for this request.

Public Outreach/Input

Notice will be officially published for the calling of the Public Hearing on October 7, 2024.

Staff Recommendation

By motion, adopt the Resolution.

Attachment List

1. easement vacation petition - signed
2. 10817_Vacation for RT Wall Exhibit A



City of Blaine

Signature Copy

Resolution: RES 24-168

Resolution to Receive Petition and Order Public Hearing for Vacation of a portion of a Drainage and Utility Easement, on the west side, Lot 2, Block 3, Radisson Industrial Park, according to the recorded plat thereof, Anoka County, Minnesota; Vacation No. V24-04

WHEREAS, the City Council has received a petition dated the 21st day of August, 2024, requesting vacation of a portion of the drainage and utility easement on the west side of Lot 2, Block 3, Radisson Industrial Park; according to the recorded plat thereof, Anoka County, Minnesota; as shown in Exhibit A (attached); and

WHEREAS, the Engineering Department has reviewed the petition and recommends that the City Council hold a Public Hearing on the requested vacation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine as follows:

1. The Council will consider the petitioned vacation of easements for the property owners.
2. A Public Hearing shall be held on the proposed vacation at 7:00 PM on the 7th day of October, 2024 and the City Clerk shall give mailed and published notice of such hearing and vacation as required by law.

PASSED by the City Council of the City of Blaine this 4th day of September, 2024



PETITION TO VACATE DRAINAGE AND UTILITY EASMENT

DATE

8-21-24

TO: The Mayor and Council Members, City of Blaine:

The undersigned represent that they are the majority of owners of real property abutting:

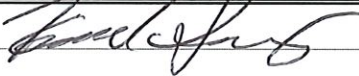
**Lot 2, Block 3, Radisson Industiral Park, according to the recorded plat thereof,
Anoka County, Minnesota, see Attached Exhibit A for Description**

and petition that said portion of said drainage and utility easements be vacated.

The facts and reasons for this application are as follows:

This portion of the drainage and utility easement will be reworked to allow for the consturction of a retaining wall in the area. The retaining wall will be maintained by the property owner and therefore, the 5-feet of existing easement will be vacated.

In consideration of vacating the drainage and utility easements as herein petitioned the undersigned hereby jointly and severally waive any and all claims for any damages resulting from the vacating and discontinuing of said drainage and utility easements.

Signature of Owner	Address	Legal Description of Property
	2101 108TH LN NE.	Lot 2, Block 3, Radisson Industrial Park

This petition was circulated by:

Name of Petitioner **KEN SCHEPING**

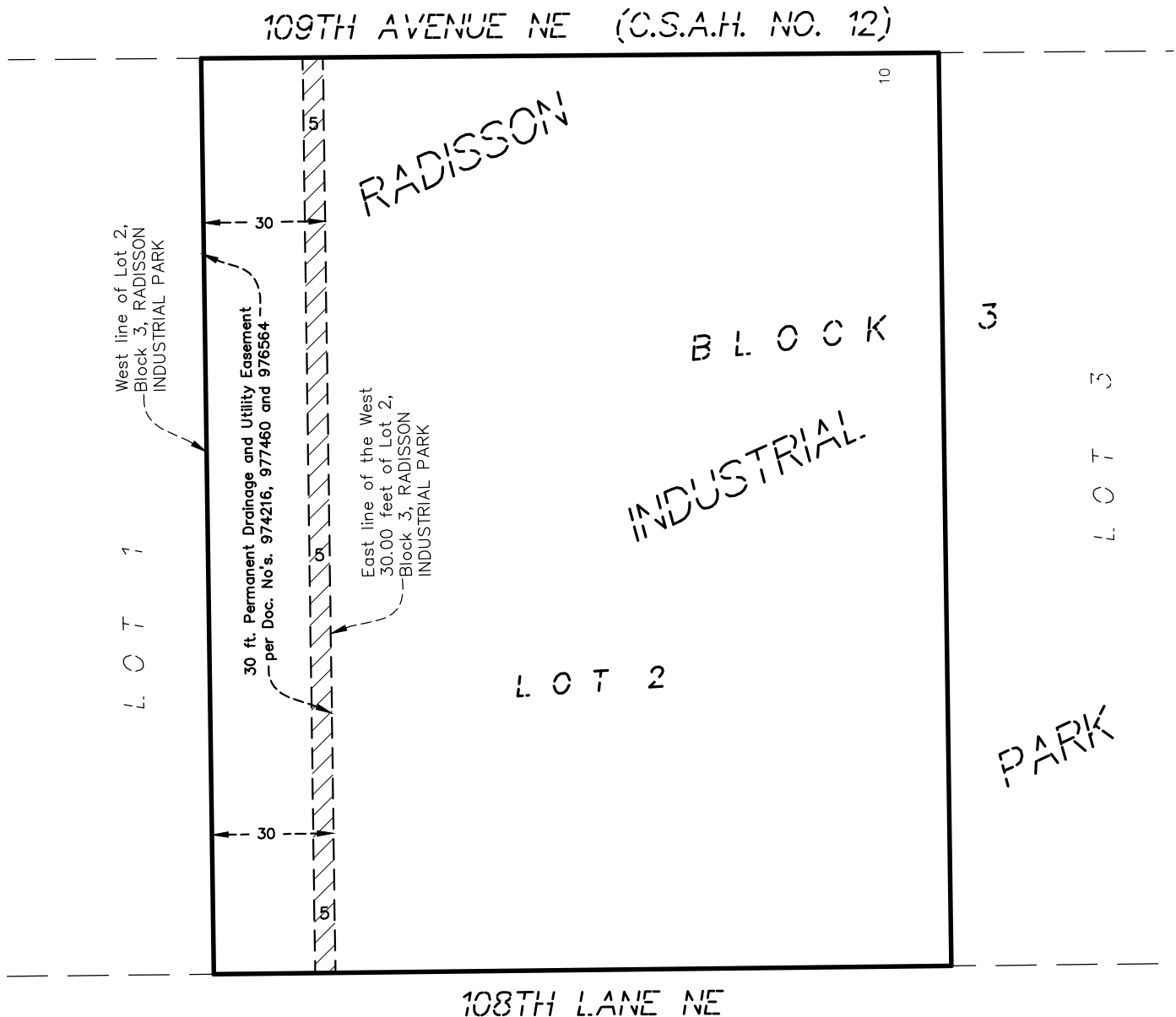
Telephone No. **612-490-7796**

Street

City/State/Zip **2101 108TH LN NE . BLAINE**

In accordance with the Minnesota Government Data Practices Act, the City of Blaine hereby informs you that some or all the information you are asked to provide is classified as private. Private data is available to you and to City staff who require it in the performance of their duties, but not to the public. The remainder of the information, including telephone numbers, is classified as public, and is available to the public. This information will be used to contact you in case of changes. You may choose to withhold this information, however if you do, the City of Blaine may not be able to process your application for the permit or license.

Partial Drainage and Utility Easement Vacation Petition Exhibit A



EASEMENT VACATION DESCRIPTION:

All that part of the easements described in Document No.'s 974216, 977460, and 976564, lying over, under, and across the East 5.00 feet of the West 30.00 feet of Lot 2, Block 3, RADISSON INDUSTRIAL PARK, according to the recorded plat thereof, Anoka County, Minnesota.



**CARLSON
McCAIN**

ENGINEERING
SURVEYING
ENVIRONMENTAL

3890 PHEASANT RIDGE DRIVE NE, SUITE 100, BLAINE, MN 55449

TEL 763.489.7900 \ FAX 763.489.7959 \ CARLSONMCCAIN.COM

2694 10817_vacation for rt wall



Denotes Easement
Vacation Area

GRAPHIC SCALE



(IN FEET)
(8.5x11 sheet)



City of Blaine

Staff Report

File Number: RES 24-169

Agenda Date	Status
September 4, 2024	
In Control	File Type
City Council	Resolution

Approval of Consent Agenda: - Jason Zimmerman, Finance Director

Agenda Item # 8.6

Resolution Authorizing an Interfund Loan for Advance of Certain Costs in Connection with a Tax Increment Financing District and Declaring the Official Intent to Reimburse Certain Capital Expenditures of a Project from the Proceeds of Tax-Exempt Bonds.

Executive Summary

In order to comply with state and federal requirements, the attached resolution provides the City with the opportunity to reimburse itself with bond proceeds related to the potential Tax Increment Financing (TIF) District within the 105th Avenue Redevelopment area, specifically expenditures related to the acquisition of 2043 105th Avenue. This resolution does not require the establishment of a TIF District or the issuance of bonds, but preserves the right to do so pending Council approval.

Background

On August 5, 2024, the City Council approved resolutions authorizing a [purchase agreement for 2043 105th Avenue](#) and an [internal loan](#) to facilitate the acquisition. The internal loan was structured with the intent of operating as a temporary financing mechanism, while noting the potential permanent financing could result from the issuance of TIF District Bonds.

In order to comply with state and federal requirements, the accompanying resolution has been prepared to preserve the City's option to use TIF bond proceeds to reimburse itself for expenses incurred related to the acquisition of property located at 2043 105th Avenue, which is intended to further advance the 105th Avenue Redevelopment Project.

State

Because development must occur before TIF revenues can be collected, a TIF district commonly incurs debt during the development process. Although pay-as-you-go notes or general obligation bonds are most commonly used to finance new development or redevelopment, a City may also loan or advance money to the TIF district from its general fund or any other fund from which it has legal authority to do so. Such an interfund loan or advance is defined as a "bond" in the TIF Act, and can be repaid with tax

increment if the loan and the financed costs meet the requirements of Minnesota statutes.

Under Section 469.178, Subdivision 7 of the TIF Act, the City is authorized to advance or loan money from any fund that advances may be legally made in order to finance expenditures that are eligible to be paid with tax increments under the TIF Act. The terms and conditions for repayment of the interfund loan must be in writing, and include, at minimum, (i) the principal amount, (ii) the interest rate to be charged, and (iii) the maximum term. While the Council authorized an interfund loan for the purposes of financial management on August 5, 2024, the legal definition and requirements of the TIF Act differ and require specific statutory language to be approved.

For loans made on or after May 31, 2017, the resolution must be adopted not later than 60 days after money is transferred, advanced, or spent, whichever is earliest.

Federal

As outlined in Section 1.150-2 of the Income Tax Regulations, municipalities are required to adopt a resolution declaring an official intent to reimburse certain expenditures from bond proceeds if it plans to issue bonds to finance costs.

Regulations require this official declaration to be established no later than 60 days after the expenditure is incurred, consistent with the State of Minnesota TIF law previously noted. Additionally, bonds are generally required to be issued within 18 months after incurring the expense, which is within the timeline that has been discussed by the development team, staff, and the City Council.

While the resolution includes a potential bonding amount of \$4,100,000 which is consistent with the maximum internal loan approved for the purchase of 2043 105th Avenue, the Council retains the option of issuing bonds for the entire project, subject to fiscal capacity projections. This resolution does not authorize or commit the City to establish a TIF District or issue bonds. Any further expenditures related to the potential TIF District, if incurred prior to the sale of bonds, would require the Council to adopt an updated resolution with the revised terms and conditions.

Strategic Plan Relationship

The proposed development, and the potential TIF District, both serve the strategic priority of Economic Development specifically related to the 105th Avenue Redevelopment Area.

Board/Commission Review

None

Financial Impact

This action does not commit the Council to issuing TIF Bonds but preserves the right to reimburse the City for expenditures related to the acquisition of 2043 105th Avenue. While the amount listed in the resolution is consistent with the internal loan authorized on August 5, 2024, this is not the maximum amount of financing that may be available through bonding, subject to Council approval. The total

bonding available would be determined by the Council subject to estimated fiscal capacity, minimum assessment agreements, and other documents related to the creation of the potential TIF District.

Public Outreach/Input

None

Staff Recommendation

Approve the resolution authorizing an interfund loan for advance of certain costs in connection with a tax increment financing district and declaring the official intent to reimburse certain capital expenditures of a project from the proceeds of tax-exempt bonds.

Attachment List

None



City of Blaine

Signature Copy

Resolution: RES 24-169

Resolution Authorizing an Interfund Loan for Advance of Certain Costs in Connection with a Tax Increment Financing District and Declaring the Official Intent to Reimburse Certain Capital Expenditures of a Project from the Proceeds of Tax-Exempt Bonds.

WHEREAS, the City of Blaine, Minnesota (the “City”) and the City of Blaine Economic Development Authority (the “EDA”) are considering establishing a tax increment financing district in the City (the “TIF District”), pursuant to Minnesota Statutes, Sections 469.174 through 469.1794, as amended (the “TIF Act”); and

WHEREAS, the City and the EDA may incur certain costs related to the TIF District, which costs may be financed on a temporary basis from available City or EDA funds; and

WHEREAS, pursuant to Section 469.178, subdivision 7 of the TIF Act, the City and the EDA are authorized to advance or loan money from any fund from which such advances may be legally made in order to finance expenditures that are eligible to be paid with tax increments under the TIF Act; and

WHEREAS, in connection with the TIF District, the City intends to acquire certain property within the 105th Avenue redevelopment area currently identified as PID #21-31-23-24-0016 (the “Property”); and

WHEREAS, the City and the EDA have determined to pay for certain costs of acquiring the Property prior to the establishment of the TIF District (together, the “Qualified Costs”) which costs may be financed on a temporary basis from the City’s Strategic Priorities and Closed Bond Funds; and

WHEREAS, the City hereby designates the Cost Advances as an interfund loan in accordance with the terms of this resolution and the TIF Act; and

WHEREAS, the Internal Revenue Service has issued Treasury Regulations, Section 1.150-2 (the “Reimbursement Regulations”) under the Internal Revenue Code of 1986, as amended (the “Code”), providing that proceeds of tax-exempt bonds used to reimburse prior capital expenditures will not be deemed spent unless certain requirements are met; and

WHEREAS, the City and the EDA are authorized and directed to reimburse expenditures from the TIF District if and when a TIF District is established and if and when available; and

WHEREAS, the City has determined to make a declaration of its official intent (the “Declaration”) to reimburse certain capital costs from the proceeds derived from the sale of tax-exempt bonds issued by the City or another political subdivision in accordance with the Reimbursement Regulations.

NOW, THEREFORE, BE IT RESOLVED by the City of Blaine, Minnesota (the “City”) as follows:

1. The City and the EDA will reimburse themselves for the Qualified Costs in an aggregate amount not to exceed \$4,100,000 (the "Interfund Loan"), together with interest from the date of each advance at the rate of 8% per annum (which is the greater of the rates specified under Sections 270C.40 or 549.09 in accordance with Minnesota Statutes, Section 469.178, Subdivision 7); provided, however, the City Finance Director is authorized to specify a lower rate.

2. Principal and interest ("Payments") on the Interfund Loan shall be paid semiannually on each February 1 and August 1 (each a "Payment Date"), commencing on the first Payment Date on which the City or the EDA has received Available Tax Increment (defined below), or on any other dates determined by the City Finance Director, through February 1 following the date of last receipt of tax increment from the TIF District (the "Maturity Date").

3. Payments on the Interfund Loan will be made solely from the tax increment from the TIF District received by the City or the EDA from Anoka County in the 6-month period before any Payment Date, net of the amount paid under any agreement with a private developer or otherwise pledged to the payment of any obligation (the "Available Tax Increment"). Payments shall be applied first to accrued interest, and then to unpaid principal, unless otherwise specified by the City Finance Director. Interest accruing from the date the loan of funds is made will be compounded semiannually on February 1 and August 1 of each year and added to principal, unless otherwise specified by the City Finance Director. Payments on this Interfund Loan may be subordinated to any outstanding or future bonds, notes, or contracts secured in whole or in part with the available tax increment and are on parity with any other outstanding or future interfund loans secured in whole or in part with the available tax increment.

4. The principal sum and all accrued interest payable under this resolution is pre-payable in whole or in part at any time by the City or the EDA without premium or penalty.

5. This resolution is evidence of an internal borrowing by the City or the EDA in accordance with Section 469.178, subdivision 7 of the TIF Act, and is a limited obligation payable solely from Available Tax Increment pledged to the payment hereof under this resolution. The Interfund Loan shall not be deemed to constitute a general obligation of the State of Minnesota or any political subdivision thereof, including, without limitation, the EDA or the City. Neither the State of Minnesota, nor any political subdivision thereof shall be obligated to pay the principal of or interest on the Interfund Loan or other costs incident hereto except out of Available Tax Increment and neither the full faith and credit nor the taxing power of the State of Minnesota or any political subdivision thereof is pledged to the payment of the principal of or interest on this Interfund Loan or other costs incident hereto. Neither the EDA nor the City shall have any obligation to pay any principal amount of the Interfund Loan or accrued interest thereon, which may remain unpaid after the termination or expiration of the TIF District.

6. The City or the EDA, as applicable, may at any time decide to forgive the outstanding principal amount and accrued interest on the Interfund Loan, in whole or in part, on any date from time to time, to the extent permissible under law.

7. The City or the EDA may from time to time amend the terms of this Resolution to the extent permitted by law, including without limitation amendment to the payment schedule and the interest rate, provided that the interest rate may not be increased above the maximum specified in Section 469.178, subd. 7 of the TIF Act.

8. Further, the City reasonably expects to reimburse the expenditures made for the acquisition of the property from the proceeds of tax-exempt bonds in a principal amount currently estimated not to exceed \$4,100,000. All reimbursed expenditures related to the Project will be capital expenditures, costs of issuance of the tax-exempt bonds or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Reimbursement Regulations.

PASSED by the City Council of the City of Blaine this 4th day of September 2024.



City of Blaine

Staff Report

File Number: ORD 24-2562

Agenda Date	Status
September 4, 2024	
In Control	File Type
City Council	Ordinance

Approval of Consent Agenda: -

Agenda Item # 8.7

Second Reading

Amending Chapter 38 - Fire Prevention and Protection, Article II. Minnesota State Fire Code, Sec. 38-33 Fire Protection Permits and Inspection Program; Fire Sprinkler Systems

Executive Summary

Council is asked to hold second reading and adopt a proposed ordinance to delegate authority for fire protection permits and inspections.

Background

The City of Blaine has had the delegated authority from the Minnesota State Fire Marshal Division to perform fire sprinkler permit plan review and inspections of fire protection systems. This delegation is assigned to a staffed individual within the city and staff have been working towards reassigning the delegation since the retirement of the fire marshal who previously held the delegation. In communicating with the State Fire Marshal Division, they too have had recent retirements and have refined their delegation process by requiring municipalities to adopt by ordinance language referencing Minnesota Administrative Rules 7512.2800 (MUNICIPAL PERMIT PROGRAM). These code amendments provide such language to complete the delegated authority process. First reading was held on August 19 with no comments received.

Sec. 38-33 – Amended language to allow for the adoption of Minnesota Administrative Rules 7512.2800. This will allow for the City of Blaine to maintain issuing permits for fire protection systems.

Sec. 38-343 – Amended language from Uniform Fire Code to Minnesota State Fire Code. The Uniform Fire Code is an outdated code that has since been replaced by the Minnesota State Fire Code and has been changed for consistency to match other references within ordinances.

Strategic Plan Relationship

N/A

Board/Commission Review

N/A

Financial Impact

N/A

Public Outreach/Input

N/A

Staff Recommendation

Staff recommends adopting these changes to ensure the timely and safe inspections for all structures in the City of Blaine with fire protection systems.

Attachment List

None



City of Blaine

Signature Copy

Ordinance: ORD 24-2562

Second Reading

Amending Chapter 38 - Fire Prevention and Protection, Article II. Minnesota State Fire Code, Sec. 38-33 Fire Protection Permits and Inspection Program; Fire Sprinkler Systems

THE CITY OF BLAINE DOES ORDAIN: (Added portions are underscored and deleted portions are shown with overstrike.)

Article II. - Minnesota State Fire Code

The most current edition of the "Minnesota State Fire Code," as adopted by the commissioner of public safety pursuant to Minn. Stat. § 299- F.011, including all of the amendments, rules and regulations established, adopted and published from time to time by the state commissioner of public safety, through the state fire marshal division is hereby adopted by reference. The Minnesota State Fire Code is hereby incorporated in this article as if fully set out in this section.

(Code 1980, § 9-1; Ord. No. 93-1331, 5-6-1993; Ord. No. 03-1972, 4-17-2003)

State law reference(s)—Adoption by reference, Minn. Stat. § 471.62.

Article II. - Minnesota State Fire Code

Sec. 38-33.

~~Fire department permit fees~~ Fire protection permits and inspection program; fire sprinkler systems.

~~All fire department permit fees shall be set in accordance with a fee schedule adopted by action of the city council.~~

(a) Fire Protection Permit and Inspection Program. Pursuant to Minnesota Rule 7512.2800, the city requires a fire protection system plan review and permit to perform fire protection-related work. The application, administration and enforcement for the Program shall be in the manner provided for in the Minnesota State Building Code and Minnesota State Fire Code, and shall be enforced within all areas where the city enforces these Codes to the fullest extent permitted by law.

(b) Permit Required. No person shall engage in any sprinkler installation, modification, changing and/or removal of all sprinkler protection systems within the city without obtaining a permit from the city. It shall be the duty of an applicant to secure a permit prior to commencement of any fire protection related activities described in this subsection.

(c) Application Process. Applications shall be submitted to the city for review. If the application is incomplete or denied, the city will inform the applicant as to the reason for incompleteness or denial and any information required to complete the application. Following review and approval of an application, the city shall issue a permit and inform the applicant of any special provisions associated with the proposed fire protection activities related to the permit.

(d) Permit Fees. The issuance of permits and the collection of fees shall be in the manner authorized in Minn. Stat. §326B.121. Fees for permits under this subchapter, which may include a surcharge in accordance with Minn. Stat. §326B.153, shall be included in the fee schedule and as adopted by action of the city council.

(e) Maintenance. All fire sprinkler systems shall be maintained in accordance with the Minnesota State

Fire Code.

(Code 1980, § 9-3; Ord. No. 93-1331, 5-6-1993; Ord. No. 03-1972, 4-17-2003)

Sec. 38-34. Penalties.

- (a) Any person who shall violate any provisions of this article and/or the ~~Minnesota Uniform Fire Code~~ Minnesota State Fire Code shall be guilty of a misdemeanor.
- (b) The application of the penalty in subsection (a) of this section shall not be held to prevent the enforced removal of prohibited conditions.
- (c) Each day any such violation shall continue shall constitute a separate offense.

INTRODUCED and read in full this 19th day of August 2024.

PASSED by the City Council of the City of Blaine this 4th day of September 2024.



City of Blaine

Staff Report

File Number: 2024-359

Agenda Date

September 4, 2024

Status

In Control

City Council

File Type

Motion

7:00 PM - Public Hearing and Items Published for a Certain Time - Cathy Sorensen, City Clerk

Agenda Item # 9.1

Consider On-Sale and Sunday Intoxicating Liquor Licenses for 21 168. LLC dba bb.q Chicken, 9360 Baltimore Street NE, Suite 100, Blaine

Executive Summary

Council has been asked to approve the on-sale and Sunday intoxicating liquor licenses for bb.q Chicken located at 9360 Baltimore Street NE, Suite 100, to allow the ability to serve intoxicating spirits, beer and wine.

Background

A public hearing is required prior to the approval for on-sale and Sunday intoxicating liquor application for bb.q Chicken.

Jian Liu and Kin Lau, applicants, submitted the on-sale and Sunday intoxicating liquor application. The applicants included the required license fees, forms and documents, and background investigations were conducted by the Blaine Police Department with no concerns found.

The on-sale and Sunday liquor licenses, if approved, would be active through June 30, 2025, and run concurrent with annual liquor license renewals. All required information will be submitted to the state's alcohol and gambling enforcement division upon approval of the licenses by the council.

Strategic Plan Relationship

This license approval relates to both financial sustainability and growth management priorities in the strategic plan by attracting new businesses and retaining current businesses in the city.

Board/Commission Review

N/A

Financial Impact

Liquor license fees, adopted annually by city council, provides sufficient funding for review and issuance of the licenses as well as compliance checks and any other necessary license monitoring/enforcement.

Public Outreach/Input

Notice of public hearing was published in *Blaine/Spring Lake Park/Columbia Heights/Fridley Life* and on the city's website as required by code. No feedback was received by the clerk's office.

Staff Recommendation

Hold a public hearing to receive input regarding the on-sale and Sunday liquor licenses, then by motion approve issuance of on-sale and Sunday intoxicating liquor licenses for bb.q Chicken located at 9360 Baltimore Street NE, Suite 100, Blaine.

Attachment List

None



City of Blaine Staff Report

File Number: RES 24-170

Agenda Date	Status
September 4, 2024	
In Control	File Type
City Council	Resolution

7:00 PM - Public Hearing and Items Published for a Certain Time - Daniel Schluender, Director of Engineering

Agenda Item # 9.2

Resolution Adopting Assessment for 2023 Southeast Area Street Reconstructions, Improvement Project No. 23-08.

Executive Summary

Improvement Project No. 23-08 was ordered by the City Council on December 19, 2022 with Resolution 22-208. A construction contract was awarded to Park Construction Company by the City Council on May 1, 2023 with Resolution No. 23-83 and construction was completed in the summer and fall of 2023.

Background

Improvement Project No. 23-08 included the following project areas:

Area 1:

- 97th Lane from Austin Street to Lexington Avenue
- 98th Avenue from Austin Street to Cord Street
- 98th Lane from Austin Street to Cord Street
- 99th Avenue from Austin Street to Lexington Avenue
- Austin Street from Englewood Road to 97th Lane
- Austin Street from 98th Avenue to Lexington Avenue
- Cord Street from 98th Avenue to Austin Street
- Edgewood Road cul-de-sac (4023-4083)
- Edgewood Road cul-de-sac (4103-4163)

Area 2:

- West 35W Service Drive from West 35W Services Drive to cul-de-sac

Area 3:

- Edison Street from 85th Avenue to cul-de-sac

Area 4:

- 89th Lane from Yancy Street to 90th Lane
- 89th Court from 90th Lane to cul-de-sac
- 90th Lane from Zumbrota Street to Rice Creek Parkway
- Bataan Street from 90th Lane to 91st Avenue
- Yancy Street from Rice Creek Parkway to 89th Lane
- Zumbrota Street from 89th Lane to 91st Avenue
- Bataan Court from 89th Lane to cul-de-sac
- Zumbrota Circle from Zumbrota Street to cul-de-sac

The total cost of the project is as follows:

Construction Costs:	\$2,982,803.00
Engineering Costs:	\$471,937.69
Interest:	\$40,230.56
Administration,	\$179,697.68
Assessing, Other:	
TOTAL:	\$3,674,668.93

The total project cost indicated in the Feasibility Report was \$5,688,827.64. The Assessment Roll has been prepared consistent with the Feasibility Report. Of the total cost, the amount to be assessed is \$899,296.75. The Public Utility Funds will contribute \$285,941.43 for water and sanitary sewer improvements, and Pavement Management Program funds will contribute \$2,489,430.75. Please note that the final costs are less than the original report and the final assessments will also be less as a reflection of this difference.

Strategic Plan Relationship

The 2023 Southeast Area Street Reconstruction project aligns with the City's strategic plan goal of infrastructure management by providing high-quality street surfaces.

Board/Commission Review

N/A

Financial Impact

Assessments will be levied over 15 years and will be used to fund repayment of any debt issued for the project. That portion of the debt not funded via special assessments will be funded through an annual debt service tax levy. The amount to be assessed is \$899,296.75.

Public Outreach/Input

The project itself and the assessment process has complied with all public notification requirements pursuant to MN Statutes, Chapter 429.

Staff Recommendation

By motion, adopt the resolution.

Attachment List

1. 23-08 Location Map
2. 23-08 Assessment Roll



City of Blaine

Signature Copy

Resolution: RES 24-170

Resolution Adopting Assessment for 2023 Southeast Area Street Reconstructions, Improvement Project No. 23-08.

WHEREAS, a contract was entered into for pavement replacement, spot curb and gutter replacement, sidewalk and pedestrian ramp improvements, adjustment of gate valves, manholes and catch basins, replacement of storm sewer and sanitary castings, traffic control signage, and appurtenant construction in the following described areas:

Area 1:

- 97th Lane from Austin Street to Lexington Avenue
- 98th Avenue from Austin Street to Cord Street
- 98th Lane from Austin Street to Cord Street
- 99th Avenue from Austin Street to Lexington Avenue
- Austin Street from Englewood Road to 97th Lane
- Austin Street from 98th Avenue to Lexington Avenue
- Cord Street from 98th Avenue to Austin Street
- Edgewood Road cul-de-sac (4023-4083)
- Edgewood Road cul-de-sac (4103-4163)

Area 2:

- West 35W Service Drive from West 35W Services Drive to cul-de-sac

Area 3:

- Edison Street from 85th Avenue to cul-de-sac

Area 4:

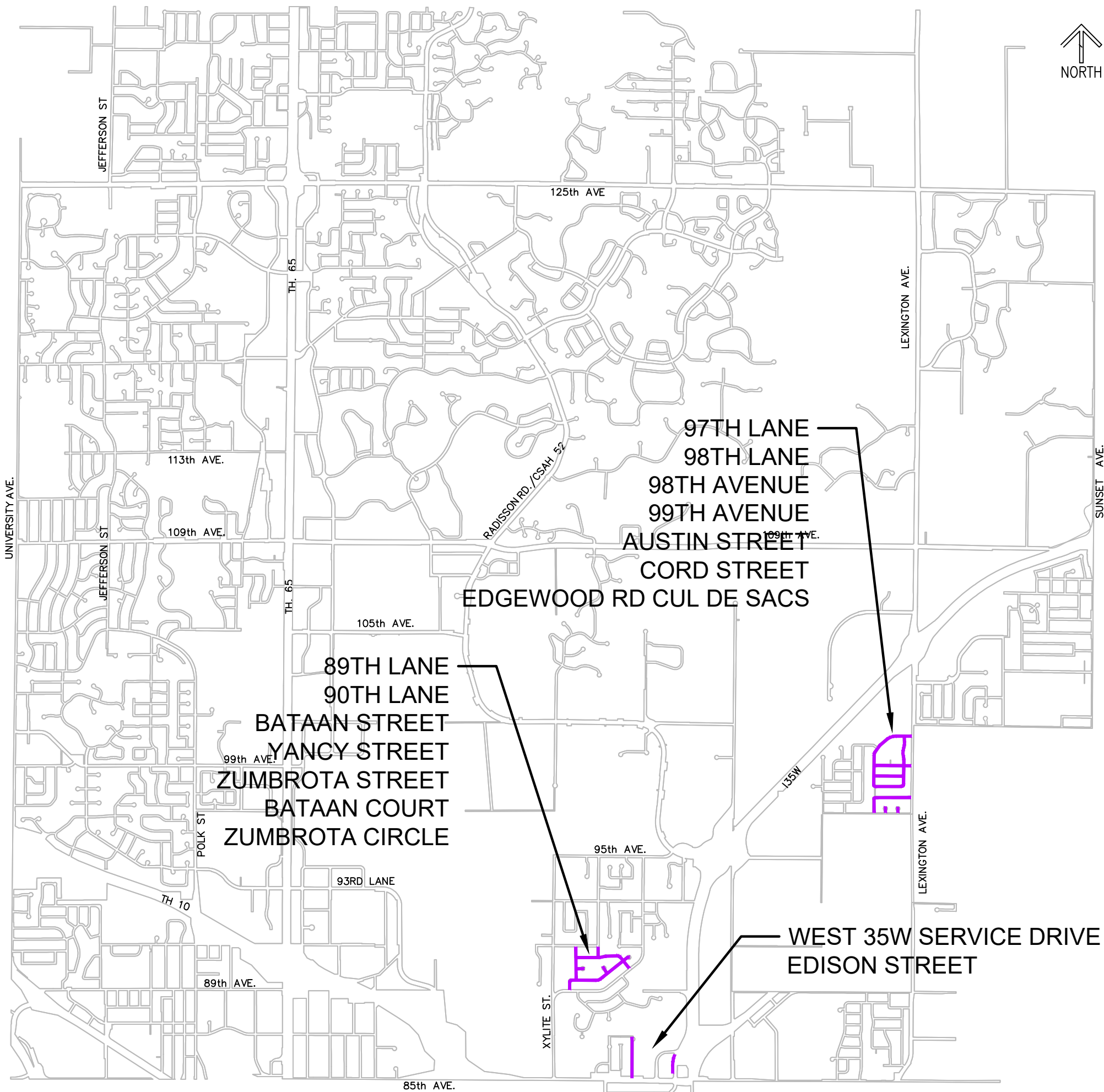
- 89th Lane from Yancy Street to 90th Lane
- 89th Court from 90th Lane to cul-de-sac
- 90th Lane from Zumbrota Street to Rice Creek Parkway
- Bataan Street from 90th Lane to 91st Avenue
- Yancy Street from Rice Creek Parkway to 89th Lane
- Zumbrota Street from 89th Lane to 91st Avenue
- Bataan Court from 89th Lane to cul-de-sac
- Zumbrota Circle from Zumbrota Street to cul-de-sac

AND WHEREAS, the construction cost for such improvement is \$2,982,803.00, and the expenses incurred in the making of said improvements amount to be \$691,865.93 making the total cost \$3,674,668.93.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Blaine as follows:

1. The proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the improvement in the amount of the assessment levied against it.
2. The owner of any property so assessed may within thirty (30) days of the adoption of this resolution pay the whole of the assessment with no interest to the City's Special Assessment Clerk or make partial prepayment in the amount of at least ten percent (10%) of the total assessment to the City's Special Assessment Clerk with no interest. Any remaining assessment will be payable according to this resolution.
3. Assessments shall be payable in annual installments extending over a period of fifteen (15) years. The first of the installments to be payable on or before the first Monday in January, 2025. Installments shall bear interest at the rate of five and five tenths percent (5.5%) per annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2024. To each subsequent installment when due shall be added interest for one (1) year on all unpaid installments.
4. The owner of any property so assessed may, at any time prior to certification of the assessment to the county Auditor, as herein provided, pay the whole of the assessment against any parcel with interest accrued to the date of payment to the City's Special Assessment Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and he may at any time thereafter prior to November 15 pay to the City's Special Assessment Clerk the entire amount of the assessment remaining unpaid with the interest accrued to December 31st of the year in which such payment is made.
5. The owner of any property so assessed may at any time thereafter pay to the City's Special Assessment Clerk the remaining principal after payment of the current installment prior to November 15 of any year with no further interest charged on the remaining principal.
6. The City Manager shall forthwith transmit a certified duplicate copy of this assessment to the County Auditor to be extended on the property tax lists of the County and such assessments shall be collected and paid in the same manner as other municipal taxes.

PASSED by the City Council of the City of Blaine this 4th day of September, 2024.



2023 SOUTHEAST AREA STREET RECONSTRUCTIONS

CITY OF BLAINE
PAVEMENT MANAGEMENT PROGRAM



ENGINEERING DEPARTMENT
10801 Town Square Drive, Blaine, Minnesota 55449
Phone (763) 785-6172

EXHIBIT NO. 1B - AREA 1 PROPOSED FINAL ASSESSMENT ROLL
MULTI-FAMILY RESIDENTIAL PROPERTIES

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*	\$1,417,059.68	*(CONSTRUCTION COST DOES NOT INCLUDE DRIVEWAY, TRAIL, SIDEWALK REPLACEMENT OR WATER MAIN, SANITARY SEWER COSTS)			
ADMINISTRATIVE COSTS	\$328,689.26				
TOTAL COST	\$1,745,748.94				
			ASSESSMENT RATE PER FRONT FOOT		
HIGH DENSITY RESIDENTIAL	x50%	TOTAL FRONT FOOTAGE			
ASSESSABLE COST	\$872,874.47 /	16299.9 LF	=	\$53.55	

MULTI-FAMILY RESIDENTIAL PROPERTY

ASSESSMENT RATE		MULTI-FAMILY RESIDENTIAL ASSESSABLE FOOTAGE		AMOUNT ASSESSED		ASSESSABLE RESIDENTIAL LOT UNITS		ASSESSMENT RATE PER MULTI-FAMILY RESIDENTIAL LOT UNIT
\$53.55	X	3660.2 LF	=	\$196,001.57	/	104	=	\$1,884.63

PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
263123110031	9925 AUSTIN ST NE	BUNKER ROBERT W & DENISE MARIE	1	\$1,884.63	\$1,884.63
263123110032	9931 AUSTIN ST NE	HOME SWEET HOMES LLC	1	\$1,884.63	\$1,884.63
263123110033	9937 AUSTIN ST NE	ANDERSON, MANDY	1	\$1,884.63	\$1,884.63
263123110034	9943 AUSTIN ST NE	LINDMAN, LAWRENCE A	1	\$1,884.63	\$1,884.63
263123110035	9949 AUSTIN ST NE	NEMITZ DON E & JANE	1	\$1,884.63	\$1,884.63
263123110036	9955 AUSTIN ST NE	MOHRLAND STEVE	1	\$1,884.63	\$1,884.63
263123110037	9961 AUSTIN ST NE	DEJARLAIS PATRICIA A	1	\$1,884.63	\$1,884.63
263123110038	9967 AUSTIN ST NE	SONTERRE DENISE M	1	\$1,884.63	\$1,884.63
263123110039	9973 AUSTIN ST NE	HURD, BANDITH	1	\$1,884.63	\$1,884.63
263123110040	9979 AUSTIN ST NE	LEX, ROBERT B	1	\$1,884.63	\$1,884.63
263123110041	9985 AUSTIN ST NE	NGONGANG, VIVIAN	1	\$1,884.63	\$1,884.63
263123110042	9991 AUSTIN ST NE	BRASK, TONNA M	1	\$1,884.63	\$1,884.63
263123110043	9997 AUSTIN ST NE	STOFFELS, JACQUELINE	1	\$1,884.63	\$1,884.63
263123110044	10003 AUSTIN ST NE	GELWICK AMY R & CURTIS J	1	\$1,884.63	\$1,884.63
263123110045	10009 AUSTIN ST NE	MASSIE, JULEE A	1	\$1,884.63	\$1,884.63
263123110046	10015 AUSTIN ST NE	MCMAHON JASON A & C R M	1	\$1,884.63	\$1,884.63
263123110047	10021 AUSTIN ST NE	GOFF, LAURA MARIE	1	\$1,884.63	\$1,884.63
263123110048	10027 AUSTIN ST NE	THOMAS DIANNE M	1	\$1,884.63	\$1,884.63
263123110049	10033 AUSTIN ST NE	WAMSLEY, MILA	1	\$1,884.63	\$1,884.63
263123110050	10039 AUSTIN ST NE	DROBNICK BRUCE C	1	\$1,884.63	\$1,884.63
263123110051	4100 AUSTIN ST NE	BALK JUDITH A	1	\$1,884.63	\$1,884.63
263123110052	4104 AUSTIN ST NE	DESSELLIER, TRISTEN D	1	\$1,884.63	\$1,884.63
263123110053	4108 AUSTIN ST NE	LYKE SANDRA K	1	\$1,884.63	\$1,884.63
263123110054	4112 AUSTIN ST NE	WEBBER LYNN M	1	\$1,884.63	\$1,884.63
263123110055	4116 AUSTIN ST NE	ENCINGER, JENNIFER	1	\$1,884.63	\$1,884.63
263123110056	4120 AUSTIN ST NE	ALU, ESSON D	1	\$1,884.63	\$1,884.63
263123110057	4124 AUSTIN ST NE	O'DONNELL, JODIE M	1	\$1,884.63	\$1,884.63
263123110058	4128 AUSTIN ST NE	LIANG, FUBO	1	\$1,884.63	\$1,884.63
263123110059	10056 CORD ST NE	FOSS, GLORIA	1	\$1,884.63	\$1,884.63
263123110060	10062 CORD ST NE	BLUE SKIES PROPERTIES LLC	1	\$1,884.63	\$1,884.63
263123110061	10044 CORD ST NE	GEAREY, LONA	1	\$1,884.63	\$1,884.63
263123110062	10050 CORD ST NE	HEALY, CHRISTOPHER	1	\$1,884.63	\$1,884.63
263123110063	10032 CORD ST NE	BERG NANCY A	1	\$1,884.63	\$1,884.63

EXHIBIT NO. 1A - AREA 1 PROPOSED FINAL ASSESSMENT ROLL SINGLE FAMILY RESIDENTIAL PROPERTIES

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*	\$1,417,059.68	*(CONSTRUCTION COST DOES NOT INCLUDE DRIVEWAY, TRAIL, SIDEWALK REPLACEMENT OR WATER MAIN, SANITARY SEWER COSTS)			
ADMINISTRATIVE COSTS	\$328,689.26				
TOTAL COST	\$1,745,748.94				
	RESIDENTIAL RATE	x35%	TOTAL FRONT FOOTAGE	ASSESSMENT RATE PER FRONT FOOT	
ASSESSABLE COST	\$611,012.13	/	16299.9 LF	=	\$37.49

RESIDENTIAL PROPERTY

ASSESSMENT RATE		SINGLE FAMILY RESIDENTIAL ASSESSABLE FOOTAGE		AMOUNT ASSESSED		ASSESSABLE RESIDENTIAL LOT UNITS		ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$37.49	X	10035.7 LF	=	\$376,236.52	/	128	=	\$2,939.35

PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
263123110004	9829 CORD ST NE	PAVLICA, DEBORAH	1	\$2,939.35	\$2,939.35
263123110005	9832 AUSTIN ST NE	SVEIVEN GARY M & DENISE A	1	\$2,939.35	\$2,939.35
263123110006	9900 AUSTIN ST NE	ERICKSON JAMES L & DEBRA L	1	\$2,939.35	\$2,939.35
263123110007	4070 99TH AVE NE	PRIOR RANDY R & RITA J	1	\$2,939.35	\$2,939.35
263123110008	4080 99TH AVE NE	NICKERSON TRUSTEE, LU A	1	\$2,939.35	\$2,939.35
263123110009	4090 99TH AVE NE	CLOUTIER, CRYSTAL	1	\$2,939.35	\$2,939.35
263123110010	4100 99TH AVE NE	WATTERS OLAN E JR & MODISETTE	1	\$2,939.35	\$2,939.35
263123110011	4110 99TH AVE NE	BURR KYLE	1	\$2,939.35	\$2,939.35
263123110012	4120 99TH AVE NE	SORENSEN, JENNIFER L	1	\$2,939.35	\$2,939.35
263123110013	4130 99TH AVE NE	HAGBERG, LARRY	1	\$2,939.35	\$2,939.35
263123110014	9828 CORD ST NE	HOFFMANN, ANDREA L	1	\$2,939.35	\$2,939.35
263123110015	9827 AUSTIN ST NE	NELSON JAY BRENT	1	\$2,939.35	\$2,939.35
263123110016	4111 99TH AVE NE	HOGEN, BRIAN D	1	\$2,939.35	\$2,939.35
263123110017	4121 99TH AVE NE	OCHOA, KARINA	1	\$2,939.35	\$2,939.35
263123110018	4131 99TH AVE NE	MARINELLO, RICK A	1	\$2,939.35	\$2,939.35
263123110019	4141 99TH AVE NE	LAWLER MARY C	1	\$2,939.35	\$2,939.35
263123110020	4061 99TH AVE NE	DULLINGER WAYNE A	1	\$2,939.35	\$2,939.35
263123110021	4071 99TH AVE NE	KNAEBLE, DEANNA M	1	\$2,939.35	\$2,939.35
263123110022	4081 99TH AVE NE	ZSCHOKKE ROBERT & CYNTHIA	1	\$2,939.35	\$2,939.35
263123110023	4091 99TH AVE NE	SEMIC, FIKRET	1	\$2,939.35	\$2,939.35
263123110024	4101 99TH AVE NE	MANTHEI BRUCE L & SHERRI	1	\$2,939.35	\$2,939.35
263123110025	9916 AUSTIN ST NE	HPA BORROWER 2016-2 ML LLC	1	\$2,939.35	\$2,939.35
263123110026	9932 AUSTIN ST NE	REHBEIN, MICHAEL A	1	\$2,939.35	\$2,939.35
263123110027	9948 AUSTIN ST NE	KIPPELS JENNIFER STEELE	1	\$2,939.35	\$2,939.35
263123110028	9964 AUSTIN ST NE	ARGO, GEMEDA	1	\$2,939.35	\$2,939.35
263123110029	9980 AUSTIN ST NE	KHAN MAHMOOD	1	\$2,939.35	\$2,939.35
263123110030	9996 AUSTIN ST NE	LONEY BRYCE A C & SARAH M	1	\$2,939.35	\$2,939.35
263123140002	4022 97TH LN NE	ELMS MARK T & LISA J	1	\$2,939.35	\$2,939.35
263123140003	4032 97TH LN NE	JOHNSON TASHYA	1	\$2,939.35	\$2,939.35
263123140004	4042 97TH LN NE	WALDOCH STEPHANIE	1	\$2,939.35	\$2,939.35
263123140005	4052 97TH LN NE	GULLICKSON, KEVIN R	1	\$2,939.35	\$2,939.35
263123140006	4062 97TH LN NE	WONG, NANCY K	1	\$2,939.35	\$2,939.35

EXHIBIT NO. 1A - AREA 1 PROPOSED FINAL ASSESSMENT ROLL SINGLE FAMILY RESIDENTIAL PROPERTIES

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*	\$1,417,059.68	*(CONSTRUCTION COST DOES NOT INCLUDE DRIVEWAY, TRAIL, SIDEWALK REPLACEMENT OR WATER MAIN, SANITARY SEWER COSTS)			
ADMINISTRATIVE COSTS	\$328,689.26				
TOTAL COST	\$1,745,748.94				
	RESIDENTIAL RATE	x35%	TOTAL FRONT FOOTAGE	ASSESSMENT RATE PER FRONT FOOT	
ASSESSABLE COST	\$611,012.13	/	16299.9 LF	=	\$37.49

RESIDENTIAL PROPERTY

ASSESSMENT RATE		SINGLE FAMILY RESIDENTIAL ASSESSABLE FOOTAGE		AMOUNT ASSESSED		ASSESSABLE RESIDENTIAL LOT UNITS		ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$37.49	X	10035.7 LF	=	\$376,236.52	/	128	=	\$2,939.35

PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
263123140007	4102 97TH LN NE	MICKLE DOUGLAS R	1	\$2,939.35	\$2,939.35
263123140008	4112 97TH LN NE	DIANE, SODERHOLM M	1	\$2,939.35	\$2,939.35
263123140009	4122 97TH LN NE	VINCENT, TODD C	1	\$2,939.35	\$2,939.35
263123140010	4132 97TH LN NE	HOGENDORF, KAREN F	1	\$2,939.35	\$2,939.35
263123140013	4163 EDGEWOOD RD NE	VOSS, AMY J	1	\$2,939.35	\$2,939.35
263123140014	4153 EDGEWOOD RD NE	BAILEY TRUSTEE, KELBIN R	1	\$2,939.35	\$2,939.35
263123140015	4143 EDGEWOOD RD NE	REIGSTAD DARYLL W & G L	1	\$2,939.35	\$2,939.35
263123140016	4133 EDGEWOOD RD NE	OSBERG, DAVID	1	\$2,939.35	\$2,939.35
263123140017	4123 EDGEWOOD RD NE	LINDQUIST JON K & LINDA D	1	\$2,939.35	\$2,939.35
263123140018	4113 EDGEWOOD RD NE	WOLD TERRY W & DONNA A	1	\$2,939.35	\$2,939.35
263123140019	4103 EDGEWOOD RD NE	ROBINSON, STEVEN A	1	\$2,939.35	\$2,939.35
263123140020	4083 EDGEWOOD RD NE	BYMARK TANI M	1	\$2,939.35	\$2,939.35
263123140021	4073 EDGEWOOD RD NE	HANSEN KURT K & HEIDI K	1	\$2,939.35	\$2,939.35
263123140022	4063 EDGEWOOD RD NE	STOTT, ROBERT J	1	\$2,939.35	\$2,939.35
263123140023	4053 EDGEWOOD RD NE	KOFORD TERRY W & ELIZABETH	1	\$2,939.35	\$2,939.35
263123140024	4043 EDGEWOOD RD NE	JOYAL, LISA	1	\$2,939.35	\$2,939.35
263123140025	4033 EDGEWOOD RD NE	LEJEUNE DANIEL M & KERRI H	1	\$2,939.35	\$2,939.35
263123140026	4023 EDGEWOOD RD NE	BRADLEY DONALD M & BEVERLY	1	\$2,939.35	\$2,939.35
263123140027	9701 AUSTIN ST NE	LECHNER, CLINT W	1	\$2,939.35	\$2,939.35
263123140028	9711 AUSTIN ST NE	NORTON, CHRISTOPHER	1	\$2,939.35	\$2,939.35
263123140029	9721 AUSTIN ST NE	JOHNSON, AMBER R	1	\$2,939.35	\$2,939.35
263123140030	9731 AUSTIN ST NE	HANSON MICHAEL S & JULIE L	1	\$2,939.35	\$2,939.35
263123140031	9741 AUSTIN ST NE	CUTTER, BENJAMIN J	1	\$2,939.35	\$2,939.35
263123140032	9700 AUSTIN ST NE	XIONG FOUNG W & VANG MAY	1	\$2,939.35	\$2,939.35
263123140033	9710 AUSTIN ST NE	LUNDMARK CRAIG R	1	\$2,939.35	\$2,939.35
263123140034	9720 AUSTIN ST NE	BANASZEWSKI ROBERT L & P J	1	\$2,939.35	\$2,939.35
263123140035	9730 AUSTIN ST NE	JECHORT PAUL F & S M	1	\$2,939.35	\$2,939.35
263123140036	9740 AUSTIN ST NE	NGUYEN, LYNN	1	\$2,939.35	\$2,939.35
263123140037	9750 AUSTIN ST NE	CARDILLE DANIEL J	1	\$2,939.35	\$2,939.35
263123140038	4001 97TH LN NE	DRAHEIM, DANIELLE	1	\$2,939.35	\$2,939.35
263123140039	4011 97TH LN NE	DIAZ, JOHN F	1	\$2,939.35	\$2,939.35
263123140040	4021 97TH LN NE	NGUYEN, THAN	1	\$2,939.35	\$2,939.35
263123140041	4031 97TH LN NE	ADAMS TODD W & DEADRA D	1	\$2,939.35	\$2,939.35

EXHIBIT NO. 1A - AREA 1 PROPOSED FINAL ASSESSMENT ROLL SINGLE FAMILY RESIDENTIAL PROPERTIES

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*	\$1,417,059.68	*(CONSTRUCTION COST DOES NOT INCLUDE DRIVEWAY, TRAIL, SIDEWALK REPLACEMENT OR WATER MAIN, SANITARY SEWER COSTS)			
ADMINISTRATIVE COSTS	\$328,689.26				
TOTAL COST	\$1,745,748.94				
	RESIDENTIAL RATE	x35%	TOTAL FRONT FOOTAGE	ASSESSMENT RATE PER FRONT FOOT	
ASSESSABLE COST	\$611,012.13	/	16299.9 LF	=	\$37.49

RESIDENTIAL PROPERTY

ASSESSMENT RATE		SINGLE FAMILY RESIDENTIAL ASSESSABLE FOOTAGE		AMOUNT ASSESSED		ASSESSABLE RESIDENTIAL LOT UNITS		ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$37.49	X	10035.7 LF	=	\$376,236.52	/	128	=	\$2,939.35

PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
263123140042	4041 97TH LN NE	SCHMIDT, JASON	1	\$2,939.35	\$2,939.35
263123140043	4051 97TH LN NE	DEVANEY, KRISTI R	1	\$2,939.35	\$2,939.35
263123140044	4061 97TH LN NE	SUMMERFIELD CHRIS A & ANNA	1	\$2,939.35	\$2,939.35
263123140045	4101 97TH LN NE	MICHELSON, BRIAN D	1	\$2,939.35	\$2,939.35
263123140046	4111 97TH LN NE	LOEFFLER, NICOLE D	1	\$2,939.35	\$2,939.35
263123140047	4121 97TH LN NE	WHITNEY, JACOB	1	\$2,939.35	\$2,939.35
263123140048	4131 97TH LN NE	ANDERSON PAUL R & LAURA	1	\$2,939.35	\$2,939.35
263123140049	9825 CORD ST NE	HYLTON, THOMAS P	1	\$2,939.35	\$2,939.35
263123140050	9821 CORD ST NE	TRYBUCHOWSKI FRANCISK J & K D	1	\$2,939.35	\$2,939.35
263123140051	9817 CORD ST NE	KLUN, MATTHEW JOSEPH	1	\$2,939.35	\$2,939.35
263123140052	9813 CORD ST NE	HARRIS, MICHAEL J	1	\$2,939.35	\$2,939.35
263123140053	9809 CORD ST NE	HAYES JENNIFER S & RAYMOND	1	\$2,939.35	\$2,939.35
263123140054	9805 CORD ST NE	HOA BAO HONG & HUYEN TRAN	1	\$2,939.35	\$2,939.35
263123140055	9801 CORD ST NE	HOFFARD, MARK H	1	\$2,939.35	\$2,939.35
263123140056	4150 98TH AVE NE	EITEL PETER L & DONNA J	1	\$2,939.35	\$2,939.35
263123140057	4140 98TH AVE NE	BURDORF, JENNIFER LYNN	1	\$2,939.35	\$2,939.35
263123140058	4130 98TH AVE NE	SPATAFORE DAVID R	1	\$2,939.35	\$2,939.35
263123140059	4120 98TH AVE NE	PYARALI TRUSTEE, GHULAM ABBAS	1	\$2,939.35	\$2,939.35
263123140060	4110 98TH AVE NE	MOORE, GENE	1	\$2,939.35	\$2,939.35
263123140061	4100 98TH AVE NE	WHEELER BRIAN C & DIANE M	1	\$2,939.35	\$2,939.35
263123140062	4090 98TH AVE NE	PICKETT, KEITH OWEN	1	\$2,939.35	\$2,939.35
263123140063	4080 98TH AVE NE	PRCIC ZIJAD & PRCIC SELMA K	1	\$2,939.35	\$2,939.35
263123140064	4070 98TH AVE NE	LYNCH LUISE B	1	\$2,939.35	\$2,939.35
263123140065	4060 98TH AVE NE	KETCHUM DALE B	1	\$2,939.35	\$2,939.35
263123140066	9800 AUSTIN ST NE	PEARL KEITH B & JACQUELINE J	1	\$2,939.35	\$2,939.35
263123140067	9804 AUSTIN ST NE	KREHL, TIMOTHY WALTER	1	\$2,939.35	\$2,939.35
263123140068	9808 AUSTIN ST NE	GATES, NATHAN	1	\$2,939.35	\$2,939.35
263123140069	9812 AUSTIN ST NE	PALMER JOHN A & DOREEN A	1	\$2,939.35	\$2,939.35
263123140070	9816 AUSTIN ST NE	GELLE DAVID R & AGNES F	1	\$2,939.35	\$2,939.35
263123140071	9820 AUSTIN ST NE	BRONSINK, CHRISTOPHER JAY	1	\$2,939.35	\$2,939.35
263123140072	9824 AUSTIN ST NE	GIGRICH KEVIN T & LISA T	1	\$2,939.35	\$2,939.35
263123140073	9828 AUSTIN ST NE	LYONS JULIE M	1	\$2,939.35	\$2,939.35
263123140074	4070 98TH LN NE	BROWN, TIMOTHY LEE	1	\$2,939.35	\$2,939.35
263123140075	4080 98TH LN NE	ROSS, SHANAN	1	\$2,939.35	\$2,939.35

EXHIBIT NO. 1A - AREA 1 PROPOSED FINAL ASSESSMENT ROLL SINGLE FAMILY RESIDENTIAL PROPERTIES

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*	\$1,417,059.68	*(CONSTRUCTION COST DOES NOT INCLUDE DRIVEWAY, TRAIL, SIDEWALK REPLACEMENT OR WATER MAIN, SANITARY SEWER COSTS)			
ADMINISTRATIVE COSTS	\$328,689.26				
TOTAL COST	\$1,745,748.94				
	RESIDENTIAL RATE	x35%	TOTAL FRONT FOOTAGE	ASSESSMENT RATE PER FRONT FOOT	
ASSESSABLE COST	\$611,012.13	/	16299.9 LF	=	\$37.49

RESIDENTIAL PROPERTY

ASSESSMENT RATE		SINGLE FAMILY RESIDENTIAL ASSESSABLE FOOTAGE		AMOUNT ASSESSED		ASSESSABLE RESIDENTIAL LOT UNITS		ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$37.49	X	10035.7 LF	=	\$376,236.52	/	128	=	\$2,939.35

PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
263123140076	4090 98TH LN NE	SILVERDAHL STEVEN & KRISTY	1	\$2,939.35	\$2,939.35
263123140077	4100 98TH LN NE	DURO, ELVEDIN	1	\$2,939.35	\$2,939.35
263123140078	4110 98TH LN NE	CROWLEY, JUSTIN J	1	\$2,939.35	\$2,939.35
263123140079	4120 98TH LN NE	FARLEY CHARLES E JR & SUSAN M	1	\$2,939.35	\$2,939.35
263123140080	4130 98TH LN NE	MOREHOUSE L & COLSTROM C A	1	\$2,939.35	\$2,939.35
263123140081	9816 CORD ST NE	NELSON JOHN C & CYNTHIA J	1	\$2,939.35	\$2,939.35
263123140082	9812 CORD ST NE	HOFLAND STEVEN T & AMY K	1	\$2,939.35	\$2,939.35
263123140083	9808 CORD ST NE	TORNGA KYLE	1	\$2,939.35	\$2,939.35
263123140084	4131 98TH AVE NE	MUCHA DARYL S	1	\$2,939.35	\$2,939.35
263123140085	4121 98TH AVE NE	DOMAGALL, CHRISTIAN J	1	\$2,939.35	\$2,939.35
263123140086	4111 98TH AVE NE	FORLITI-ASKA, LISSA ANNE	1	\$2,939.35	\$2,939.35
263123140087	4101 98TH AVE NE	REED MICHAEL A & REGINA J	1	\$2,939.35	\$2,939.35
263123140088	4091 98TH AVE NE	VOELKER-CHRISTY, ALYSSA J	1	\$2,939.35	\$2,939.35
263123140089	4081 98TH AVE NE	DOUTHITT, JEFFREY A	1	\$2,939.35	\$2,939.35
263123140090	4071 98TH AVE NE	RAMM KENNERA J	1	\$2,939.35	\$2,939.35
263123140091	9807 AUSTIN ST NE	LOR SAM F & DA X	1	\$2,939.35	\$2,939.35
263123140092	9811 AUSTIN ST NE	RAKIN, IVAN	1	\$2,939.35	\$2,939.35
263123140093	9815 AUSTIN ST NE	BLAISDELL, DANIEL R	1	\$2,939.35	\$2,939.35
263123140094	9824 CORD ST NE	PEREZ GEORGE J & MARIA A	1	\$2,939.35	\$2,939.35
263123140095	9820 CORD ST NE	STERNER SUSAN M	1	\$2,939.35	\$2,939.35
263123140096	4131 98TH LN NE	DILKS, CHRISTOPHER T	1	\$2,939.35	\$2,939.35
263123140097	4121 98TH LN NE	GRAY HAROLD E & NANCY A	1	\$2,939.35	\$2,939.35
263123140098	4111 98TH LN NE	PFLUGER, RANDY S	1	\$2,939.35	\$2,939.35
263123140099	4101 98TH LN NE	BENSON TODD B	1	\$2,939.35	\$2,939.35
263123140100	4091 98TH LN NE	SHIMEK STEVEN B & CHERYL A	1	\$2,939.35	\$2,939.35
263123140101	4081 98TH LN NE	WOHLWEND WILLIAM S	1	\$2,939.35	\$2,939.35
263123140102	4071 98TH LN NE	RUMREICH, BAILEY J	1	\$2,939.35	\$2,939.35
263123140103	9819 AUSTIN ST NE	MORRISON, ROBIN R	1	\$2,939.35	\$2,939.35
263123140104	9823 AUSTIN ST NE	APIKELIS, MELISSA A	1	\$2,939.35	\$2,939.35

TOTAL: 128 \$376,236.80

EXHIBIT NO. 1B - AREA 1 PROPOSED FINAL ASSESSMENT ROLL
MULTI-FAMILY RESIDENTIAL PROPERTIES

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*	\$1,417,059.68	*(CONSTRUCTION COST DOES NOT INCLUDE DRIVEWAY, TRAIL, SIDEWALK REPLACEMENT OR WATER MAIN, SANITARY SEWER COSTS)			
ADMINISTRATIVE COSTS	\$328,689.26				
TOTAL COST	\$1,745,748.94				
			ASSESSMENT RATE PER FRONT FOOT		
HIGH DENSITY RESIDENTIAL	x50%	TOTAL FRONT FOOTAGE			
ASSESSABLE COST	\$872,874.47 /	16299.9 LF	=	\$53.55	

MULTI-FAMILY RESIDENTIAL PROPERTY

ASSESSMENT RATE		MULTI-FAMILY RESIDENTIAL ASSESSABLE FOOTAGE		AMOUNT ASSESSED		ASSESSABLE RESIDENTIAL LOT UNITS		ASSESSMENT RATE PER MULTI-FAMILY RESIDENTIAL LOT UNIT
\$53.55	X	3660.2 LF	=	\$196,001.57	/	104	=	\$1,884.63

PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
263123110064	10038 CORD ST NE	BEAUBIEN, WENDEE	1	\$1,884.63	\$1,884.63
263123110065	10020 CORD ST NE	PETERSON KELLY	1	\$1,884.63	\$1,884.63
263123110066	10026 CORD ST NE	USELMAN PATRICIA M	1	\$1,884.63	\$1,884.63
263123110067	10008 CORD ST NE	DAHLIN, PEGGY DIANE	1	\$1,884.63	\$1,884.63
263123110068	10014 CORD ST NE	CHAMPLIN MICHAEL J & AMANDA	1	\$1,884.63	\$1,884.63
263123110069	9996 CORD ST NE	SCHACHER, JAMES A	1	\$1,884.63	\$1,884.63
263123110070	10002 CORD ST NE	METROPOLITAN COUNCIL	1	\$1,884.63	\$1,884.63
263123110071	9984 CORD ST NE	FADDEN GLENN L	1	\$1,884.63	\$1,884.63
263123110072	9990 CORD ST NE	SWANSON, KURT	1	\$1,884.63	\$1,884.63
263123110073	9972 CORD ST NE	SWANSON, KENT	1	\$1,884.63	\$1,884.63
263123110074	9978 CORD ST NE	ANDERSON DARREL L & GAIL A	1	\$1,884.63	\$1,884.63
263123110075	9960 CORD ST NE	SANDBERG DEANN K & ERIC T	1	\$1,884.63	\$1,884.63
263123110076	9966 CORD ST NE	SUGDEN, JENNIFER L	1	\$1,884.63	\$1,884.63
263123110077	9948 CORD ST NE	KOEHLER, BENJAMIN P	1	\$1,884.63	\$1,884.63
263123110078	9954 CORD ST NE	BAROTT, MITCHELL GARY	1	\$1,884.63	\$1,884.63
263123110079	9936 CORD ST NE	JACOBSON, SARAH M	1	\$1,884.63	\$1,884.63
263123110080	9942 CORD ST NE	PETERSON, MARK J	1	\$1,884.63	\$1,884.63
263123110081	9924 CORD ST NE	PLUMMER, JENNIFER A	1	\$1,884.63	\$1,884.63
263123110082	9930 CORD ST NE	DOHRMANN, ROBB	1	\$1,884.63	\$1,884.63
263123110083	10063 CORD ST NE	LAKE, RICHARD A	1	\$1,884.63	\$1,884.63
263123110084	10057 CORD ST NE	CLAYPOOL, LARRY	1	\$1,884.63	\$1,884.63
263123110085	10051 CORD ST NE	MILLER, TRACY L	1	\$1,884.63	\$1,884.63
263123110086	10045 CORD ST NE	SMITH, KELSIE A	1	\$1,884.63	\$1,884.63
263123110087	10039 CORD ST NE	PADILLA, JENNIFER L	1	\$1,884.63	\$1,884.63
263123110088	10033 CORD ST NE	BAKER, ASHLEY JO	1	\$1,884.63	\$1,884.63
263123110089	10027 CORD ST NE	SANTANA, DAVID J	1	\$1,884.63	\$1,884.63
263123110090	10021 CORD ST NE	HRONOSKI, RYAN	1	\$1,884.63	\$1,884.63
263123110091	10015 CORD ST NE	GERDIN YVONNE	1	\$1,884.63	\$1,884.63
263123110092	10009 CORD ST NE	SCHROEDER SHARON KAY	1	\$1,884.63	\$1,884.63
263123110093	10003 CORD ST NE	GREENWALDT, CASEY	1	\$1,884.63	\$1,884.63
263123110094	9997 CORD ST NE	OETTEL, JASON A	1	\$1,884.63	\$1,884.63
263123110095	9991 CORD ST NE	COFIELD, JACQUELYN R	1	\$1,884.63	\$1,884.63
263123110096	9985 CORD ST NE	LIANG, FUBO	1	\$1,884.63	\$1,884.63
263123110097	9979 CORD ST NE	TURI, PEGGY LYNN	1	\$1,884.63	\$1,884.63

EXHIBIT NO. 1B - AREA 1 PROPOSED FINAL ASSESSMENT ROLL
MULTI-FAMILY RESIDENTIAL PROPERTIES

ASSESSMENT RATE BREAKDOWN			
CONSTRUCTION COSTS*	\$1,417,059.68	*(CONSTRUCTION COST DOES NOT INCLUDE DRIVEWAY, TRAIL, SIDEWALK REPLACEMENT OR WATER MAIN, SANITARY SEWER COSTS)	
ADMINISTRATIVE COSTS	\$328,689.26		
TOTAL COST	\$1,745,748.94		
		ASSESSMENT RATE PER FRONT FOOT	
HIGH DENSITY RESIDENTIAL	x50%	TOTAL FRONT FOOTAGE	
ASSESSABLE COST	\$872,874.47 /	16299.9 LF	= \$53.55

MULTI-FAMILY RESIDENTIAL PROPERTY

ASSESSMENT RATE	MULTI-FAMILY RESIDENTIAL ASSESSABLE FOOTAGE	AMOUNT ASSESSED	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER MULTI-FAMILY RESIDENTIAL LOT UNIT
\$53.55	X 3660.2 LF	= \$196,001.57	/ 104	= \$1,884.63

PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
263123110098	9973 CORD ST NE	ZIEBARTH ANDREW E & JILL M	1	\$1,884.63	\$1,884.63
263123110099	9967 CORD ST NE	DAHN, LINDA B	1	\$1,884.63	\$1,884.63
263123110100	9961 CORD ST NE	BAHR V FRANK & SHARON K	1	\$1,884.63	\$1,884.63
263123110101	9955 CORD ST NE	KRASOWSKI, BRIANNE	1	\$1,884.63	\$1,884.63
263123110102	9949 CORD ST NE	PELTON, DARELL	1	\$1,884.63	\$1,884.63
263123110103	9943 CORD ST NE	LAMBRECHT JEFFREY & MELISSA	1	\$1,884.63	\$1,884.63
263123110104	9937 CORD ST NE	SU, HONGTAO	1	\$1,884.63	\$1,884.63
263123110105	9931 CORD ST NE	BARTOLAIN, KERRY	1	\$1,884.63	\$1,884.63
263123110106	9925 CORD ST NE	KING ANN	1	\$1,884.63	\$1,884.63
263123110107	9919 CORD ST NE	KENDLE AMBER & NICHOLAS	1	\$1,884.63	\$1,884.63
263123110108	9913 CORD ST NE	WORWA, AMY F	1	\$1,884.63	\$1,884.63
263123110109	9907 CORD ST NE	DIETRICH RHONDA J	1	\$1,884.63	\$1,884.63
263123110110	9901 CORD ST NE	BRONSON MARK	1	\$1,884.63	\$1,884.63
263123110111	4105 AUSTIN ST NE	JOHNSON, MELISSA BETH	1	\$1,884.63	\$1,884.63
263123110112	4101 AUSTIN ST NE	FERRELL, JESSICA A	1	\$1,884.63	\$1,884.63
263123110113	4113 AUSTIN ST NE	BEGIN CHERYL A	1	\$1,884.63	\$1,884.63
263123110114	4109 AUSTIN ST NE	WHITE JACQUELYNN MARIE	1	\$1,884.63	\$1,884.63
263123110115	4121 AUSTIN ST NE	SAUER JOSEPH JEROME	1	\$1,884.63	\$1,884.63
263123110116	4117 AUSTIN ST NE	THILL, KIMBERLY J	1	\$1,884.63	\$1,884.63
263123110117	4129 AUSTIN ST NE	BREEN, BRYAN M	1	\$1,884.63	\$1,884.63
263123110118	4125 AUSTIN ST NE	TALLMAN MICHELLE R & WILLIAM H	1	\$1,884.63	\$1,884.63
263123110119	4137 AUSTIN ST NE	KINDSVATER, DIANE M	1	\$1,884.63	\$1,884.63
263123110120	4133 AUSTIN ST NE	BUSH ROBERT LESLIE	1	\$1,884.63	\$1,884.63
263123110121	4145 AUSTIN ST NE	PETERSON, KATHLEEN A	1	\$1,884.63	\$1,884.63
263123110122	4141 AUSTIN ST NE	LARSON, RONALD K	1	\$1,884.63	\$1,884.63
263123110123	4153 AUSTIN ST NE	MELBERG, ANN	1	\$1,884.63	\$1,884.63
263123110124	4149 AUSTIN ST NE	KETZ, KANDI	1	\$1,884.63	\$1,884.63
263123110125	4161 AUSTIN ST NE	DIERKHISING, ADAM	1	\$1,884.63	\$1,884.63
263123110126	4157 AUSTIN ST NE	CLARK, ZACHARIAH T	1	\$1,884.63	\$1,884.63
263123110127	4169 AUSTIN ST NE	KELLY JR, EDWARD M	1	\$1,884.63	\$1,884.63
263123110128	4165 AUSTIN ST NE	WOODS MICHAEL C	1	\$1,884.63	\$1,884.63
263123110129	4177 AUSTIN ST NE	HARRIS, STEVEN	1	\$1,884.63	\$1,884.63
263123110130	4173 AUSTIN ST NE	TIPLER CONSTANCE S	1	\$1,884.63	\$1,884.63
263123110131	4185 AUSTIN ST NE	BRENGMAN, CYNTHIA R	1	\$1,884.63	\$1,884.63

EXHIBIT NO. 1B - AREA 1 PROPOSED FINAL ASSESSMENT ROLL
MULTI-FAMILY RESIDENTIAL PROPERTIES

ASSESSMENT RATE BREAKDOWN				
CONSTRUCTION COSTS*	\$1,417,059.68	*(CONSTRUCTION COST DOES NOT INCLUDE DRIVEWAY, TRAIL, SIDEWALK REPLACEMENT OR WATER MAIN, SANITARY SEWER COSTS)		
ADMINISTRATIVE COSTS	\$328,689.26			
TOTAL COST	\$1,745,748.94			
	HIGH DENSITY RESIDENTIAL	x50%	TOTAL FRONT FOOTAGE	ASSESSMENT RATE PER FRONT FOOT
ASSESSABLE COST	\$872,874.47	/	16299.9 LF	= \$53.55

MULTI-FAMILY RESIDENTIAL PROPERTY

ASSESSMENT RATE		MULTI-FAMILY RESIDENTIAL ASSESSABLE FOOTAGE		AMOUNT ASSESSED		ASSESSABLE RESIDENTIAL LOT UNITS		ASSESSMENT RATE PER MULTI-FAMILY RESIDENTIAL LOT UNIT
\$53.55	X	3660.2 LF	=	\$196,001.57	/	104	=	\$1,884.63

PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
263123110132	4181 AUSTIN ST NE	SPURBECK LISA	1	\$1,884.63	\$1,884.63
263123110133	4193 AUSTIN ST NE	SAKKAL, FADEL	1	\$1,884.63	\$1,884.63
263123110134	4189 AUSTIN ST NE	KRISTOFITZ, GARY	1	\$1,884.63	\$1,884.63

TOTAL:

104	\$196,001.52
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EXHIBIT NO. 2 - AREA 2 PROPOSED FINAL ASSESSMENT ROLL
COMMERCIAL / INDUSTRIAL PROPERTIES

ASSESSMENT RATE BREAKDOWN				
CONSTRUCTION COSTS*	\$106,103.34	*(CONSTRUCTION COST DOES NOT INCLUDE DRIVEWAY, TRAIL, SIDEWALK REPLACEMENT OR WATER MAIN, SANITARY SEWER COSTS)		
ADMINISTRATIVE COSTS	\$24,610.83			
TOTAL COST	\$130,714.17			
	COMMERCIAL/INDUSTRIAL RATE	x50%	TOTAL FRONT FOOTAGE	ASSESSMENT RATE PER FRONT FOOT
ASSESSABLE COST	\$65,357.09	/	1182.7 LF	= \$55.26

PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE FOOTAGE	ASSESSMENT RATE PER FRONT FOOT	PROPOSED ASSESSMENT
343123430015	8501 OLD WEST 35W SERVICE DR NE	E KIEFER LIMITED PARTNERSHIP	209.1	\$55.26	\$11,555.97
343123430016	8611 WEST 35W SERVICE DR NE	WHITEWATER PROPERTIES I LLC	442.3	\$55.26	\$24,442.05
TOTAL:			651.4		\$35,998.02

EXHIBIT NO. 3 - AREA 3 PROPOSED FINAL ASSESSMENT ROLL SINGLE FAMILY RESIDENTIAL PROPERTIES

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*	\$147,652.91	*(CONSTRUCTION COST DOES NOT INCLUDE DRIVEWAY, TRAIL, SIDEWALK REPLACEMENT OR WATER MAIN, SANITARY SEWER COSTS)			
ADMINISTRATIVE COSTS	\$34,248.33				
TOTAL COST	\$181,901.24				
			ASSESSMENT RATE PER FRONT FOOT		
ASSESSABLE COST	RESIDENTIAL RATE x35%	TOTAL FRONT FOOTAGE			
	\$63,665.43 /	2513.0 LF	=	\$25.33	

RESIDENTIAL PROPERTY

ASSESSMENT RATE		SINGLE FAMILY RESIDENTIAL ASSESSABLE FOOTAGE		AMOUNT ASSESSED		ASSESSABLE RESIDENTIAL LOT UNITS		ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$25.33	X	2353.6 LF	=	\$59,615.67	/	23	=	\$2,591.99

PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
343123340002	8609 EDISON ST NE	KAISER STEPHEN E & P A	1	\$2,591.99	\$2,591.99
343123340003	8601 EDISON ST NE	BECKER PAUL R & KRISTI H	1	\$2,591.99	\$2,591.99
343123340004	8605 EDISON ST NE	ARNOLD, CODY B	1	\$2,591.99	\$2,591.99
343123340005	8551 EDISON ST NE	BERGREN, CHERYL D	2	\$2,591.99	\$5,183.98
343123340016	8504 EDISON ST NE	ALVAREZ, RUTH ELIZABETH	1	\$2,591.99	\$2,591.99
343123340030	8521 EDISON ST NE	LEE, BLACKIE	2	\$2,591.99	\$5,183.98
343123340032	8674 EDISON ST NE	KAITZ, SARAH MARIE	1	\$2,591.99	\$2,591.99
343123340033	8691 EDISON ST NE	LEY GREGORY R	1	\$2,591.99	\$2,591.99
343123340034	8671 EDISON ST NE	LITTLE SCOTT R & DAWN R	1	\$2,591.99	\$2,591.99
343123340035	8651 EDISON ST NE	HAUGEN CORY M & MELISSA	1	\$2,591.99	\$2,591.99
343123340037	8552 EDISON ST NE	SHOGREN, SHIRLEY A	1	\$2,591.99	\$2,591.99
343123340038	8548 EDISON ST NE	PETERSON ERIC A	1	\$2,591.99	\$2,591.99
343123340039	8544 EDISON ST NE	KINNEY JAMES & JANET	1	\$2,591.99	\$2,591.99
343123340040	8540 EDISON ST NE	JUELICH, GENE JOHN	1	\$2,591.99	\$2,591.99
343123340041	8536 EDISON ST NE	JAMA, IBRAHIM	1	\$2,591.99	\$2,591.99
343123340045	8511 EDISON ST NE	RAJENDRAN, PARAMESVARAN	1	\$2,591.99	\$2,591.99
343123340067	8620 EDISON ST NE	ZAMORA, ABRAHAM	1	\$2,591.99	\$2,591.99
343123340068	8634 EDISON ST NE	XIAO, FEI	1	\$2,591.99	\$2,591.99
343123340078	8532 EDISON ST NE	PENTA, WENDY	1	\$2,591.99	\$2,591.99
343123340090	8520 EDISON ST NE	EDWARDS-BROWNSON, KAYLA	1	\$2,591.99	\$2,591.99
343123340092	8650 EDISON ST NE	HOLT, ELMER LEON	1	\$2,591.99	\$2,591.99

TOTAL: 23 \$59,615.77

EXHIBIT NO. 4 - AREA 4 PROPOSED FINAL ASSESSMENT ROLL
SINGLE FAMILY RESIDENTIAL PROPERTIES

ASSESSMENT RATE BREAKDOWN				
CONSTRUCTION COSTS*	\$680,788.67	*(CONSTRUCTION COST DOES NOT INCLUDE DRIVEWAY, TRAIL, SIDEWALK REPLACEMENT OR WATER MAIN, SANITARY SEWER COSTS)		
ADMINISTRATIVE COSTS	\$157,910.02			
TOTAL COST	\$838,698.69			
			ASSESSMENT RATE PER FRONT FOOT	
ASSESSABLE COST	RESIDENTIAL RATE x35%	TOTAL FRONT FOOTAGE		
	\$293,544.54 /	10931.2 LF	=	\$26.85

RESIDENTIAL PROPERTY

ASSESSMENT RATE		SINGLE FAMILY RESIDENTIAL ASSESSABLE FOOTAGE		AMOUNT ASSESSED		ASSESSABLE RESIDENTIAL LOT UNITS		ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$26.85	X	8619.9 LF	=	\$231,444.32	/	98	=	\$2,361.68

PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
343123230001	9092 BATAAN ST NE	LOR, THONG	1	\$2,361.68	\$2,361.68
343123230007	9069 ZUMBROTA ST NE	EVERETT, SARAH L	1	\$2,361.68	\$2,361.68
343123230008	9055 ZUMBROTA ST NE	FADEL MOHAMED Y	1	\$2,361.68	\$2,361.68
343123230009	2715 90TH LN NE	ELZAGBY ELHAM	1	\$2,361.68	\$2,361.68
343123230010	2735 90TH LN NE	FITZPATRICK, KATHERINE	1	\$2,361.68	\$2,361.68
343123230011	2755 90TH LN NE	WINTERS, DAWN E	1	\$2,361.68	\$2,361.68
343123230012	2775 90TH LN NE	VANDEVEER, PAUL R	1	\$2,361.68	\$2,361.68
343123230013	2795 90TH LN NE	RHOADES MARILYN P	1	\$2,361.68	\$2,361.68
343123230014	9070 BATAAN ST NE	ELLINGSON, TINA	1	\$2,361.68	\$2,361.68
343123230035	9060 ZUMBROTA ST NE	SCHMITT, HEATHER LEE	1	\$2,361.68	\$2,361.68
343123230036	9052 ZUMBROTA ST NE	MALECHA DOREEN L	1	\$2,361.68	\$2,361.68
343123230037	2720 90TH LN NE	DUONG XUYEN VAN & LY THUY BICH	1	\$2,361.68	\$2,361.68
343123230038	2738 90TH LN NE	KRIPOTOS, JAMES M	1	\$2,361.68	\$2,361.68
343123230039	2760 90TH LN NE	KHAN KHADEER & INAYATH	1	\$2,361.68	\$2,361.68
343123230040	2778 90TH LN NE	GOMEZ, JENNIFER R	1	\$2,361.68	\$2,361.68
343123230041	2796 90TH LN NE	HARDER, STEVEN R	1	\$2,361.68	\$2,361.68
343123230042	2800 90TH LN NE	AKIN, MATTHEW J	1	\$2,361.68	\$2,361.68
343123230054	8902 YANCY ST NE	MCKELLAR, KYLE	1	\$2,361.68	\$2,361.68
343123230055	8916 YANCY ST NE	JOHNSON, INEZ T	1	\$2,361.68	\$2,361.68
343123230056	8930 YANCY ST NE	GUSE TODD P	1	\$2,361.68	\$2,361.68
343123230057	8940 YANCY ST NE	ASHLEY, MICHELLE	1	\$2,361.68	\$2,361.68
343123230058	8950 YANCY ST NE	BOWMAN, CYNTHIA	1	\$2,361.68	\$2,361.68
343123230059	8960 ZUMBROTA ST NE	SHIFFLETT MICHAEL A & SHERRY K	1	\$2,361.68	\$2,361.68
343123230060	8952 ZUMBROTA ST NE	KARNICK DREW A & JULIE R	1	\$2,361.68	\$2,361.68
343123230061	8967 ZUMBROTA ST NE	FLINK ANTHONY J & DARCY D	1	\$2,361.68	\$2,361.68
343123230062	8963 ZUMBROTA ST NE	EATHERTON RANDOLPH D & CARLA J	1	\$2,361.68	\$2,361.68
343123230063	2731 89TH LN NE	SCHIBILLA, MARK	1	\$2,361.68	\$2,361.68
343123230064	2743 89TH LN NE	JOHNSON STEVEN A & SHAWN K	1	\$2,361.68	\$2,361.68
343123230065	2757 89TH LN NE	VANDE KAMP PHILIP & SUSAN	1	\$2,361.68	\$2,361.68
343123230066	2785 89TH LN NE	HOFFMAN THOMAS J & BRENDA	1	\$2,361.68	\$2,361.68
343123230067	2823 89TH LN NE	MEDHANIE, AMANUEL G	1	\$2,361.68	\$2,361.68
343123230068	8903 YANCY ST NE	SMITH SCOTT M & MICHELE L	1	\$2,361.68	\$2,361.68
343123230069	8915 YANCY ST NE	UNRUH LANCE A & KIMBERLY J	1	\$2,361.68	\$2,361.68
343123230070	8929 YANCY ST NE	VAN RYBROEK, CHRISTOPHER JOHN	1	\$2,361.68	\$2,361.68
343123230071	2702 89TH LN NE	IDOW, ABDIAKIM H	1	\$2,361.68	\$2,361.68

EXHIBIT NO. 4 - AREA 4 PROPOSED FINAL ASSESSMENT ROLL
SINGLE FAMILY RESIDENTIAL PROPERTIES

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*	\$680,788.67	*(CONSTRUCTION COST DOES NOT INCLUDE DRIVEWAY, TRAIL, SIDEWALK REPLACEMENT OR WATER MAIN, SANITARY SEWER COSTS)			
ADMINISTRATIVE COSTS	\$157,910.02				
TOTAL COST	\$838,698.69				
				ASSESSMENT RATE PER FRONT FOOT	
ASSESSABLE COST	RESIDENTIAL RATE x35%	TOTAL FRONT FOOTAGE			
	\$293,544.54 /	10931.2 LF	=	\$26.85	

RESIDENTIAL PROPERTY

ASSESSMENT RATE		SINGLE FAMILY RESIDENTIAL ASSESSABLE FOOTAGE		AMOUNT ASSESSED		ASSESSABLE RESIDENTIAL LOT UNITS		ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$26.85	X	8619.9 LF	=	\$231,444.32	/	98	=	\$2,361.68

PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
343123230072	2716 89TH LN NE	BOHL SCOTT J & LYNN M	1	\$2,361.68	\$2,361.68
343123230073	2730 89TH LN NE	HOVLAND, JODY	1	\$2,361.68	\$2,361.68
343123230074	2744 89TH LN NE	GORSKI DEBORAH M	1	\$2,361.68	\$2,361.68
343123230075	2758 89TH LN NE	KLESK DANIEL R & KAREN M	1	\$2,361.68	\$2,361.68
343123230076	2772 89TH LN NE	STEINECK PEGGY M & GRAY GERALD	1	\$2,361.68	\$2,361.68
343123230077	2786 89TH LN NE	MILLER GERALD J & COUCH R J	1	\$2,361.68	\$2,361.68
343123230078	2808 89TH LN NE	DOOLEY JOSEPH J & CHERYL D	1	\$2,361.68	\$2,361.68
343123230080	8975 ZUMBROTA ST NE	ALIC, SENADA	1	\$2,361.68	\$2,361.68
343123230081	8973 ZUMBROTA ST NE	PORTLANCE DOUGLAS K & KIMBERLY	1	\$2,361.68	\$2,361.68
343123230082	8971 ZUMBROTA ST NE	BOTKER, JORDAN L	1	\$2,361.68	\$2,361.68
343123230083	2723 ZUMBROTA CIR NE	ANDERSON TERRANCE L & HARRIET	1	\$2,361.68	\$2,361.68
343123230084	2739 ZUMBROTA CIR NE	HPA BORROWER 2018-1 ML LLC	1	\$2,361.68	\$2,361.68
343123230085	2740 ZUMBROTA CIR NE	ROBINSON, COREY	1	\$2,361.68	\$2,361.68
343123230086	2726 ZUMBROTA CIR NE	CROWTHER, ROBERT J	1	\$2,361.68	\$2,361.68
343123230087	8969 ZUMBROTA ST NE	STARKSON, MICHELLE	1	\$2,361.68	\$2,361.68
343123240006	9093 BATAAN ST NE	LUECK, CHRISTOPHER T	1	\$2,361.68	\$2,361.68
343123240007	9069 BATAAN ST NE	BABACA HASAN & REDZIFE	1	\$2,361.68	\$2,361.68
343123240008	9051 BATAAN ST NE	PECHONICK, JENNIFER	1	\$2,361.68	\$2,361.68
343123240009	2829 90TH LN NE	PETERS MARK S	1	\$2,361.68	\$2,361.68
343123240010	2841 90TH LN NE	KRANTZ, CARISSA	1	\$2,361.68	\$2,361.68
343123240011	2853 90TH LN NE	DINH, TUYNH V	1	\$2,361.68	\$2,361.68
343123240012	2865 90TH LN NE	XU, GUO BAO	1	\$2,361.68	\$2,361.68
343123240013	2877 90TH LN NE	GANION, VINCENT P	1	\$2,361.68	\$2,361.68
343123240025	2935 90TH LN NE	HOFMANN KEITH E & JESSICA K	1	\$2,361.68	\$2,361.68
343123240026	2912 89TH CT NE	PUTZ, ALISON L	1	\$2,361.68	\$2,361.68
343123240027	2924 89TH CT NE	CHIRINOS JOSE L & CARMEN S	1	\$2,361.68	\$2,361.68
343123240028	2948 89TH CT NE	KWONG PETER T & KIMBERLY T	1	\$2,361.68	\$2,361.68
343123240029	2943 89TH CT NE	WINTERS LYNN C & SCOTT L	1	\$2,361.68	\$2,361.68
343123240030	2933 89TH CT NE	SINGH, JENEATTA L	1	\$2,361.68	\$2,361.68
343123240031	2923 89TH CT NE	THEIS PAUL M & ALISA L	1	\$2,361.68	\$2,361.68
343123240032	2911 89TH CT NE	ESTERS, SANDRA L	1	\$2,361.68	\$2,361.68
343123240033	2899 90TH LN NE	PHAN, PHUONG	1	\$2,361.68	\$2,361.68
343123240034	2889 90TH LN NE	VANG, SOU	1	\$2,361.68	\$2,361.68
343123240035	2806 90TH LN NE	BUTZLER JOHN M & LEAH N	1	\$2,361.68	\$2,361.68
343123240036	2814 90TH LN NE	PALVERE DANIEL B & VICKY E	1	\$2,361.68	\$2,361.68

EXHIBIT NO. 4 - AREA 4 PROPOSED FINAL ASSESSMENT ROLL
SINGLE FAMILY RESIDENTIAL PROPERTIES

ASSESSMENT RATE BREAKDOWN				
CONSTRUCTION COSTS*	\$680,788.67	*(CONSTRUCTION COST DOES NOT INCLUDE DRIVEWAY, TRAIL, SIDEWALK REPLACEMENT OR WATER MAIN, SANITARY SEWER COSTS)		
ADMINISTRATIVE COSTS	\$157,910.02			
TOTAL COST	\$838,698.69			
			ASSESSMENT RATE PER FRONT FOOT	
ASSESSABLE COST	RESIDENTIAL RATE x35%	TOTAL FRONT FOOTAGE		
	\$293,544.54 /	10931.2 LF	=	\$26.85

RESIDENTIAL PROPERTY

ASSESSMENT RATE		SINGLE FAMILY RESIDENTIAL ASSESSABLE FOOTAGE		AMOUNT ASSESSED		ASSESSABLE RESIDENTIAL LOT UNITS		ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$26.85	X	8619.9 LF	=	\$231,444.32	/	98	=	\$2,361.68

PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
343123240037	2828 90TH LN NE	MATZEK, ANNE ELIZABETH	1	\$2,361.68	\$2,361.68
343123240038	2842 90TH LN NE	HAWLEY KRISTIN J & MARY ANN	1	\$2,361.68	\$2,361.68
343123240039	2856 90TH LN NE	KHAN, AQEELA	1	\$2,361.68	\$2,361.68
343123240040	2870 90TH LN NE	SCHNEIDER STEVEN C & NANCY K	1	\$2,361.68	\$2,361.68
343123240041	2884 90TH LN NE	NELSON JR, MARSHALL E	1	\$2,361.68	\$2,361.68
343123240042	2892 90TH LN NE	JOHNS, MARK	1	\$2,361.68	\$2,361.68
343123240075	2843 89TH LN NE	BONDAREVA-ZUEHLKE, IRINA V	1	\$2,361.68	\$2,361.68
343123240076	8962 BATAAN CT NE	JORDAHL, SARAH	1	\$2,361.68	\$2,361.68
343123240077	8972 BATAAN CT NE	HABEDANK, JOEL	1	\$2,361.68	\$2,361.68
343123240078	8982 BATAAN CT NE	ARAYA, KIDEST	1	\$2,361.68	\$2,361.68
343123240079	8992 BATAAN CT NE	TURNQUIST STEVEN J & ANDREA E	1	\$2,361.68	\$2,361.68
343123240080	8993 BATAAN CT NE	STRECKER, JULIE M	1	\$2,361.68	\$2,361.68
343123240081	8983 BATAAN CT NE	ABUSARA, MANAL	1	\$2,361.68	\$2,361.68
343123240082	8963 BATAAN CT NE	RUSINAK, PATRICK W	1	\$2,361.68	\$2,361.68
343123240083	2889 89TH LN NE	ANDERLEY, SUSAN M	1	\$2,361.68	\$2,361.68
343123240084	2899 89TH LN NE	TWOMEY, MARY F	1	\$2,361.68	\$2,361.68
343123240085	2909 89TH LN NE	NELSON, ADAM M	1	\$2,361.68	\$2,361.68
343123240086	2820 89TH LN NE	PRZYBYLA ERIC L & DARLA J	1	\$2,361.68	\$2,361.68
343123240087	2832 89TH LN NE	NELSON BRYAN R & SANDRA L	1	\$2,361.68	\$2,361.68
343123240088	2842 89TH LN NE	PARIZEK JOHN W & KAREN J	1	\$2,361.68	\$2,361.68
343123240089	2852 89TH LN NE	KASPER, BRANDON	1	\$2,361.68	\$2,361.68
343123240090	2862 89TH LN NE	MACKEY ROBERT W & DENISE K	1	\$2,361.68	\$2,361.68
343123240091	2872 89TH LN NE	HOLETZ, JI Y	1	\$2,361.68	\$2,361.68
343123240092	2882 89TH LN NE	PETERSON DOUGLAS J & LOUISE H	1	\$2,361.68	\$2,361.68
343123240093	2892 89TH LN NE	ADAN, OMAR IBRAHIM	1	\$2,361.68	\$2,361.68
343123240094	2902 89TH LN NE	THUNBORG, FREDERICK L	1	\$2,361.68	\$2,361.68
343123240095	2912 89TH LN NE	PHOYDOUANGDY PHAYSANE & A	1	\$2,361.68	\$2,361.68
343123240096	2920 89TH LN NE	GASSAR, RIM YASMINA	1	\$2,361.68	\$2,361.68

TOTAL: 98 \$231,444.64



City of Blaine Staff Report

File Number: RES 24-160

Agenda Date	Status
September 4, 2024	
In Control	File Type
City Council	Resolution

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.1

Resolution Granting a Variance to Store Semi-Trailers in a Portion of the Front Yard at 3701 85th Avenue NE. Old Dominion Freight Line (Case File No. 24-0046/EES)

Executive Summary

The applicant is requesting a variance from the requirement that outdoor storage be limited to side and rear yards to allow for front yard storage of semi trailers. The Planning Commission recommends approval of storage in the portion of the front yard that is at least 190 feet north of the southern property line, which has historically been used for trailer storage. Additional information was provided by the applicant following the Planning Commission meeting and is included in the analysis below.

Background

Planning Commission (Public Hearing)	08/14/24
City Council (Variance)	09/04/24
Action Deadline	09/21/24

Staff report prepared by Elizabeth Showalter, Community Development Specialist, and Teresa Barnes, Project Engineer

Zoning

The property is zoned Heavy Industrial (I-2A). The I-2A zoning differs from the I-2 district by allowing for truck terminals and outside parking of trucks exceeding the number of dock doors, both of which are prohibited in all other districts.

Surrounding Zoning and Uses

The property is adjacent to other heavy industrial properties to the west and north, and one single family and several townhome residential properties to the east (R-1 and R-3B). The property across 85th Avenue is an office use in Shoreview.

Existing Conditions

There is an existing truck terminal on the site.

History

The property was occupied by Consolidated Freight as a truck terminal starting in 1979. The property was vacated around 2000. In 2004, Old Dominion applied for and received a Conditional Use Permit (CUP) for a truck terminal. Since the property had been vacant for over a year, any previous approvals to operate a truck terminal or legal nonconforming status were void. The 2004 CUP required a variety of site improvements to screen the property from the neighboring residential properties and from the traveling public on 85th Avenue.

The applicant reconstructed the pavement on most of the site in 2022. Modifications were made to some of the fencing on site without a permit. Following a complaint near the end of 2023, code enforcement action was initiated for violation of some of the CUP conditions and for parking/storing of trucks/semi-trailers in the front yard, which is prohibited by the 1-2A standards. The applicant received a CUP amendment earlier this year to modify the fencing requirements that would allow for their preferred fencing configuration. That amendment did not allow for truck storage in the front yard. The applicant is now requesting a variance from the requirement that outside storage be located in the side or rear yard.

Evaluation of Request

Code Requirement

The code specifies that outside storage in the I-2A district be limited to the side and rear yards. The applicant is requesting a variance from that requirement to store semi trailers in the front yard.

Site Plan

The site features a large truck terminal and truck yard as well as a smaller building located near the rear of the lot. The front yard is considered all area between the front property line and the front face of the building. Within the front yard there are three sections:

- Area A: the area between the front wall of the truck terminal and the historic passenger vehicle parking area. This area starts 190 feet from the front property line. Trailer storage consistently occurred under the previous occupants. While under the code as written in 2004, storage was not permitted in this area, it was part of the fenced truck yard and storage occurred in this area since the property was occupied by Old Dominion in 2004. Storage is not allowed in this area.
- Area B: the portion of the historic passenger vehicle parking area located west of the entry driveway. The storage in this area currently starts approximately 60 feet back from the front property line and is approximately 28,000 sf in area. Storage has not historically occurred in this area and is not allowed in this area.
- Area C: the portion of the historic passenger vehicle parking area located east of the entry driveway. Storage in this area currently occurs throughout the fenced area which extends to the edge of the parking lot, approximately 25 feet from the front lot line. Storage has not historically occurred in this area and is not allowed in this area. .

Architecture

Modifications were made to the main building in 2004, as required by the CUP.

Landscaping

The applicant is proposing to install additional conifer trees on the east side of the south parking lot. No tree removal is proposed.

Grading/Storm Drainage

The proposed project does not include any alterations to the existing grading or storm water drainage patterns on the property.

Utilities

The proposed development will utilize the existing utilities into the building. No new connections are proposed.

Wetlands/Watershed/FEMA

There are no wetlands or FEMA floodplain on the existing site. A Coon Creek Watershed District review is not required.

Access/Street Design/Sidewalks/Trails

The development will utilize the existing access points to the existing parking area. No new access point will be granted. No additional street design, sidewalks or trails will be required.

Easements/Right-of-way/Permits

The developer will need to obtain all required permits to construct the proposed project. A copy of all permits will need to be submitted to the City prior to any site work.

Variances (Section 27.06)

Following the Planning Commission meeting, the applicant provided a supplemental narrative and a site plan showing installation on a 16-foot-high sound wall along the portion of the eastern property line south of a large pond. The original variance analysis is provided, with notes based on the additional information added in italics.

(a) Criteria for granting variances. A variance to the provision of the zoning ordinance may be issued by the City Council to provide relief to the land owner in those cases where the ordinance imposes practical difficulty on the property owner in the use of his land. No use variances may be issued.

(1) Variances shall only be permitted:

(a) When they are in harmony with the general purposes and intent of the ordinance

Front yard storage, particularly when on a heavily trafficked road and next to residential property, is generally not consistent with the purposes of the zoning code to provide for compatible and appropriate use of land throughout the City of Blaine and to conserve the attractiveness of Blaine. Well screened storage with an excessive setback may be considered to be consistent with this purpose. *The installation of a sound wall would improve the compatibility of the truck terminal use, including the intensification of that use, with the neighboring residential properties. It would not improve the attractiveness to the traveling public.*

(b) When the variances are consistent with the comprehensive plan.

The variance would be consistent with the comprehensive plan.

(2) Variances may be granted when the applicant for the variances establishes that there are practical difficulties in complying with the zoning. Practical difficulties, as used in connection with the granting of a variance, means that:

(a) The property owner proposes to use the property in a reasonable manner not permitted by the zoning code.

The property was effectively used as a truck terminal for many years without utilizing the first 190 feet of the front yard for truck or trailer storage. Since the property has an oversized front yard that could be used for storage when built, and storage is set back 190 feet from the property line, staff considers storage in Area A to meet this criterion.

Storage in Area B may or may not meet this criterion. The terminal was effectively operated without this area for many years, it is visible to the traveling public, and allowing storage in this area represents an intensification of the use, which may create additional conflict with the nearby residential uses. The storage area is adjacent to other I-2A zoned parcels, and the proposed storage is setback 60 feet from the front property line, which exceeds the front yard building setback by 20 feet. Therefore, a relatively small amount of storage (28,000 sf or 1.5% of the subject property) near the road may or may not be considered reasonable.

Storage area C is adjacent to existing residential property and is more visible to the traveling public and therefore storage in that area is not reasonable.

The addition of a sound wall would increase the reasonableness of increased trailer storage next to a residential property.

The applicant argues that the use of the southern 190 feet of the property (areas B and C) for passenger vehicle parking is unsafe due to the distance between the front parking area and the building entrance. Concerns with the distance include conflict between pedestrian and truck traffic and icy conditions.

The applicant also notes that trailer parking is a permitted use elsewhere on the property, which is incorrect. Tractor/trailers parked on site are not considered outside storage when they are limited to one tractor/trailer per dock or bay door. Regardless of the location on site, any trailers exceeding the number of dock doors are considered outside storage.

(b) The plight of the landowner is due to circumstances unique to the property not created by the land owner.

The applicant cites that the property is unique due to the building being setback 320 feet from the front property line, rather than the minimum required 40 feet, and if the building were located at the 40-foot setback, all areas proposed for trailer storage would be considered side yard. At the time the building was constructed, there was not a requirement that storage be located in side or rear yards (any legal nonconformity lapsed due to the property sitting vacant for several years). The front, side, and rear yards are based on the location of the principal structure. So, for all or part of areas B and C to be considered side yard, a principal structure would need to be located at that distance from the front line. Therefore, most of that storage area would be consumed by the principal structure. Storage in areas A and B meet this requirement. Storage in area C does not meet this requirement since that area, would need to be used for the building to make other areas on the site acceptable for outside storage.

(c) The variance, if granted will not alter the essential character of the locality.

The subject property and the properties to the west are industrial in nature. Limiting outside storage to the side or rear of the principal building minimizes the appearance of that outside storage and allowing it in the front yard, particularly the front 190 feet that has historically been used for employee parking, may alter the essential character of the locality. The applicant received a CUP for a ten-foot fence in the front yard, which would provide screening of trucks, however the trucks would remain visible over the fences, and the increase in truck storage would contribute to increased noise and vibration. Storage in Area A and Area B meet this criteria, however, storage in Area C, intensifies an industrial use adjacent to a residential use, changing the essential character.

The applicant identified other heavy industrial users in the vicinity with front yard outside storage, arguing that front yard storage would not alter the essential character of the locality. While the two referenced sites do have legal nonconforming front yard storage, in both cases the storage is substantially smaller than the amount of storage being requested. True North Steel has approximately 6,000 square feet of front yard storage and T Force Freight typically has five trailers docked at the dock doors on the front side of the main terminal building, which is behind the face of the smaller southern terminal.

(d) Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

The applicant has stated that the variance is not for economic reasons, stating that short-term trailer parking is needed as freight is loaded and unloaded. The expansion of trailer parking into Area B and Area C increases the capacity of the terminal, by allowing for more trailers to be staged at any given time, which would yield an economic benefit.

(e) The variance requested is the minimum variance which would alleviate the unique circumstances.

The applicant states the minimum variance was requested. The applicant has not provided an explanation as to why a smaller expansion of truck staging would not effectively mitigate the unique circumstance of an excessive front yard setback.

The applicant states that the requested storage is the minimum amount of storage necessary for normal operations. The narrative does not address why the applicant was able to operate the terminal from 2004-2022 without using the front area for storage and is no longer able to. Note that the front area was not used for passenger vehicle parking during that time.

Attachment List:

Zoning and Location Map
Storage Area Exhibit
Applicant Variance Narrative
Staff Variance Analysis by Area
Public Comments
Unapproved PC Minutes 8/14/24

Additional Attachments:

Additional Variance Analysis
Revised Site Plan

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the variance to allow storage of trailers 190 feet or more behind the front property line and to not approve storage of trailers within the first 190 feet of the property.

Four residents spoke at the public hearing. The meeting minutes are attached for reference on the public hearing comments.

Financial Impact

Not applicable.

Public Outreach/Input

Notices of a public hearing were:

1. Mailed to property owners within 350 feet of the property boundaries.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the City website.
4. Posted (sign) on the property with contact information for the Planning Department.

Staff Recommendation

A resolution based on the Planning Commission recommendation is included in the staff report for consideration. If the City Council finds that the variance criteria are met with the installation of the proposed sound wall for all or a portion of the southern 190 feet of the site, the Council should identify the portion of the site, how it meets the variance criteria, and direct staff to prepare a resolution for consideration at the September 16, 2024 City Council meeting.

Attachment List

1. Attachments
2. Public Comments
3. Unapproved PC Minutes 081424
4. Additional Attachments



City of Blaine

Signature Copy

Resolution: RES 24-160

Resolution Granting a Variance to Store Semi-Trailers in a Portion of the Front Yard at 3701 85th Avenue NE. Old Dominion Freight Line (Case File No. 24-0046/EES)

WHEREAS, an application has been filed by Old Dominion Freight Line Inc., as Case File No. 24-0046 for a variance to store semi-trailers in the front yard; and

WHEREAS, said case involves the land described as follows:

UNPLATTED CITY OF BLAINE THAT PART OF THE SE1/4 OF SW1/4 & TH PRT OF THE NE1/4 OF SW1/4 OF SEC 35 31 23 ANOKA CNTY, MN DESC AS FOL, BEG AT THE SE COR OF SD SE1/4 OF SW1/4 TH WLY ALG S LINE OF SD SW1/4 800 FT TH NLY PRLL/W THE W LINE OF SD SE1/4 OF SW1/4 TO ITS INTER /W A LINE PRLL/W & A DIST 350 FT SLY OF THE N LINE OF SD NE1/4 OF SW1/4 SD 350 FT MEAS ALG THE E LINE OF SD NE1/4 OF SW1/4 TH ELY ALG SD PRLL LINE TO THE SD E LINE TH SLY ALG SD E LINE TO THE POB; EX RD; SUBJ TO EASE OF REC

WHEREAS, a public hearing has been held by the Blaine Planning Commission on August 14, 2024, and the Planning Commission recommends approval of a variance to allow storage in the front yard, limited to the portion of the front yard that is at least 190 feet north of the front property line; and

WHEREAS, the Blaine City Council has reviewed said case on September 4, 2024.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a variance is hereby approved per Sections 27.06 and 31.39 (a) of the Zoning Ordinance to store semi-trailers in the portion of the front yard located at least 190 feet north of the southern property line, with the following findings:

1. Storage of semi trailers within the front yard, set back at least 190 feet from the southern property line meets the criteria for granting a variance listed in 27.06 (a) of the zoning code.
 - a. The area greater than 190 feet north of the south property line was legally used for trailer storage by the prior occupant of the truck terminal (Consolidated Freight) and could still be used for trailer storage legally, if the use had not lapsed for a period of at least a year between Consolidated Freight occupancy and Old Dominion occupancy.
 - b. Visual impact to the traveling public is minimized by limiting outside storage of trailers to be at least 190 feet north of the south property line.
 - c. The area greater than 190 feet from the southern property line and the front face of the building has no other reasonable use given the proximity to the truck terminal.
2. Storage of semi trailers within 190 feet of the southern property line does not meet the criteria for granting a variance listed in 27.06(a) of the zoning code.
 - a. The property successfully functioned as a truck terminal for many years without use of the front 190 feet of the property used for truck or trailer storage.

- b. While the area between meeting the front yard building setback of 40 feet and 190 feet from the right of way could be front yard if the building were located at the front setback line, the appearance of the trailers would be mitigated by the building which provides a point of visual focus and some screening.
- c. Storage within 190 feet of the south property line would be an intensification of the trucking operation, increasing the potential of noise and vibration nuisances to the neighboring residential properties and is not in harmony with the intent of the zoning code and would change the essential character of the area.

And subject to the following conditions:

1. Storage of trailers may not occur within the southern 190 feet of the property and any existing storage in that portion of the property shall cease by October 15, 2024.
2. Chain link fencing enclosing storage areas within 190 feet of the southern property line shall be installed to enclose only the storage greater than 190 feet from the property line and signage shall be installed stating that no trailer storage shall occur in the area closer than 190 feet to the front property line. Remaining fencing shall be removed and signage shall be installed no later than November 15, 2024.

PASSED by the City Council of the City of Blaine this 4th day of September 2024.

PUBLIC NOTIFICATION LINE

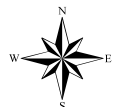


Project Location

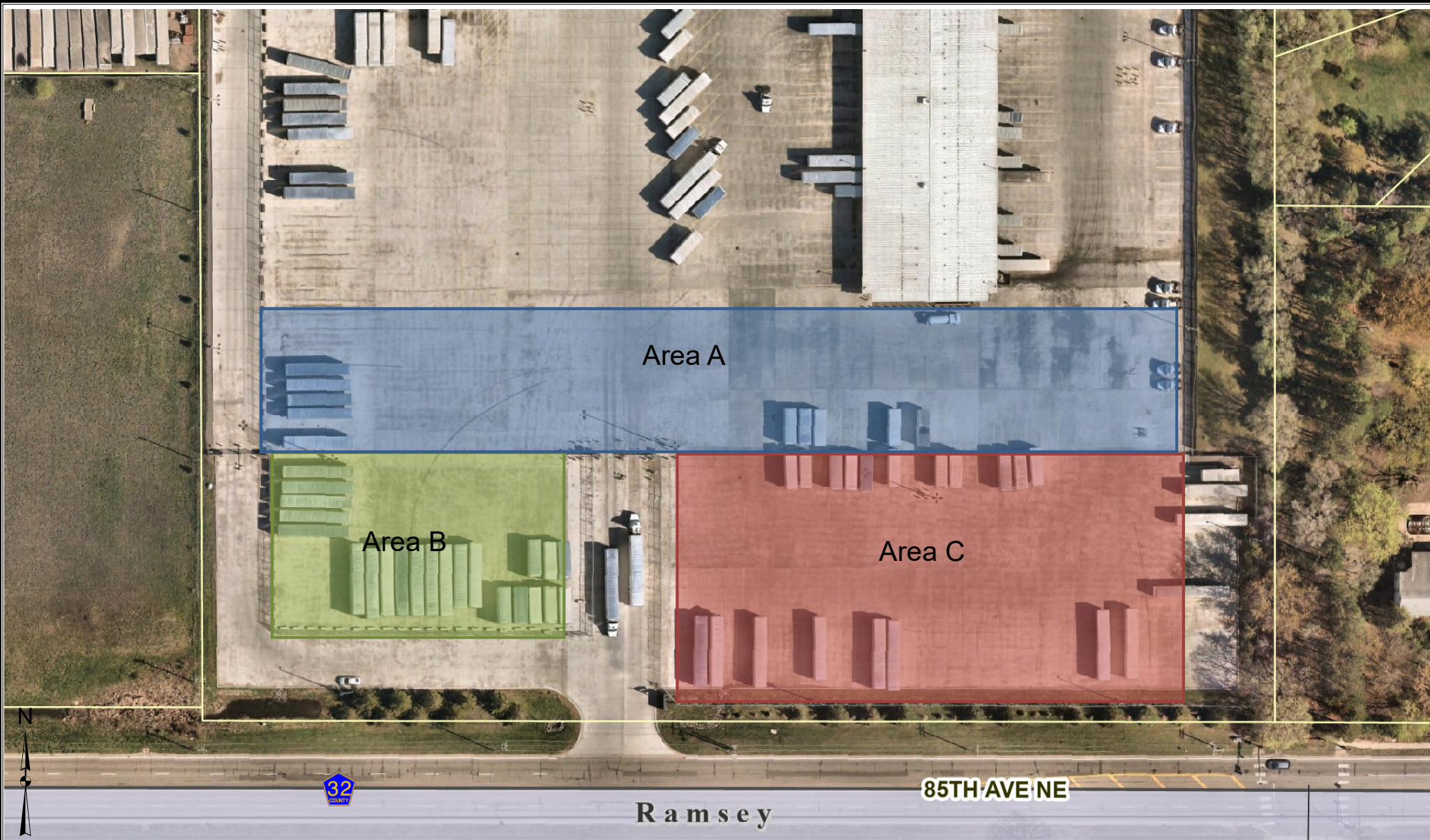
AUSTIN PARK
R-1



Case File No. 24-0046 **Old Dominion Freight Line**



Old Dominion Trailer Storage Areas



Parcel Information:

35-31-23-34-0001
3701 85TH AVE NE
BLAINE
MN 55126

Approx. Acres: 41.59

Plat:

Commissioner: JEFF REINERT

Owner Information:

OLD DOMINION FREIGHT LINE INC
500 OLD DOMINION WAY
THOMASVILLE
NC
27360

Anoka County GIS

1:1,200

Date: 7/22/2024

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

Statement in Support of Variance Application of Old Dominion Freight Line, Inc.

Old Dominion is applying for a variance to allow Old Dominion to use the existing paved parking area in the front yard, between the existing building and the right-of-way of 85th Avenue NE, for short term parking of semitrailers, with or without tractors, to facilitate loading and unloading. Planning staff considers parking of a semitrailer without a tractor to be “outdoor storage,” which is not allowed in a front yard of any use.

1. The property owner proposes to use the property in a reasonable manner not permitted by the zoning code.

The variance will allow the property owner to use the property in a reasonable manner for efficient operation of the existing truck terminal.

The City of Blaine granted Old Dominion Freight Line, Inc., the property owner, a conditional use permit to improve and use the property as a truck terminal, in 2004 as Resolution No. 04-209 (the “2004 CUP”). The 2004 CUP describes the paved area in the front yard as a “parking lot.” Old Dominion has been using, and wishes to continue using, the paved front yard for short term parking of semitrailers. Old Dominion moves trailers in and out of the front yard throughout the day. On occasion, Old Dominion will park empty trailers in the front yard overnight, but does not intend to use the front yard, or any portion of the property for longer term storage of trailers.

Old Dominion does not have any other practical use for the front yard parking lot. Old Dominion has safety concerns about using the parking area for employee parking, due to the long walk through the truck dock area to the building. These concerns are amplified during winter months given minimal daylight hours and potential icy conditions. Accordingly, Old Dominion accommodates employee parking elsewhere in the property.

2. The plight of the landowner is due to circumstances unique to the property not created by the landowner

The existing building, constructed by a previous owner, is setback approximately 320 feet from the 38th Avenue NE right-of-way, which is 280 feet more than the 40-foot front building setback required in the I-2A district. Further, given the location of the building and loading area on the relatively narrow lot, Old Dominion cannot accommodate short term parking for trailers in the side or rear yards.

Aside from the “plight” created by the unusually large front yard setback and narrow lot, Old Dominion asks the City to consider that the proposed trailer parking area is not actually within the required front yard, but in fact occupies an area that could be used for enclosed construction.

3. The variance, if granted, will not alter the essential character of the locality.

The overall use of the site as a truck terminal is consistent with the essential character of the locality, and will remain unchanged if the City grants the variance. That use is permitted in the I-2A Heavy Industrial District, subject to the 2004 CUP. Old Dominion is also seeking a CUP to install an 8’ tall solid fence along 85th Ave NE to provide additional screening from the Right-Of-Way. Further, there are similar uses in the surrounding area, including uses with truck and trailer

parking in the front yards. Accordingly, granting the variance for semitrailer parking in the front yard will be consistent with, and will not alter, the essential character of the locality.

Again, we ask the City to consider that the front yard parking lot is setback more than the code requires. Further, if the City grants the conditional use permit for an eight-foot high opaque fence, the front yard parking area will not be visible from 85th Avenue NE.

4. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

Old Dominion is not seeking the variance for economic reasons. Freight operations require short term parking for semitrailers as freight is loaded and unloaded. The side yards are not available due to the configuration of the lot and existing space between the building and existing wetlands and drainage ways in the rear yard limit use of that area for an additional parking area.

5. The variance requested is the minimum variance which would alleviate the unique circumstances.

Old Dominion is seeking a variance for use of the existing paved portion of the front yard. Old Dominion is not seeking a variance for more parking space than it requires for normal operations.

Area A

- ▶ Between front wall of terminal and the historic passenger vehicle parking area
- ▶ Consistent, legal use of this area by previous occupant
- ▶ Set back 190 ft from right of way, limiting visual impact
- ▶ Meets variance criteria:
 - ▶ Harmony with intent of code
 - ▶ Far from road
 - ▶ Reasonable use
 - ▶ Historically used, no other reasonable use
 - ▶ Due to unique circumstances not caused by owner (unusually large building setback)
 - ▶ Does not change essential character
 - ▶ Minimally visible to traveling public, if at all



Area B

- ▶ Portion of front parking area between drive aisle and western property line (shared with another I-2A property)
- ▶ Set back 60 ft from right of way, limiting visual impact

May meet variance criteria:

- ▶ Harmony with intent of code
 - ▶ May or may not provide for compatible land use
- ▶ Reasonable use
 - ▶ Terminal was operated without storage in this area but would be side yard if a principal structure was located on the south east portion of the site
- ▶ Due to unique circumstances not caused by owner (unusually large building setback)
- ▶ Does not change essential character
 - ▶ Would be visible to the traveling public, may intensify noise and vibration concerns, is adjacent to other industrial uses, 1.5% of the total site



Area C

- ▶ Portion of front parking area between drive aisle and western property line (shared with another I-2A property)

- ▶ Set back 60 ft from right of way, limiting visual impact, applicant is proposing to remove the

Does not meet variance criteria:

- ▶ Harmony with intent of code
 - ▶ Does not provide for compatible land use or maintain attractiveness of the city
- ▶ Reasonable use
 - ▶ Terminal was operated without storage in this area, is adjacent to residential
- ▶ Due to unique circumstances not caused by owner (unusually large building setback)
 - ▶ To allow for Area B to be side yard, a building would need to be located in Area C, large enough to be principal structure
- ▶ Does not change essential character
 - ▶ Would be visible to the traveling public, is adjacent to residential, may intensify noise and vibration concerns



Gary Schutta
3801 85th Ave NE.
Blaine, (Shoreview for mailing) MN. 55126
RE: Old Dominion Trucking Co. CUP

8/3/2024

I have lived at my Home at 3801 85th Ave NE in Blaine for over 40 years. In that time there has been a Commercial Trucking Company next store. Over the years there has been the usual noise you would expect from a trucking operation. Most of this noise was tolerable. A few years ago, Old Dominion Trucking took over the property. Their operation started up slowly but started to become more of an annoyance as time passed.

Recently the front parking lot was re-constructed. I had called the Blaine City Offices and questioned what was going on. I talked with the City Planner, City Engineer, City Inspection Dept and the City Council Member at that time. I was told Old Dominion was only replacing the Parking lots & Driveways and there was no expansion of the operation past the then front fence.

I expected some noise during the re-construction of their parking lot. Apparently, they needed to compact the soil before installing the cement. The extreme amount of vibration & shaking from this I did not expect. At the time I did not fully realize the amount of damage all the vibration & shaking has done to my home & property. I have an older home that had cracks in the plaster walls that I have repaired over the years when they were repainted. I now have new cracks throughout my home and unusual settlement of the whole home & garage. Several doors now swing open or close on their own. I have new cracks in the basement & garage floors. The garage appears to have settled away from the house. All the outside cement sidewalks & steps have settled & cracked. The pool apron has settled away from the pool edge. The pool panels have cracked, and the pool water had dropped 18" overnight from the vibration & shaking during their soil compacting. Now even with some repairs it no longer will hold water without being continuously refilled.

Old Dominion was supposedly only replacing the Parking lots & Driveways and there was no expansion of the operation past the then front fence. Shortly after the new cement was installed trailers were moved forward past their fence to the street. Now it appears that Old Dominion is applying for a Conditional Use Permit to park trailers in that front lot. These trailers appear to be innocently, quietly parked in this front lot, but they are constantly being moved around. The noise from the truck engines racing, trailers being dropped shake my house. My bedroom window is less than 75 feet from the East parking lot edge. These bangs & crashes, truck backup beeping wake us up at night 24/7. The new lights added to the lot shine in through my windows and their echoing of their PA system in the middle of the night is uncalled for.

I can't sit outside during the summer without enduring all the noise with the added smell of Diesel exhaust. The addition of the new cement lot echoes and intensifies the noise.

There isn't anyone that would be happy to live at a location with all this noise. I recently had a conversation with the Rice Creek Park Homeowners Association (my next store neighbors) about increased noise. They asked me to make their concerns also known about the noise problem. The expansion of the trailers parking increases the excessive noise that just isn't affecting the adjoining properties but the whole neighborhood of over 200 nearby residences.

Adding 8' & 10' fencing, 4' tall berms & 6' trees is all nice to improve the exterior appearance of the property, but it does not help the extreme increased annoyance of noise to the community.

When I bought this property, it was zoned light Industrial, planned to be a buffer between the residential & commercial properties. A few years after I purchased the property the zoning was changed by the City to residential. I was unsuccessful in fighting off this change. The County appraiser has recently devalued my property because of its being next to an undesirable noisy location.

The City Planners allowing this expansion of Old Dominion's operation next to my home and others has devalued our homes and made them less attractive at a reasonable market price. My home should be torn down and replaced with a small office or similar type business to help buffer the noisy, smelly trucking company. Now with the zoning change of my property that is not an option.

Old Dominion has a major noise problem that is affecting the whole neighborhood. Allowing them to expand adding more areas for trailers to park is just going to make it worse. I can no longer enjoy my home without a noisy reminder from a bang, clunk or beep from my neighbor to the West.

This variance will affect my home more than any others. I strongly recommend not approving any expansion of Old Dominions trucking operation and formerly make a complaint about the noise and shaking felt from Old Dominions Trucking Operation.

Gary Schutta
612-247-8594



From: [JUDITH MCGOVERN](#)
To: [Planning](#)
Subject: Fwd: Homeowners vs Trucking Company with City Hall
Date: Monday, August 12, 2024 8:06:33 PM

From: Rice Creek Park HOA <RiceCreekParkHOA@gmail.com>

Date: August 12, 2024 at 5:48:29 PM CDT

To: undisclosed-recipients;;

Subject: Homeowners vs Trucking Company with City Hall

To all Homeowners:

I'm writing this on behalf of the homeowners in this association that are tired of the excessive noise by the trucking company which has increased over the last couple years.

Consolidated Freightway was a small trucking company that was there for several years, they caused no problems and very little noise. When they went out of business we had silence for a few years. That ended when Old Dominion took over the property. The noise from Old Dominion has increased to 24 hours a day with the trucks dropping the rear end to unload the content, they play very loud music and carry on with loud conversation at all hours. When they load the trucks, they close it with two extremely loud bangs. This noise wakes me from a sound sleep quite often. After several complaints, the music stopped but the loud conversations and loud banging from the trucks did not stop or lighten up.

When COVID hit, Old Dominion decided to make a long driveway in the back which was followed with more trucks, drilling, dust, smells, over the course of a year. I wasn't able to sit on my deck or entertain friends because of the noise. My kitchen and dining area shook and vibrated daily from the heavy equipment driving up and down behind my property. It was awful. I decided it was time to contact City Hall and complain. A supervisor came and sat on my deck with me; he agreed that it was terrible. He indicated that the City Council signed an agreement with the trucking company years ago; therefore, nothing could be done!

Old Dominion is now a major hub for trucks throughout the USA. They continue to expand on variances for more projects which significantly increases the noise level in our neighborhood. A fence was built without a variance and now they plan to park more trucks in the area. This will cause more noise to our homeowner association and surrounding neighborhoods.

Blaine City Hall is holding a meeting on Wednesday, August 14th at 700PM regarding this issue. We strongly encourage you to submit any written comments and/or join us at the meeting.

HOW TO PARTICIPATE:

1. Review the submitted plans at [BlaineMN.gov/PCItems](https://blainemn.gov/PCItems). Staff reports will be available at [BlaineMN.gov/Agendas](https://blainemn.gov/Agendas) three days prior to the meeting.
2. Contact the Planning Department with any questions at 763-785-6180 or Planning@BlaineMN.gov.
3. Attend the public hearing and provide your comments!
4. Submit written comments via email to Planning@BlaineMN.gov or mail to Planning Department, 10801 Town Square Drive NE, Blaine, MN 55449. Written comments must be received no later than 12 noon on Tuesday August 13 to be shared with the Planning Commission. Unsigned or anonymous comments will not be accepted.

You can also contact the City of Blaine, Elizabeth Showalter, Office 763-717-275; Cell 612-615-5745.
E-Mail: BlaineMn.gov.

Thank you for taking the time to read this notice. Your help would be appreciated if you could join in any way to draw attention to the issues this trucking firm is causing for homeowners.

Judy McGovern

3824 86 Ave NE, Circle Pines, Mn 55014

From: [Lisa Email](#)
To: [Planning](#)
Cc: ["JUDITH MCGOVERN"; prospectmn@aol.com](#)
Subject: Old Dominion Trucking Company Variance
Date: Monday, August 12, 2024 8:09:53 PM

Dear Blaine Planning Commission,

I live off of Xebec St.NE , the first street east of Old Dominion Trucking Company.

I have been seriously impacted by the noise from this company.

I hear constant banging, honking, phone dialing and announcements over the PA.

I have to sleep with a fan on every night, even in the winter to try to buffer the noise.

When I moved into my home the previous trucking company had gone out of business and the neighborhood was peaceful.

Once Old Dominion Trucking Company moved in they were very loud and they kept adding more and more trucks. It appears that they have become a hub.

I was driving past Old Dominion and it looked like they were moving the fence forward.

I know that after contacting the City of Blaine that there was a set back and that they were not allowed to move the fence forward.

I contacted the City and Ben Stream (The Senior Building Inspector) came out and checked to see what Old Dominion was doing.

They assured him that they were only replacing parking lots and driveways and that the fence would not be moved.

Ben Stream then contacted me and assured me that the fence would not be moved.

Fast forward several months and I saw that Old Dominion had moved the fence forward, it was a chain link fence with barbed wire on the top, unlike the previous tasteful wooden fence.

It now looked like I was living next to a prison yard.

I called the city of Blaine only to find out that Old Dominion built the fence without a variance, then they applied for a variance that was voted on and granted.

The only penalty being that the company had to pay the application fee twice.

I was very upset. Then I noticed that they were now parking a large group of trucks in the front set back area. I contacted the city and was told that Old Dominion had applied for another variance, and was allowed to park there until the variance went before the city council.

Old Dominion is right next to a residential area.

More parking space up front means more trucks and more noise.

Please do not grant this variance.

Sincerely,

Lisa Peterson

8521 Xebec St. NE

From: [Renee Kaulfuss](#)
To: [Planning](#)
Subject: Old Dominion
Date: Wednesday, August 14, 2024 11:50:42 AM

Hi I'd like to submit my comments before the meeting tonight as I cannot attend.

I have called the police on the noise. We have lived here 14 years and the noise really takes away from our quality of life. As I sit here in my living room with the window open I can hear the trucks slamming doors. I can hear someone talking over a loudspeaker. You just can't have your windows open and get any peace and quiet. I think that is the most upsetting to me that in the spring, fall and sometimes in the winter, I enjoy having the windows open, but there's just too much noise.

The police can't do anything about the noise I know in the past I've had an officer stand out here and listen with their noise meter and they've gone over and talked to whoever was working at the time but nothing stays the same. It's just always noisy.

Sometimes when I do have the window open, I have two cats and when they're slamming those doors on the back of the trucks so loud there are times that it scares the cats and they go into hiding.

I have to wear earplugs at night to be able to sleep. Otherwise the noise of the trucks wake me up. Another noisy time is when I believe two trucks meet each other and they decide to honk at each other as to say hello and that is very noisy.

I just wanted to submit this to let you know that I too as a neighbor and my husband feel that Old Dominion has really grown and the noise has really grown and it just takes away the quality of life. I wish you could hear because some truck just came through and honked his horn three different times. Well, he just did it again. Thank you for listening.

Renee Kaulfuss 3834 86th Ave. NE.
651-485-7458
llpdrenee@aol.com
Sent from my iPhone

Gary Schutta
3801 85th Ave NE.
Blaine, (Shoreview for mailing) MN. 55126
RE: Old Dominion Trucking Co. CUP

8/30/2024

Council Members of Blaine,

I have lived at my Home at 3801 85th Ave NE in Blaine for over 40 years. I have submitted my objections to this Variance allowing Old Dominion to expand their operation into their front parking lot which should be in your packet of information about this application. I hope you all have read it.

**EXPANDING A NOISY COMMERCIAL BUSSINESS
OPERATION NEXT TO A PRIVATE SINGLEFAMILY HOME IS
WRONG AND SHOULD NOT BE ALLOWED!!!**

Gary Schutta
612-247-8594





City of Blaine

Planning Commission

August 14, 2024 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order

The Blaine planning commission met in the City Hall Chambers on Wednesday, August 14, 2024. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Deonauth, Gorzycki, Homan, Swanson, and Vice Chair Halpern.

Members Absent: Commission Member Olson and Chair Goracke.

Staff Present: Shawn Kaye, Planner
Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

4. Public Hearing

- 4.1.** 2024-315 Case File No. 24-0046 // Old Dominion Freight Line // 3701 85th Avenue NE
The applicant is requesting a variance to store semi-trailers in the front yard.
Sponsors: Elizabeth Showalter, Community Development Specialist

The report to the planning commission was presented by Elizabeth Showalter, Community Development Specialist. The public hearing for Case File 24-0046 was opened at 7:10PM.

Gary Schutta, 3801 85th Avenue NE, explained he lived adjacent to Old Dominion and would be most affected by the proposed variance. He explained he submitted a two page comment letter to the commission prior to this meeting. He indicated it appears these trailers are being innocently parked on the lot, but they do not get there without being pushed and pulled back and forth 24 hours a day seven days a week. He stated the beeping, crashing and honking echoes across the new cement slab and impacts the adjacent neighborhood. He anticipated more than 100 homes were being impacted by this business by noise. He

indicated when the trailers are dropped they shake his home and it was very disturbing. He explained the police department has better things to do than respond to continual noise complaints from this property. He did not believe any of the planning commissioners would enjoy living next to this business. He requested the commission deny the variance request.

Judy McGovern, 3824 86th Avenue NE, stated she lived directly behind Old Dominion. She explained she had the same concerns as Mr. Schutta with Old Dominion. She indicated the vibrating trucks, banging and noise is a constant from the Old Dominion property. She reported this was very disruptive to the neighborhood. She noted she has written a couple of letters to the city regarding her concerns. She explained her property value was 39% less than her neighbors because her home was adjacent to a commercial property. She asked that Old Dominion build a higher fence to assist with buffering the noise. She questioned why Old Dominion kept requesting variances after the work had already been done. She did not believe it was right for Old Dominion to keep getting more and more because the impact on the neighbors was too great. She asked that the City of Blaine not approve any further variances for Old Dominion.

Lisa Peterson, 8521 Xebec Street NE, explained she sent a letter to the city. She reported she has been seriously impacted by the noise coming from the Old Dominion property, which included banging, honking, phone dialing, and announcements over the PA. She indicated she has to sleep with a fan on every night, even in the winter, to buffer the noise. She commented on how Old Dominion has increased their noise level and number of trucks since their operation began. She discussed how Old Dominion built a chain link fence with barbed wire at the top without a variance. She understood the city council approved this fence after the fact and that the only penalty was that Old Dominion had to pay the application fee twice. She expressed frustration with the fact more homeowners were not notified of this public hearing. She discussed Old Dominion was now parking trucks closer to homes and had requested another variance. She stated this variance would be detrimental to the adjacent homes and requested the planning commission deny this request.

Vice Chair Halpern thanked the neighbors who had sent in letters voicing their concerns to the planning commission.

The public hearing was closed at 7:23PM.

Vice Chair Halpern requested staff speak to the city's requirements regarding the notification area for this variance request.

Community Development Specialist Showalter explained city code requires staff to notify residents living within 350 feet of a property. She reported city staff elected to post a sign regarding the public hearing on the Old Dominion property as well.

Commissioner Deonauth asked if the applicant was in attendance to address the concerns that have been voiced by the neighbors.

Jim Bailey, consultant for Old Dominion, discussed the CUP approvals he received for the fencing and parking improvements. He reported the fencing along 85th was encroaching and the CUP brought the fence into compliance with setbacks. In addition, removing the small area of concrete in Area C with a berm created a 10 foot screening fence. He explained Old

Dominion was working to be a good neighbor and was trying to alleviate some of the noise concerns.

Kevin Davidson, Director of Real Estate for Old Dominion, introduced himself to the planning commission. He stated Old Dominion wanted to be a good neighbor. He explained he appreciated the neighbor's comments. He discussed how his business has grown as Blaine has grown. He commented on how employee parking has shifted on the site and noted he has done his best to eliminate and reduce noise on the site. He reported Areas A, B and C were critical to his operations.

Commissioner Homan asked if a barrier or taller fence could be built to further buffer the property from the neighbors. Mr. Davidson explained the wooden fence was put in place to address this concern and stated he did not believe he could build a taller fence.

Vice Chair Halpern encouraged Old Dominion to speak with city staff regarding fence height requirements.

Commissioner Gorzycki stated Area C does not have a building on it, noting this would provide a decent noise blocker or buffer from the adjacent neighborhood. He indicated without a Building on Area C, Area B would be generating a great deal of noise for the neighbors.

Motion by Commissioner Gorzycki to recommend approval of Planning Case 24-0046 approval of a variance to allow storage of semi-trailers in the front yard meeting a 190-foot setback based on the following rationale:

Case 24-0046:

- 1. Storage area A was legally used by the prior occupant of the truck terminal (Consolidated Freight) and could still be used for trailer storage legally, if the use had not lapsed for a year between Consolidated Freight occupancy and Old Dominion occupancy.**
- 2. Storage area A is set back 190 feet from the road right of way, limiting visual impact to the traveling public.**
- 3. While the area between 40 and 190 feet from the right of way could be front yard if the building were located at the front setback line, the appearance of the trailers would be mitigated by the building which provides a point of visual focus and some screening.**
- 4. Storage area A has no other reasonable use given the proximity to the truck terminal.**
- 5. Storage in areas B and C is not in harmony with the intent of the zoning code and would change the essential character of the area.**

And subject to the following conditions:

- 1. Chain link fencing enclosing storage areas B and C shall be relocated to enclose only storage area A and signage shall be installed stating that no trailer storage shall occur in the area closer than 190 feet to the front property line.**

Motion seconded by Commissioner Homan. The motion passed 5-0.

Vice Chair Halpern noted this would be on the agenda of the September 4, 2024 city council meeting.

Supplemental Statement in Support of Variance Application

Old Dominion Freight Line, Inc.

3701 85th Avenue NE

Blaine Planning Commission Case No. 24-0046

Old Dominion Freight Line, Inc. (“Old Dominion”), the owner of the subject property, is submitting this Supplemental Statement in Support of Variance Application as additional support for its original application to address matters raised in the August 14, 2024 Planning Commission hearing,

Our revised proposed findings, below address matters raised in the Staff Report and comments from neighbors who attended the Planning Commission hearing. Old Dominion also proposes some further improvements to address neighbor concerns about noise and light, as a condition of approval of the variance. Specifically, Old Dominion proposes to build a sound barrier along the front yard parking area and a portion of the building, near the east boundary of the property, which will provide the outward appearance of a permitted building, and an additional sound and light barrier benefitting the neighboring residential properties, as illustrated in the drawings submitted with this supplement to our application. We understand Old Dominion will have to apply for a conditional use permit for the sound wall, so we propose that the variance be conditioned on obtaining that CUP and constructing the sound wall by July 31, 2025.

(See attached Site Plan titled “Old Dominion Trailer Storage Areas” for references to the segments of the existing front yard parking area as Area A, Area B and Area C.)

For convenience, the following incorporates our original Statement of Support, revised to address the Staff Report, comments, and our proposed sound wall:

Statement

Old Dominion is applying for a variance to allow Old Dominion to use the existing paved parking area in the front yard, between the existing building and the right-of-way of 85th Avenue NE, for short term parking of semitrailers, with or without tractors, to facilitate loading and unloading. Planning staff considers parking of a semitrailer without a tractor to be “outdoor storage,” which is not allowed in a front yard of any use.

1. The property owner proposes to use the property in a reasonable manner not permitted by the zoning code.

The variance will allow the property owner to use the property in a reasonable manner for efficient operation of the existing truck terminal. The Blaine zoning ordinances allow automobile parking in the front yard but trailer parking is not permitted by the zoning code under the staff interpretation of trailer parking as “outdoor storage.”

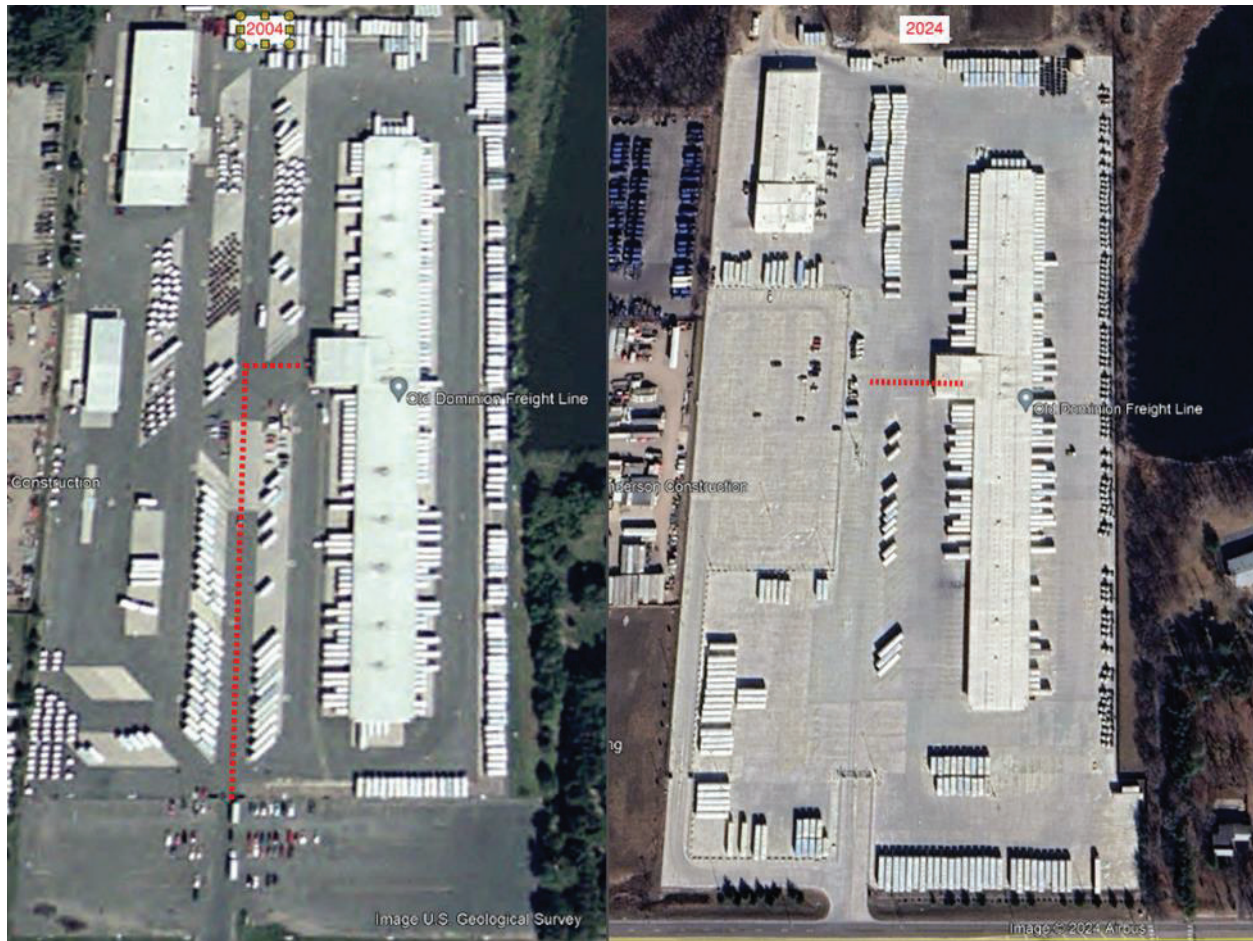
Trailer parking in the front yard is a reasonable use. Trailer parking is in fact a permitted use elsewhere on the property. Old Dominion is asking for the variance for the location of trailer parking on the property for practical reasons.

The City of Blaine granted Old Dominion Freight Line, Inc., the property owner, a conditional use permit to improve and use the property as a truck terminal, in 2004 as Resolution No. 04-209 (the “2004 CUP”). The 2004 CUP describes the paved area in the front yard as a “parking lot.” Old Dominion has been using, and wishes to continue using, the paved front yard for short term parking of semitrailers. Old Dominion moves trailers in and out of the front yard throughout the day. On occasion, Old Dominion will park empty trailers in the front yard overnight, but does not intend to use the front yard, or any portion of the property, for longer term storage of trailers. Old Dominion is seeking this variance to conform with the City’s determination that trailer parking is “outdoor storage.”

The original developer of the site, Consolidated Freight, used the parking area in the front yard for employee parking. Soon after Old Dominion commenced operations, Old Dominion moved employee parking to the west side of the site, closer to the pedestrian entrance to the building, primarily for safety reasons. Having employees park at the south end of the site required them to walk down the center of the truck route to the building entry, approximately 850 feet. The safety concerns were amplified during winter months given shorter daylight hours and potential icy conditions.

Relocating employee parking to the side lot reduced the pedestrian route to the building entrance to approximately 150 feet and substantially reduced pedestrian interaction with truck traffic, but also resulted in the loss of trailer parking area on site. Use of the front yard for trailer parking is a reasonable use of the otherwise unusable front yard, especially in light of the facts that trailer parking is (a) allowed elsewhere on the site and (b) substantially similar to non-commercial vehicle parking.

The proposed sound barrier will provide residential neighbors with screening from the front yard parking area and the added benefit of screening from the permitted side yard loading area.



2. The plight of the landowner is due to circumstances unique to the property not created by the landowner

The existing building, constructed by a previous owner, is setback approximately 320 feet from the 38th Avenue NE right-of-way, which is 280 feet more than the 40-foot front building setback required in the I-2A district. Further, given the location of the building and loading area on the relatively narrow lot, Old Dominion cannot accommodate short term parking for trailers in the side or rear yards.

Aside from the “plight” created by the unusually large front yard setback and narrow lot, Old Dominion asks the City to consider that the proposed trailer parking area is not actually within the required front yard, but in fact occupies an area that could be used for enclosed construction.

The Staff Report notes that if the building was actually moved forward to the allowed setback, the space would be occupied by building and there would be no space available for parking. That is precisely our point – if the existing building were pulled forward to the front setback then Old Dominion would gain an equal amount of area in the rear yard for short term trailer parking, in which case there would be no need for a variance at all. Old Dominion is dealing with the configuration of the site as it was when Old Dominion acquired the site. There is no space for trailers in the side or rear yard because of the original configuration of improvements and safety

requirements. Old Dominion did not create the circumstances that cause Old Dominion to require the variance to allow parking in the front yard.

3. The variance, if granted, will not alter the essential character of the locality.

The overall use of the site as a truck terminal is consistent with the essential character of the locality, and will remain unchanged if the City grants the variance. That use is permitted in the I-2A Heavy Industrial District, subject to the 2004 CUP. Old Dominion is also seeking a CUP to install an 8' tall solid fence along 85th Ave NE to provide additional screening from the Right-Of-Way. Further, there are similar uses in the surrounding area, including uses with truck and trailer parking in the front yards. Accordingly, granting the variance for semitrailer parking in the front yard will be consistent with, and will not alter, the essential character of the locality.

The Staff Report states that front yard parking would have been allowed under the code in effect at the time the property was developed as a truck terminal, but any nonconforming use rights have expired because the property was vacant for several years before Old Dominion acquired it. Whether or not the nonconforming use rights exist, the fact that the front yard could have been used for trailer parking is evidence that the such use is consistent with the essential character of the locality.

Outdoor storage is, in fact, a part of the essential character of the locality. There are other facilities within the locality of the property that do have outdoor storage adjacent to public rights of way. We understand there may be difference between the subject property and the nearby facilities that have outdoor storage, but as a practical matter, for determining “the essential character of the locality,” outdoor storage visible from public rights of way is a part of the essential character. See examples below.

Properties also within the I-2A zoning district provide storage areas that are visible to 85th Ave NE with no screening provided. TrueNorth Steel (located approximately 1000 feet west).



T Force Freight (located approximately 0.4 miles west)



T Force Freight (located approximately 0.4 miles west)



4. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

Old Dominion is not seeking the variance for economic reasons alone. Old Dominion’s primary concerns are safety and operations. Freight operations require short term parking for semitrailers as freight is loaded and unloaded. The side yards are not available due to the configuration of the lot and existing space between the building and existing wetlands and drainage ways in the rear yard limit use of that area for an additional parking area.

The Staff Report finds that the proposed use does not meet this standard because increased trailer capacity “would yield an economic benefit” but the ordinance does not say the property owner cannot enjoy “economic benefit” from the variance. The ordinance says “economic considerations alone do not constitute practical difficulties” sufficient to justify the variance.

In other words, Old Dominion cannot argue that it is entitled to the variance only because it would be more expensive to comply, nor that Old Dominion could make more money operating than it could if Old Dominion did in fact comply. As discussed above, Old Dominion is asking for the variance because Old Dominion cannot practically comply with the ordinance due to the site configuration, and still meet reasonable operational requirements and essential safety concerns.

5. The variance requested is the minimum variance which would alleviate the unique circumstances.

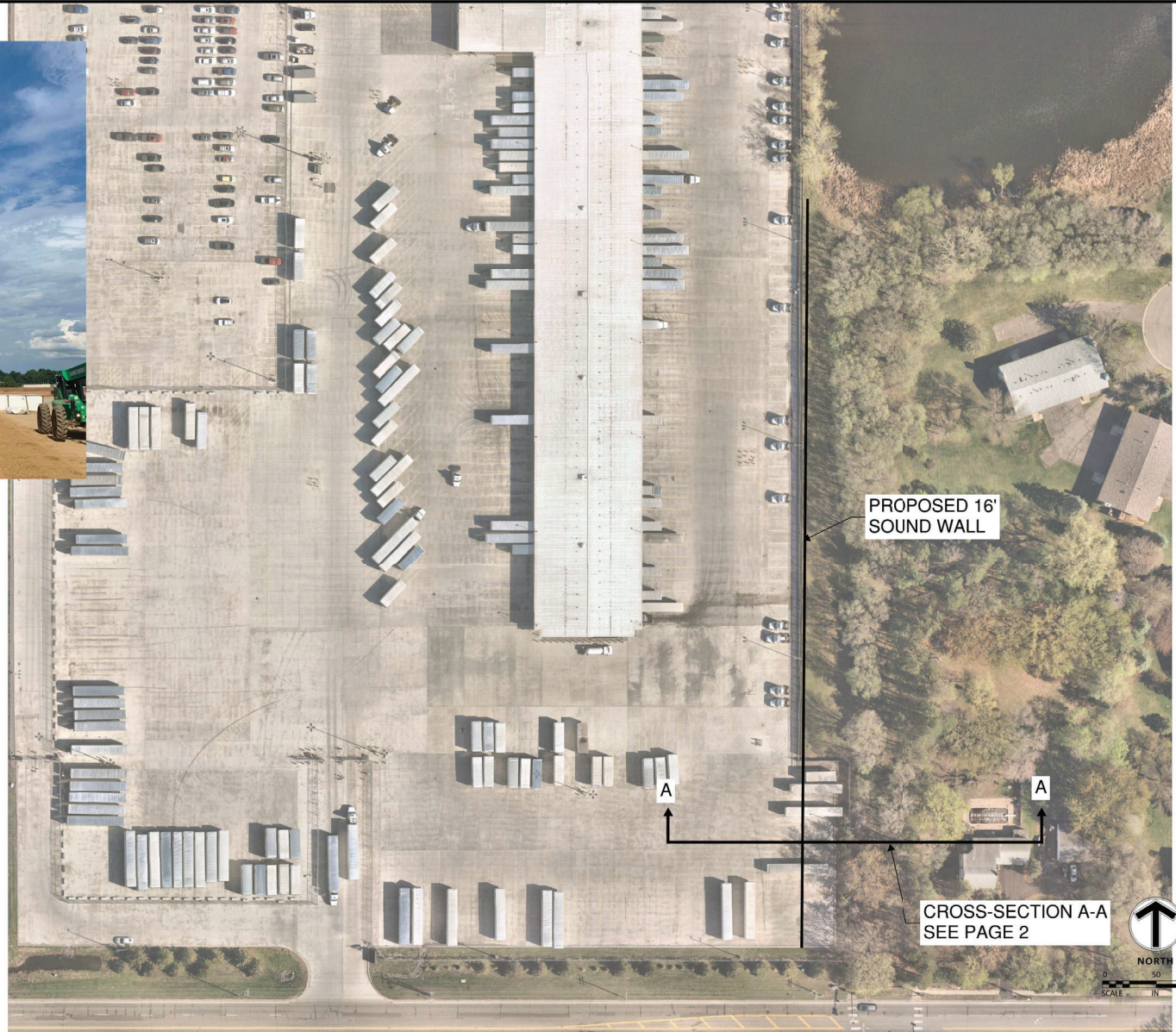
Old Dominion is seeking a variance for use of the existing paved portion of the front yard, in the manner Old Dominion operated before Old Dominion learned the City considers parking trailers to be “outdoor storage” and therefore not permitted in the front yard. Old Dominion is not seeking a variance for more parking space than it requires for normal operations. Because of the configuration of the parcel and existing improvements, and the difference in size and maneuverability of non-commercial vehicles and tractor-trailers, Old Dominion could not just swap the employee parking and proposed trailer parking even if Old Dominion could ignore the safety concerns that drove Old Dominion to reconfigure its outdoor areas.

Conclusion

Accordingly, Old Dominion respectfully requests the City of Blaine grant the requested variance, subject to the condition that Old Dominion obtain a conditional use permit for and construct a sound barrier by no later than July 31, 2025.



SOUND WALL EXAMPLE



PROPOSED 16'
SOUND WALL

CROSS-SECTION A-A
SEE PAGE 2



0 50 100
SCALE IN FEET

NO	DATE	BY	CHKD	APPR	COMMENT
1	08/26/2024	TTP	JDB	JDB	SCREENING IMPROVEMENTS EXHIBIT

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PRELIMINARY
DESIGN REVIEW
PERMIT SUBMITTAL
CONSTRUCTION DOCUMENTS

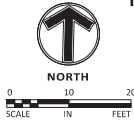
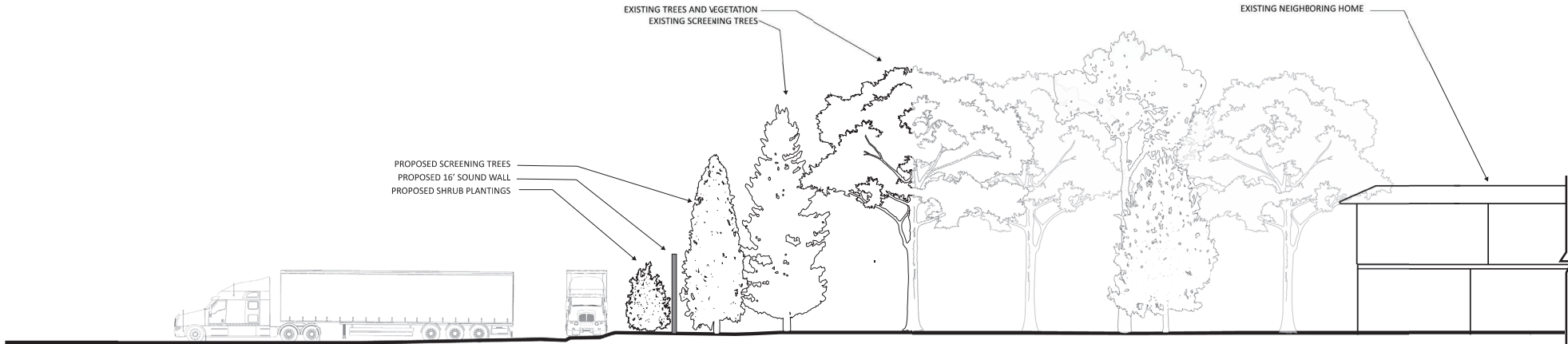
DRAWN BY
TTP
DESIGNED BY
JDB
CHECKED BY
MCA
PROJECT NO.
52905



OLD DOMINION FREIGHT LINE, INC.
SCREENING IMPROVEMENTS
BLAINE, MINNESOTA

SHEET
1 OF 2
REV.

CROSS SECTION A-A



NO	DATE	BY	CHKD	APPR	COMMENT
1	08/26/2024	TTP	JDB	JDB	SCREENING IMPROVEMENTS EXHIBIT

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STATE AID PROJECT NO.
STATE PROJECT NO.
COUNTY PROJECT NO.
CITY PROJECT NO.

DRAWN BY
TTP
DESIGNED BY
JDB
CHECKED BY
MCA
PROJECT NO.
52905



OLD DOMINION FREIGHT LINE, INC.
SCREENING IMPROVEMENTS
BLAINE, MINNESOTA

SHEET
1 OF 2
REV.

24.15 (RMS TECH) | SOPHIE GALLANDANT | 8/26/2024 2:56:01 PM
L:\PROJECTS\52905\52905 CAD\EXHIBITS\SCREENING WALL CROSS SECTION DWG-22X4



City of Blaine Staff Report

File Number: ORD 24-2559

Agenda Date	Status
September 4, 2024	
In Control	File Type
City Council	Ordinance

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.2

First Reading

Ordinance Granting an Amendment to the City of Blaine Zoning Ordinance to Modify the Storm Shelter Requirement in the Manufactured Home (R-4) Zoning District to Match State Rules. Park of Four Seasons (Lakeshore Management) (Case File No. 23-0074/EES)

Executive Summary

The proposed code amendment would modify the storm shelter requirement for manufactured home parks from one 810 square foot shelter for every 30 homes to four square feet of shelter space per resident of the manufactured home park, to be consistent with the Minnesota Administrative Rule governing manufactured home parks.

Background

Planning Commission Public Hearing	08/14/24
City Council (1st Reading)	09/04/24
City Council (2nd Reading)	09/16/24
Action Deadline (60 Days)	08/10/24
Action Deadline (City Extended - 60 Days)	10/09/24

Staff report prepared by Elizabeth Showalter, Community Development Specialist, and Teresa Barnes, Project Engineer

Zoning

The property is zoned Manufactured Home Park (R-4).

Land Use Designation

The property is guided Manufactured Home Residential (MHR) with a density of 4-8 units per acre. The park is 102 acres and currently has 580 lots. The proposed park plan would result in an additional 8

homes for a total of 588 and a density of 5.8 units per acre, which is within the allowable range in the comprehensive plan.

Surrounding Zoning and Uses

The property is surrounded on three sides by Single Family Residential (R-1) and abuts University Avenue to the west, with a variety of uses on the other side of University Avenue in Coon Rapids.

Existing Conditions

The property has an existing manufactured home park with 580 lots and a community building.

History

The park was originally approved in 1970 (under case file PC70-01) and the first home was brought to the site in 1970. The plan consisted of 512 units. In 1982, an amendment was approved (PC82-19) to convert some open space to lots, bringing the total to 580 homes.

Code Amendment

The R-4 zoning district outlines specific standards for the facilities included in manufactured home parks. One of those standards is the provision of storm shelters. The zoning code currently requires one shelter of at least 810 square feet for every 30 homes in the park. Staff is not aware of any particular reason for this calculation. State statute requires parks licensed after 1988 to have 4 square feet of shelter space for every resident in the park. Emergency Management staff met to discuss these requirements and recommends amending the code to match the state statute.

As part of the proposed manufactured home park plan amendment to allow for the addition of 8 homes on the site, the applicant will be required to bring the park into compliance with the shelter requirements for all existing and proposed units. This will result in the addition of 4,352 square feet of shelter space in addition to the existing 2,704 square feet of shelter space, if the plan is approved.

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the code amendment.

The meeting minutes are attached for reference on the public hearing comments.

Financial Impact

Not applicable.

Public Outreach/Input

Notices of a public hearing were:

1. Mailed to property owners within 350 feet of the property boundaries and to residents of the manufactured home park within 350 feet of the proposed new home lots.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the City website.

Staff Recommendation

By motion, introduce the ordinance for first reading and direct that it be placed on file for second reading at the September 16, 2024, council meeting.

Attachment List

1. Public Comments
2. Map
3. Unapproved PC Minutes 081424



City of Blaine

Signature Copy

Ordinance: ORD 24-2559

First Reading

Ordinance Granting an Amendment to the City of Blaine Zoning Ordinance to Modify the Storm Shelter Requirement in the Manufactured Home (R-4) Zoning District to Match State Rules. Park of Four Seasons (Lakeshore Management) (Case File No. 23-0074/EES)

THE CITY OF BLAINE DOES ORDAIN: (Added portions are underscored and deleted portions are shown in overstrike.)

29.125 (t) Storm Shelter and Civil Defense.

(1) Storm shelters shall be provided in each mobile home park. Such shelters shall be constructed so as to provide safety for the occupants of the mobile home park in the event of a tornado. A minimum of 4 square feet of shelter space shall be provided for each resident of the park. ~~There shall be one (1) shelter for every thirty (30) mobile home lots and each shelter shall have a minimum area of eight hundred ten (810) square feet.~~

INTRODUCED and read in full this 4th day of September, 2024.

PASSED by the City Council of the City of Blaine the day of , 20 .

Patricia Robinson

From: September D. Holmblad, PP, PLS <sdholmblad@gmail.com>
Sent: Sunday, August 11, 2024 9:33 PM
To: Planning
Cc: donald.holmblad@gmail.com; 'September D. Holmblad'
Subject: Park at Four Seasons

Blaine Planning Commission
Email: Planning@blainemn.gov

RE: Case #23-0074
Lakeshore Management (Park of Four Seasons)
Petition Zoning Ordinance Amendment and New Lots

We are writing in response to a recent notice received that a hearing will be held on Wednesday, August 14, 2024, regarding the Park of Four Seasons. While we do not have any objections to the items requested; we have several concerns regarding the Park of Four Seasons in general that we would like to bring to the Planning Commission's attention. The concerns are:

1. Trash cleanup.
2. Potential unsafe burning.
3. Tall grass/weeds.
4. Tree Issues, i.e., dead/dying trees.
5. Damaged fence.
6. Illegal fireworks.

It is our opinion and request that prior to granting the Park of Four Seasons permission to add additional lots, that the trailer park's management company be required to do something about the upkeep and appearance of the trailer park. While we are not familiar with lot rent leases, it is our understanding from talking with one of the tenants that the individual trailer tenants are required to take care of their yards, i.e., cut the grass and weeds, pick up trash, etc. We suspect things like fence repair and trees would be the responsibility of the land owner and not the tenants. Therefore, while some of our concerns are likely directed to an individual tenant, we believe the trailer park management should be enforcing items that fall within the city's code.

Our backyard backs up to the trailer park. We have lived in our home since 1993. There have been off and on issues with the trailer park tenants over the years. When facing the trailer park from our backyard, there are 2 double-wide trailer lots behind our house. Over the years, there have been a multitude of different families living in trailers on these two lots. We have contacted the trailer park management regarding tall grass and weeds. We also previously contacted the city directly to report tall weed/grass issues and have called the police on at least two occasions regarding drugs and unattended backyard fires. More recently, we contacted the trailer park management regarding dead or dying trees; broken/damaged fence; unattended yards and trash.

First, let me say there are zero issues with the double-wide trailer on our left if facing the trailer park from our backyard. Their yard and fence line are taken care of; they cut their grass and weeds along the fence frequently; they take pride in their yard and surrounding area. On the other hand, the double-wide trailer to the right is pretty much a trash trailer and many of our concerns are directed towards this trailer. We apologize, as we do not know the address. There is always trash in the yard, the grass is rarely cut, and there is zero weed trimming on the fence line.

In approximately July 2022, we sent a letter with photos to the trailer park management regarding these issues. We received zero response to that letter. In December 2023 and May 2024, we once again sent an email to

the trailer park management. When all of the vegetation died off, all we could see was trash. After receiving a response to the December email, we emailed photos and were told they would look into our complaints. Having seen zero improvement, we again contacted the management in the spring 2024 . Again, we received no response to the follow-up email; however, we did observe a few minor changes to the trailer in question.

The following is a brief summary regarding our concerns:

Trash cleanup: This deals with the trash trailer referenced above. These people do not clean up their yard; they party outside at night; toss trash in their yard and our yard; and have bonfires. For example, there was an overflowing trash can sitting in their yard for well over 6 months. There was a downed tree from a storm for over a year lying in the yard.

Unsafe burning. The trash trailer has a so-called fire pit behind their trailer. They burn garbage, boxes, and other stuff that stinks. They have left fires unattended. We often see a glow through the fence and no one is there. In addition, it is very close to the trailer, there are overhang tree branches and weeds, we do not believe it is a legal/safe area for a fire.

Tall grass/weeds. The trash trailer does very little yard maintenance. We don't know who cuts their grass; however, no one cuts the tall weeds growing along the fence and behind their shed. There is a virtual jungle behind this trailer along the fence. A tree fell during the storm and it was left lying unattended for almost two years.

Tree Issues: There is a partially/almost dead birch tree next to the fence; there is another partially dead tree to the right of that tree; and there is a sugar maple tree to the left of the birch tree which was damaged in a storm and left unattended and is now a very large "tree bush" which encroaches into our yard. We had a tree removed in the fall of 2022. We were told that tree bush will eventually fall at some point. At a minimum, it should be trimmed; it overhangs into our yard, affecting our landscaping. There are other "volunteer" trees growing along the fence line that should be removed. We have attempted to take care of the overhang and some of the volunteer trees/weeds that affect our yard; however, given the lack of care, it has become very difficult to maintain part of our yard.

Damaged fence. The fence belongs to the trailer park. The fence has been damaged for well over two years from kids from the trailer park jumping the fence. These kids used our fence or the small utility box to vault over the fence. Our fence has been pushed down as a result of this. The damaged fence is a hazard. Someone is going to get hurt.

Illegal Fireworks. Every year around July 4th and January 1st, someone in the trailer park shoots off illegal fireworks; not just small fireworks, but very loud, fireworks that cause house-shaking booms. We know the city is busy during the July 4th holiday and cannot possibly manage every single complaint of this nature, but trust us when we say these are very loud, house-shaking type fireworks and should be investigated.

All we are asking is that the trailer park management be required to monitor the border fence, make necessary repairs, deal with the dead/dying trees and tall weeds/grass on a regular basis and that tenants be required to take care of their yards and clean up their trash on a regular basis before the trailer park is allowed to add more lots.

Thank you.

September and Donald Holmblad
11550 7th Street NE
Blaine, MN 55434

PUBLIC NOTIFICATION LINE

Six new lots
proposed in existing
grassy area north of
113th Circle

**Project
Location**

Two new lots
proposed in existing
grassy area 105 feet
from property line



BlaineMN.gov

Case File No. 23-0074 Park of Four Seasons



Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180



City of Blaine

Planning Commission

August 14, 2024 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order

The Blaine planning commission met in the City Hall Chambers on Wednesday, August 14, 2024. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Deonauth, Gorzycki, Homan, Swanson, and Vice Chair Halpern.

Members Absent: Commission Member Olson and Chair Goracke.

Staff Present: Shawn Kaye, Planner
Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

4. Public Hearing

4.2. 2023-522 Case File No. 23-0074 // Park of Four Seasons // 50 113th Avenue NE
The applicant is requesting the following:

1. Code Amendment to modify the storm shelter requirement in the R-4 district to match state rules.
2. Manufactured Home Park Plan to add eight additional lots in an existing manufactured home park.

Sponsors: Elizabeth Showalter, Community Development Specialist

The report to the planning commission was presented by Elizabeth Showalter, Community Development Specialist. The public hearing for Case File 23-0074 was opened at 7:39PM.

Hilary Wright, 128 116th Avenue NE, explained she was a nine year resident of Four Seasons.

She reported she supported the storm shelter being improved. She asked how many residents had been notified of this public hearing.

Community Development Specialist Showalter reported notices were sent to anyone that owns property within 350 feet of the parcels impacted as well as to the homes that are located within 350 feet of the areas proposed for expansion within the park.

Ms. Wright indicated her initial concern was with the six homes proposed to be placed within the greenspace. She explained this greenspace was a main thoroughfare for the park and she did believe adding more traffic and cars to this congested area would be a concern. She commented on the lack of maintenance and crime that was occurring within the park and believed that eight more units would compound these concerns. She suggested action on this item be delayed in order to allow more residents from the park to be in attendance.

Angela Dehne, 31 115th Lane NE, resident of Four Seasons, explained she did not get notified of this public hearing until 8:48AM yesterday morning. She reported she had to leave work early in order to attend this meeting. She commented on how disheartening it was that she had only just received a shelter key after living within the park for five years. She expressed concern with the fact the park was not meeting current city codes. She recommended the park be brought into compliance with all city codes, prior to allowing the park owners to add eight new lots within the manufactured home park. She requested action on this item be delayed in order to allow for more public comment.

The public hearing was closed at 7:47PM.

Commissioner Deonauth requested the applicant speak to the maintenance concerns that were addressed by the Four Season residents. She asked that staff speak to when notices were sent to Four Seasons residents regarding the public hearing.

Community Development Specialist Showalter reported city notices were sent by mail 10 days in advance of the public hearing. She indicated the applicant notified residents via email regarding the neighborhood meeting. She explained the code violation regarding the storm shelter was considered a legal non-conforming or grandfathered requirement. She stated the city has no mechanism to require the storm shelter to be expanded without the park plan amendment.

Neil Sander, Independence Engineering, reported the storm shelter was an existing non conformity. He stated the plan amendment would bring the storm shelter into conformance with state code. He explained there was not enough room on the property to bring the site into compliance with city code. He commented a large portion of the clubhouse would be converted in order to provide additional emergency storm shelter space. He stated he received approval from the Coon Creek Watershed District for the additional eight lots. He indicated the eight new homes would not front on the circle, but rather would front on the side roads. He stated the maintenance issues that were brought up by the park residents, were not under his purview and should be brought to the attention of the park manager. He reported to bio retention areas were being added to the park to address storm water drainage concerns.

Commissioner Swanson asked if the only way to gain the additional storm shelter space was

to add eight additional lots. Mr. Sander indicated this was an opportunity to bring the property into conformance with storm shelter requirements.

Community Development Specialist Showalter reported any park plan amendment would require bringing the storm shelters into compliance.

Motion by Commissioner Homan to recommend approval of Planning Case 23-0074A approving the code amendment. Motion seconded by Commissioner Gorzycki. The motion passed 7-0.

Motion by Commissioner Homan to recommend approval of Planning Case 23-0074B a park plan to create eight (8) additional lots within the existing footprint of the Park of Four Seasons with the following conditions:

Case 23-0074B:

- 1. Park dedication shall be paid for 8 units at the amount in effect at the time of release of the park plan for recording at Anoka County.**
- 2. SAC and WAC payment shall be paid prior to release of the park plan for recording, at the rate in effect at the time of payment.**
- 3. A final park plan shall be submitted for review by the City Council which shall contain:**
 - a. Landscape plan depicting one overstory tree per new lot.**
 - b. One additional parking stall adjacent to the community building and modification to the parking lot to meet the Minnesota Accessibility Code.**
 - c. Detailed plans showing the proposed changes to the office/community building and maintenance building to provide storm shelter space in compliance with Minnesota Administrative Rules, Chapter 1370 for all lots in the park, including explanation of the operation of any dual-purpose spaces. Based on a total lot count of 580 lots, a total of 7,056 square feet of shelter space shall be required.**
- 4. Prepare a revised emergency management plan for review by the Director of Emergency Management.**
- 5. Building permits to install new homes in the proposed lots will not be issued until a Coon Creek Watershed District permit has been issued and all conditions have been satisfied, including, but not limited to, conversion of existing buildings to storm shelters, installation of utilities and landscaping, and modification/expansion of the community building parking lot.**

Motion seconded by Commissioner Gorzycki. The motion passed 5-0.

Vice Chair Halpern noted this would be on the agenda of the September 4, 2024 city council meeting.



City of Blaine

Staff Report

File Number: ORD 24-2558

Agenda Date	Status
September 4, 2024	
In Control	File Type
City Council	Ordinance

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.3

First Reading

Ordinance Approving a Rezoning from Medium Density Multifamily (R-3B) to Low Density Multi-Family (R-3A) at 10001 Polk Street NE. City of Blaine (Case File No. 24-0048/EJT)

Executive Summary

Rezoning from Medium Density Multifamily (R-3B) to Low Density Multi-Family (R-3A) in order to be consistent with the Low Density/Medium Density (LDR/MDR) land use designation.

Background

Planning Commission (Public Hearing)	08/14/24
City Council (1st Reading)	09/04/24
City Council (2nd Reading)	09/16/24

Staff report prepared by Erik Thorvig, Community Development Director

On July 1, 2024, the City Council adopted changes to the 2040 Comprehensive Plan Land Use map for the properties at 10001 and 10041 Polk Street. The previous land use designation was Medium Density Residential/High Density Residential (MDR/HDR). The City Council approved land use changes to Low Density Residential/Medium Density Residential (LDR/MDR).

For the subject site, the north property is currently zoned Light Industrial (I-1), and the south property is currently zoned Medium Density Multifamily (R-3B). The Municipal Land Planning Act requires consistency between land use regulations and zoning. Based on the recent land use changes, a rezoning to Low Density Multi-Family (R-3A), is necessary to provide consistency between the land use designation and zoning.

The property at 10041 Polk Street has industrial uses within buildings built in the early 1970s. If the

rezoning is approved, the uses currently occupying the property will become legal, non-conforming. Industrial uses are allowed to continue, and similar uses could occupy buildings in the future. The buildings may not be expanded, but can be replaced. The property at 10001 Polk Street has a single family house built in 1915 and would not be impacted by the rezoning.

Rezoning

Section 27.03 Criteria for granting zoning/comprehensive plan amendments:

The City Council may adopt amendments to the zoning ordinance, zoning map, and comprehensive plan relative to land uses within a particular district or to the location of the district lines. Zoning amendments shall only be used as a means to reflect changes in the goals and policies of the City as reflected in the comprehensive plan or changes in conditions in the City. Although there are no explicit findings that must be made in conjunction with rezoning, appropriate considerations include:

Whether the proposed district is consistent with the Comprehensive Plan:

The proposed rezoning is consistent with the land use designations that were approved by the City Council on July 1, 2024.

How the proposed district differs from the existing district:

The existing zoning classifications have been in place since the early 1990s. The I-1 zoning designation for 10041 Polk Street was reflective of the current use of the property. The R-3B zoning designation for 10001 Polk Street was reflective of the future land use plan at the time. The current uses were established prior to the single family and townhome development that occurred around them. The proposed zoning is consistent with the 2040 Comprehensive Plan Land Use Map and surrounding uses.

How the proposed district meets the goals and policies of the city:

The proposed district's intent is to allow the development of townhouses or quads. These districts shall be located on the fringe of established one and two-family residential neighborhoods which are consistent with surrounding uses. Recent city council policy is to discourage multifamily residential homes (apartments) from being located near single-family neighborhoods, which was the primary impetus of the land use change. The proposed zoning is consistent with this philosophy and recent changes to the 2040 Comprehensive Plan. Additionally, the age and condition of the property at 10001 Polk Street has become incompatible with the surrounding land uses and zoning.

Attachment List:

Zoning and Location Map

Polk Street Rezoning Map

Unapproved Planning Commission Minutes 8/14/24

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the rezoning.

The owners of 10041 Polk Street spoke at the public hearing. He wanted to ensure that existing

industrial uses could continue after rezoning occurs. Minnesota State law allows for non-conforming uses to continue after a rezoning occurs. Minutes of the meeting are attached.

Financial Impact

Not applicable.

Public Outreach/Input

Notices of a public hearing were:

1. Mailed to property owners within 350 feet of the property boundaries.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the City website.

Staff Recommendation

By motion, introduce the ordinance for first reading and direct that it be placed on file for second reading at the September 16, 2024, council meeting.

Attachment List

1. Attachments
2. Unapproved PC Minutes 081424



City of Blaine

Signature Copy

Ordinance: ORD 24-2558

First Reading

Ordinance Approving a Rezoning from Medium Density Multifamily (R-3B) to Low Density Multi-Family (R-3A) at 10001 Polk Street NE. City of Blaine (Case File No. 24-0048/EJT)

THE CITY OF BLAINE DOES ORDAIN: (Added portions are underscored and deleted portions are shown with overstrike.)

Section 1. The Official Zoning Map of the Zoning Code of the Municipal Code of the City of Blaine is hereby amended to change the zoning classification of the following described property:

THE S1/2 OF N1/2 OF THE NW 1/4 OF NW1/4 EX THE E1/2 THEREOF EX RD SUB J TO EASE OF REC

Section 2. The above described property is hereby rezoned from:

~~Medium Density Multifamily (R-3B)~~

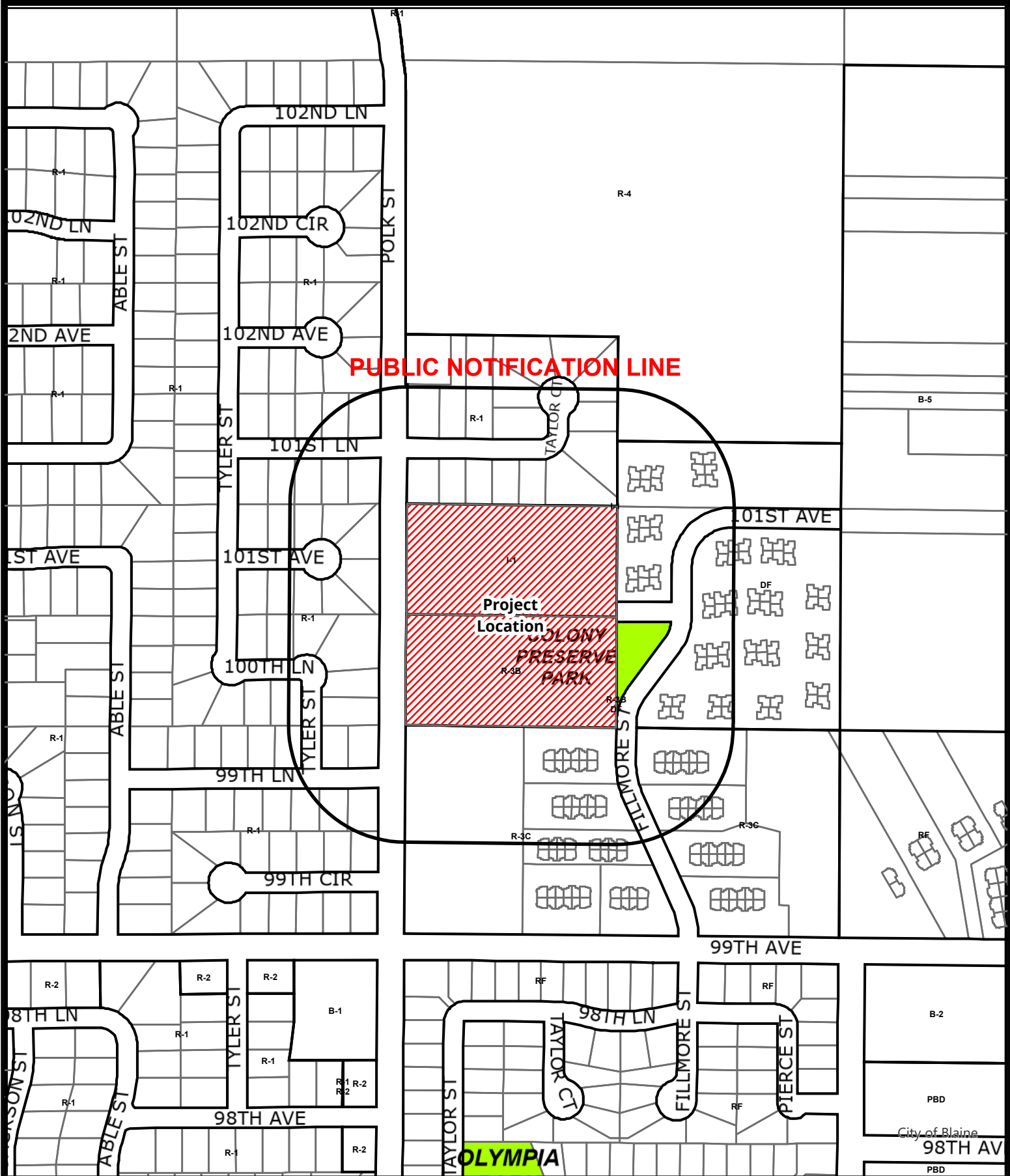
to

Low Density Multi-Family (R-3A)

Section 3. The City Manager is hereby directed to make the appropriate changes in the Official Zoning Map of the City of Blaine to reflect and show the changes in zoning classification as set forth above.

INTRODUCED and read in full this 4th day of September, 2024.

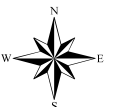
PASSED by the City Council of the City of Blaine this day of 20__.



BlaineMN.gov

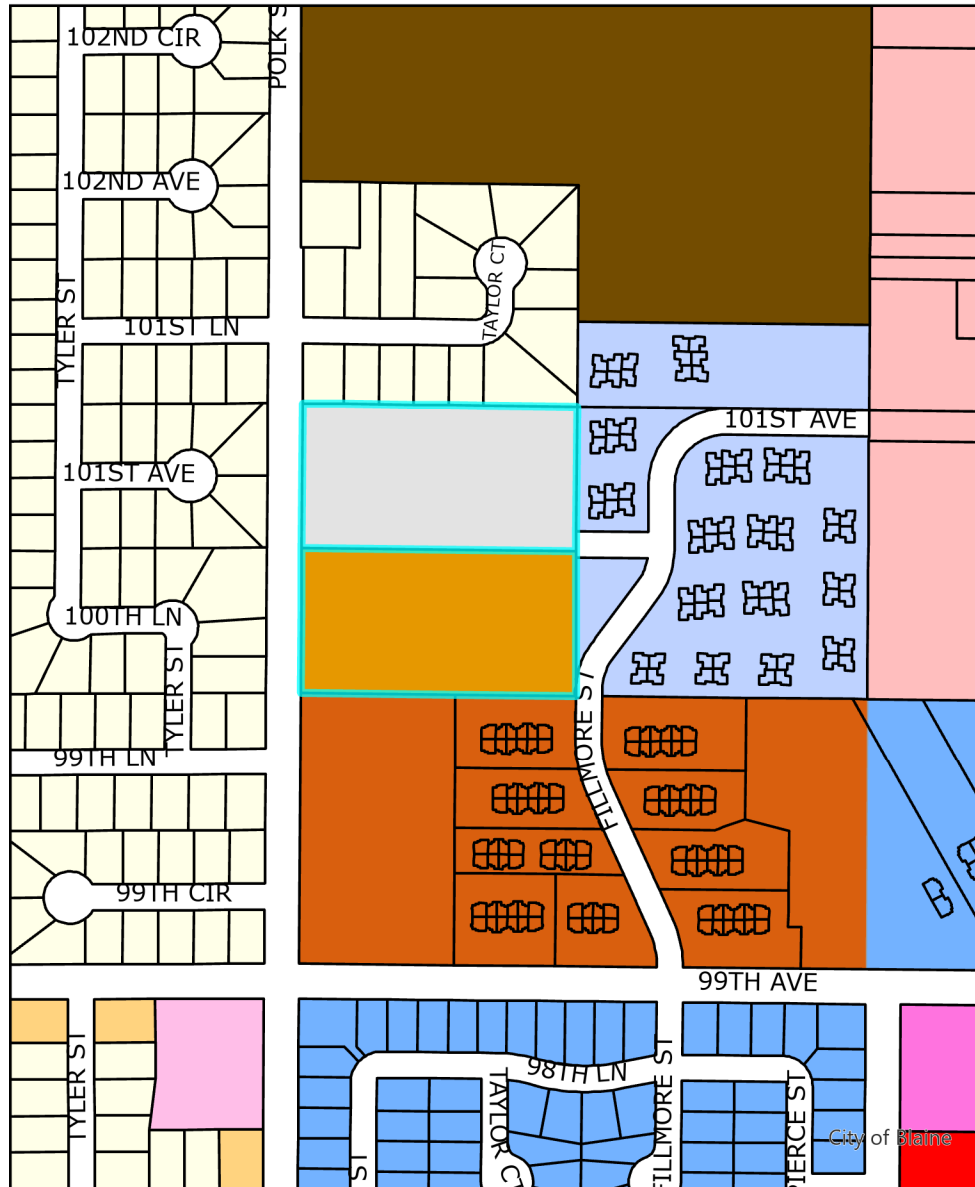
Case File No. 24-0048 10001 & 10041 Polk Street

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180



10041 and 10001 Polk St

Existing Zoning

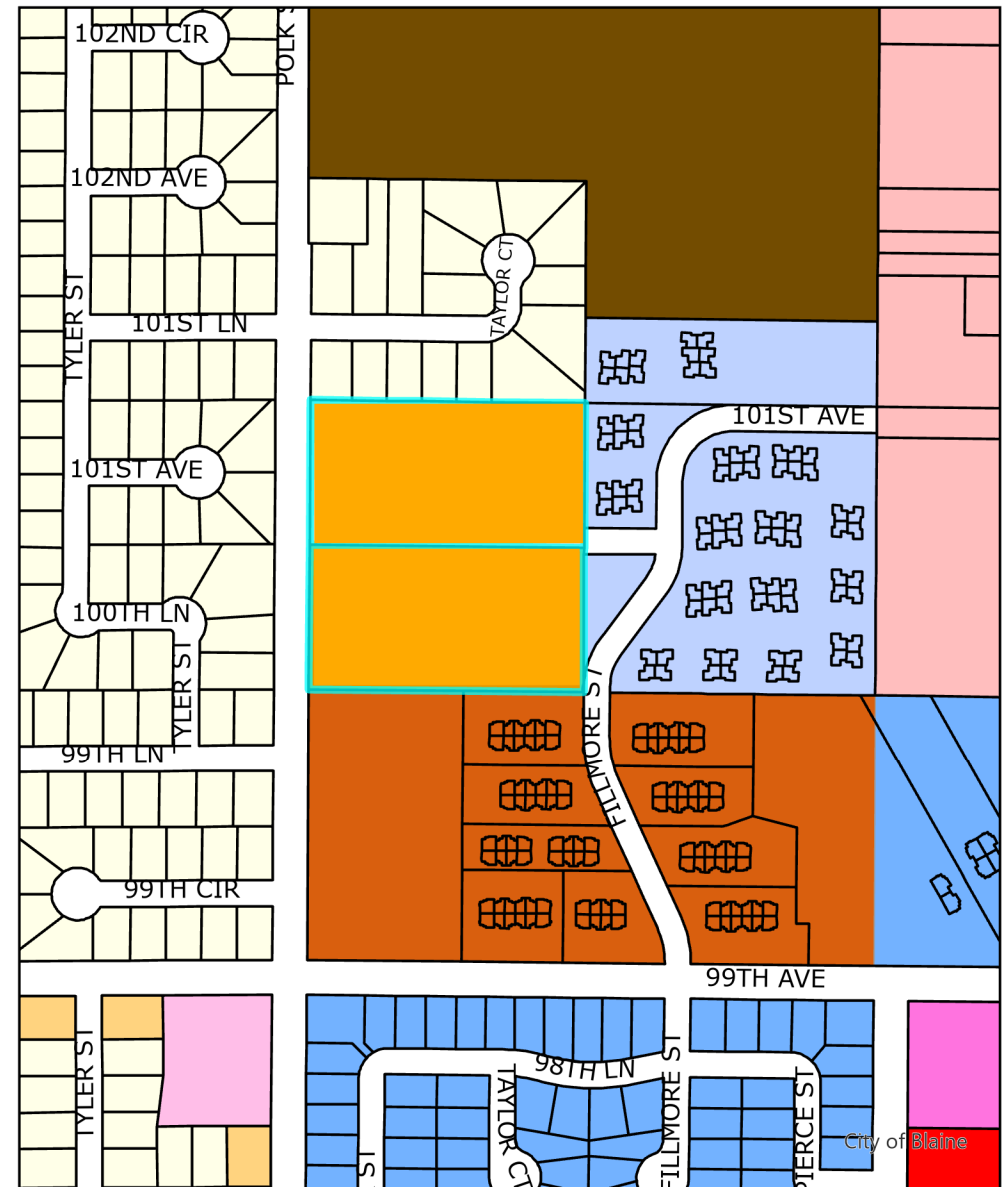


- B-1 - Neighborhood Business
- B-2 - Community Commercial
- B-5 - Town Commercial

- PBD - Planned Business District
- I-1 - Light Industrial
- R-1 - Single Family
- R-2 - Two Family

- R-3B - Medium Density Multi-Family
- R-3C - High Density Multi-Family
- R-4 - Mobile Homes

Proposed Zoning



- DF - Development Flex
- RF - Residential Flex
- R-3A - Low Density Multi-Family



City of Blaine

Planning Commission

August 14, 2024 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order

The Blaine planning commission met in the City Hall Chambers on Wednesday, August 14, 2024. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Deonauth, Gorzycki, Homan, Swanson, and Vice Chair Halpern.

Members Absent: Commission Member Olson and Chair Goracke.

Staff Present: Shawn Kaye, Planner
Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

4. Public Hearing

- 4.3.** 2024-317 Case File No. 24-0048 // City of Blaine // 10001 and 10041 Polk Street NE
The City is requesting a rezoning from Light Industrial (I-1) and Medium Density Multifamily (R-3B) to Low Density Multi-Family (R-3A).
Sponsors: Erik Thorvig, Community Development Director

The report to the planning commission was presented by Sheila Sellman, City Planner. The public hearing for Case File 24-0048 was opened at 8:01PM.

John Dahl, property owner, explained he has owned this property for many years. He indicated he appreciated the position the city was in, because these were commercial buildings in a bad spot. He requested he be allowed to use his property as existing and that this be allowed until things change.

Caroline Dahl, 10041 Polk Street, requested the memo drafted by staff be made a part of the

record.

Community Development Specialist Showalter reported this could be done.

The public hearing was closed at 8:05PM.

Commissioner Deonauth asked what the current uses were on this land and if the uses would be legal non-conforming uses.

City Planner Sellman explained the current uses would be legal non-conforming uses going forward.

Motion by Commissioner Deonauth to recommend approval of Planning Case 24-0048 a rezoning from Light Industrial (I-1) and Medium Density Multifamily (R-3B) to Low Density Multi-Family (R-3A). Motion seconded by Commissioner Swanson. The motion passed 5-0.

Vice Chair Halpern noted this would be on the agenda of the September 4, 2024 city council meeting.



City of Blaine

Staff Report

File Number: ORD 24-2561

Agenda Date	Status
September 4, 2024	
In Control	File Type
City Council	Ordinance

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.4

First Reading

Ordinance Approving a Rezoning from Light Industrial (I-1) to Low Density Multi-Family (R-3A) at 10041 Polk Street NE. City of Blaine (Case File No. 24-0048/EJT)

Executive Summary

Rezoning from Light Industrial (I-1) to Low Density Multi-Family (R-3A) in order to be consistent with the Low Density/Medium Density (LDR/MDR) land use designation.

Background

Planning Commission (Public Hearing)	08/14/24
City Council (1st Reading)	09/04/24
City Council (2nd Reading)	09/16/24

Staff report prepared by Erik Thorvig, Community Development Director

On July 1, 2024, the City Council adopted changes to the 2040 Comprehensive Plan Land Use map for the properties at 10001 and 10041 Polk Street. The previous land use designation was Medium Density Residential/High Density Residential (MDR/HDR). The City Council approved land use changes to Low Density Residential/Medium Density Residential (LDR/MDR).

For the subject site, the north property is currently zoned Light Industrial (I-1), and the south property is currently zoned Medium Density Multifamily (R-3B). The Municipal Land Planning Act requires consistency between land use regulations and zoning. Based on the recent land use changes, a rezoning to Low Density Multi-Family (R-3A), is necessary to provide consistency between the land use designation and zoning.

The property at 10041 Polk Street has industrial uses within buildings built in the early 1970s. If the

rezoning is approved, the uses currently occupying the property will become legal, non-conforming. Industrial uses are allowed to continue, and similar uses could occupy buildings in the future. The buildings may not be expanded, but can be replaced. The property at 10001 Polk Street has a single family house built in 1915 and would not be impacted by the rezoning.

Rezoning

Section 27.03 Criteria for granting zoning/comprehensive plan amendments:

The City Council may adopt amendments to the zoning ordinance, zoning map, and comprehensive plan relative to land uses within a particular district or to the location of the district lines. Zoning amendments shall only be used as a means to reflect changes in the goals and policies of the City as reflected in the comprehensive plan or changes in conditions in the City. Although there are no explicit findings that must be made in conjunction with rezoning, appropriate considerations include:

Whether the proposed district is consistent with the Comprehensive Plan:

The proposed rezoning is consistent with the land use designations that were approved by the City Council on July 1, 2024.

How the proposed district differs from the existing district:

The existing zoning classifications have been in place since the early 1990s. The I-1 zoning designation for 10041 Polk Street was reflective of the current use of the property. The R-3B zoning designation for 10001 Polk Street was reflective of the future land use plan at the time. The current uses were established prior to the single family and townhome development that occurred around them. The proposed zoning is consistent with the 2040 Comprehensive Plan Land Use Map and surrounding uses.

How the proposed district meets the goals and policies of the city:

The proposed district's intent is to allow the development of townhouses or quads. These districts shall be located on the fringe of established one and two-family residential neighborhoods which are consistent with surrounding uses. Recent city council policy is to discourage multifamily residential homes (apartments) from being located near single-family neighborhoods, which was the primary impetus of the land use change. The proposed zoning is consistent with this philosophy and recent changes to the 2040 Comprehensive Plan. Additionally, the age and condition of the property at 10001 Polk Street has become incompatible with the surrounding land uses and zoning.

Attachment List:

Zoning and Location Map

Polk Street Rezoning Map

Property Memo

Unapproved Planning Commission Minutes 8/14/24

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the rezoning.

The owners of 10041 Polk Street spoke at the public hearing. He wanted to ensure that existing

industrial uses could continue after rezoning occurs. Minnesota State law allows for non-conforming uses to continue after a rezoning occurs. Minutes of the meeting are attached.

Financial Impact

Not applicable.

Public Outreach/Input

Notices of a public hearing were:

1. Mailed to property owners within 350 feet of the property boundaries.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the City website.

Staff Recommendation

By motion, introduce the ordinance for first reading and direct that it be placed on file for second reading at the September 16, 2024, council meeting.

Attachment List

1. Attachments
2. Unapproved PC Minutes 081424



City of Blaine

Signature Copy

Ordinance: ORD 24-2561

First Reading

Ordinance Approving a Rezoning from Light Industrial (I-1) to Low Density Multi-Family (R-3A) at 10041 Polk Street NE. City of Blaine (Case File No. 24-0048/EJT)

THE CITY OF BLAINE DOES ORDAIN: (Added portions are underscored and deleted portions are shown with overstrike.)

Section 1. The Official Zoning Map of the Zoning Code of the Municipal Code of the City of Blaine is hereby amended to change the zoning classification of the following described property:

THE N1/2 OF N1/2 OF NW1/4 OF NW1/4 OF SEC 29 TWP 31 RGE 23, EX E1/2 THEREOF, EX RD, SUBJ TO EASE OF REC

Section 2. The above described property is hereby rezoned from:

Light Industrial (I-1)

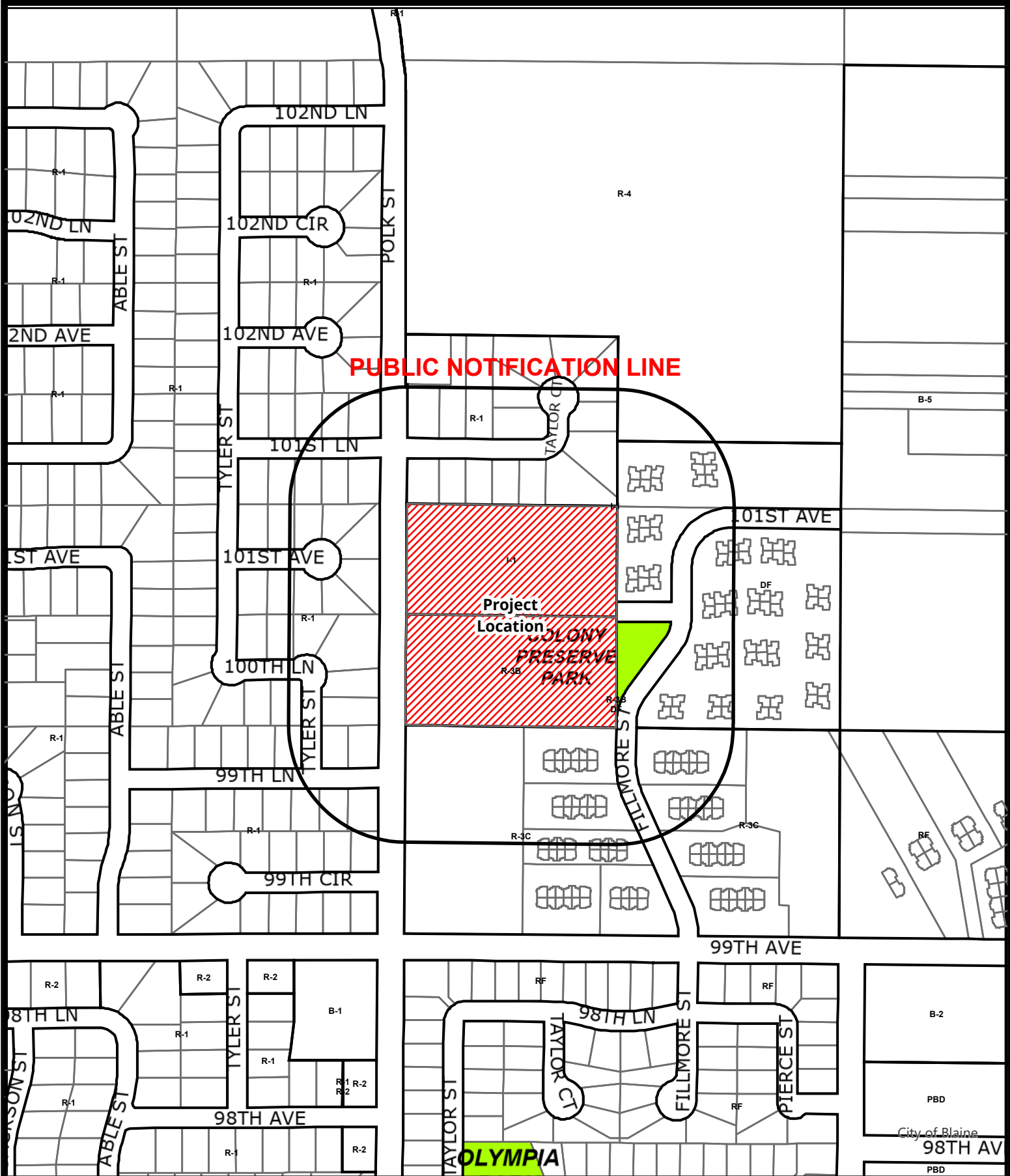
to

Low Density Multi-Family (R-3A)

Section 3. The City Manager is hereby directed to make the appropriate changes in the Official Zoning Map of the City of Blaine to reflect and show the changes in zoning classification as set forth above.

INTRODUCED and read in full this 4th day of September, 2024.

PASSED by the City Council of the City of Blaine this day of 20__.



Case File No. 24-0048
10001 & 10041 Polk Street



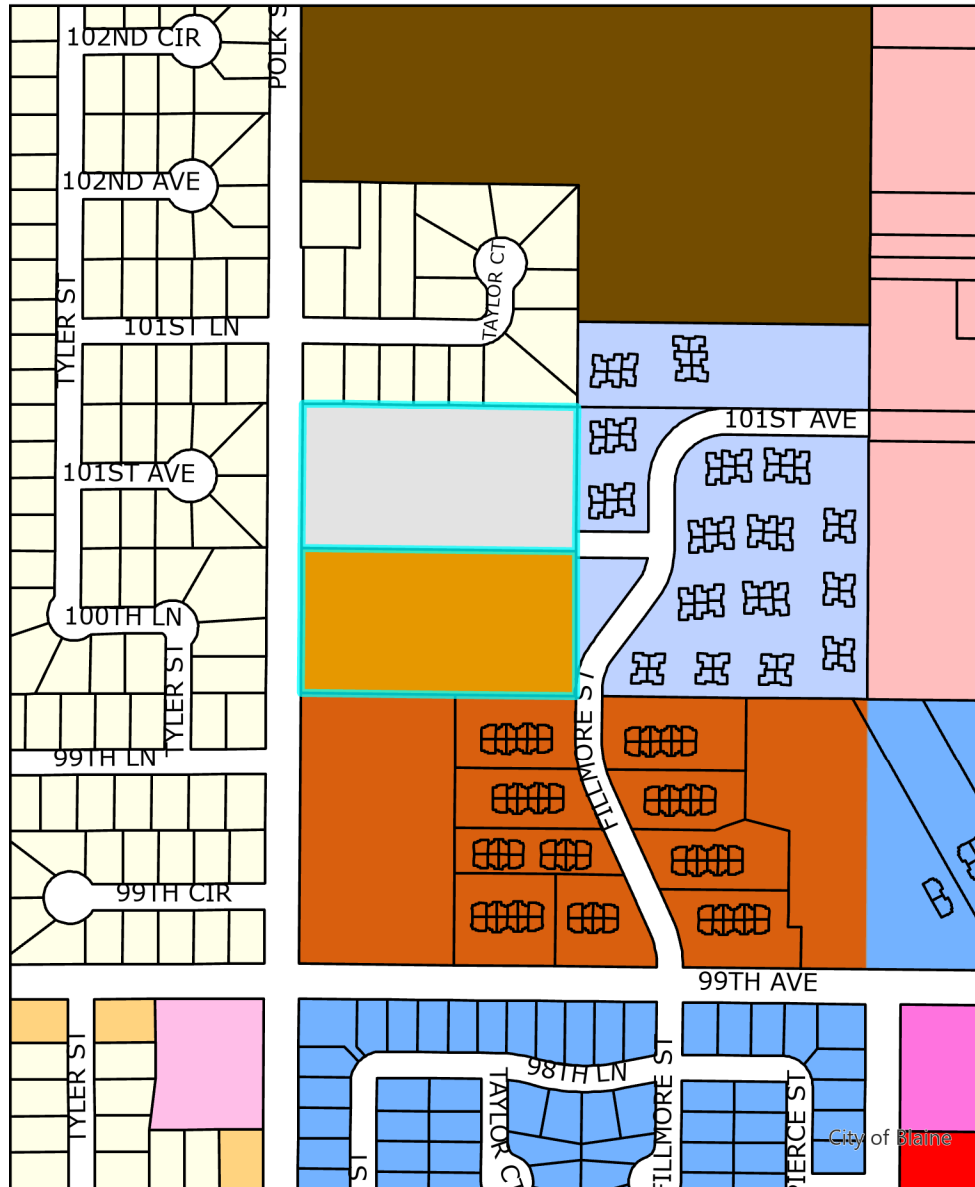
BlaineMN.gov

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180



10041 and 10001 Polk St

Existing Zoning

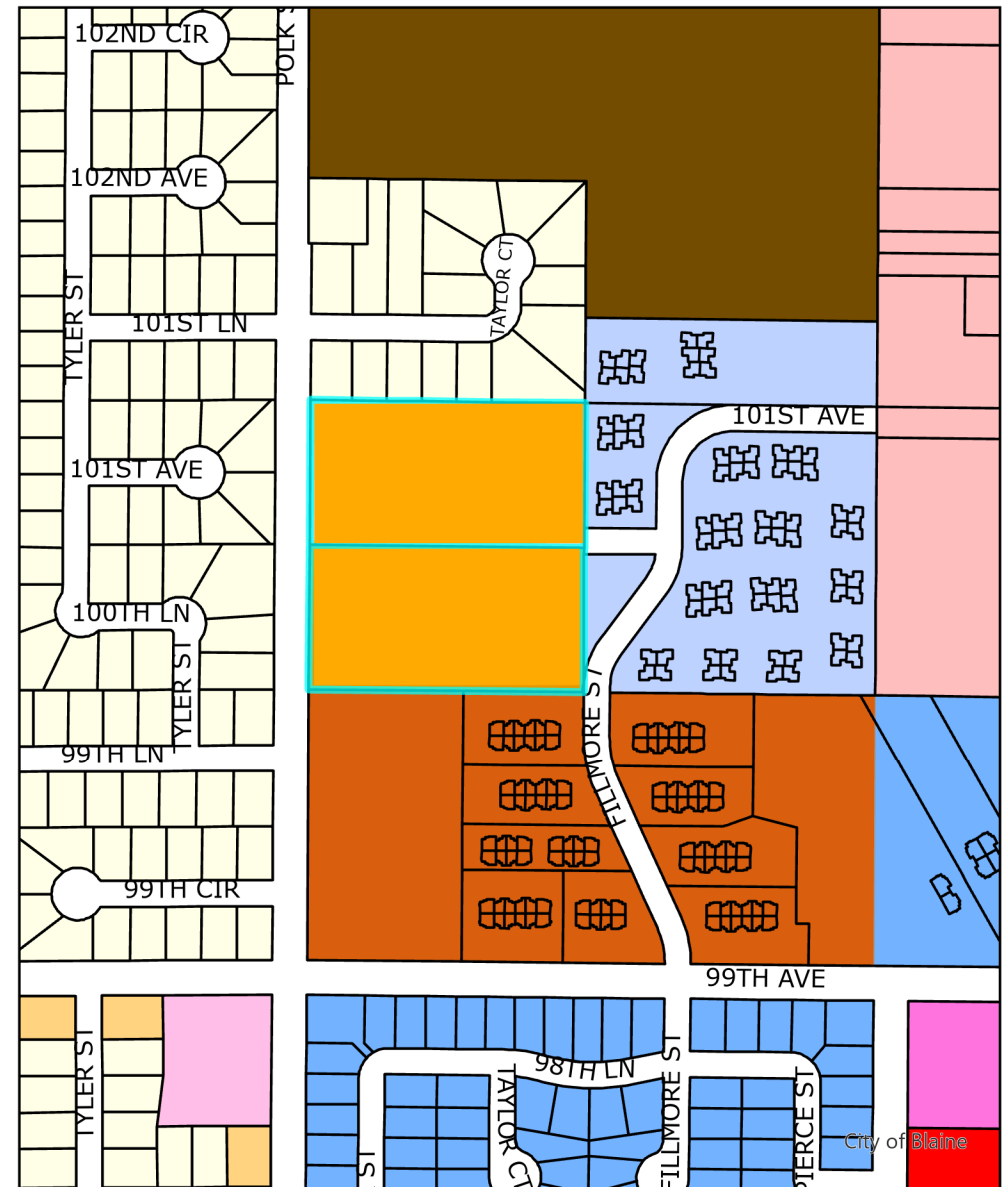


- B-1 - Neighborhood Business
- B-2 - Community Commercial
- B-5 - Town Commercial

- PBD - Planned Business District
- I-1 - Light Industrial
- R-1 - Single Family
- R-2 - Two Family

- R-3B - Medium Density Multi-Family
- R-3C - High Density Multi-Family
- R-4 - Mobile Homes

Proposed Zoning



- DF - Development Flex
- RF - Residential Flex
- R-3A - Low Density Multi-Family



BlaineMN.gov

MEMO

CITY OF BLAINE ■ COMMUNITY DEVELOPMENT ■ 763-785-6180

DATE: August 12, 2024

TO: File

FROM: Erik Thorvig

SUBJECT: Legal Nonconforming Uses at 10041-10059 Polk Street NE

Following a rezoning of the above mentioned properties from I-1 to R-3A, the following uses are considered to be legal nonconforming:

1. Manufacturing
2. Warehousing
3. Wholesale businesses
4. Business and professional offices, not including medical
5. Engraving shops
6. Machine shops
7. Repair services, except related to passenger vehicles and trucks

Outside storage is limited to:

1. Cars, vans pickup trucks and utility trailers no longer than 15 feet in length parked outside and used by employees and/or visitors in the normal course of the business operation when parked in the side and rear yard outside of the required parking stalls
2. Trucks, semi-trailers and any other vehicles larger than 10,000 GVW used in the normal business' commerce provided the total number of vehicles over 10,000 GVW, including but not limited to box trucks, semi cab, and semi-trailers does not exceed the number of docks and/or bay doors.
3. Refuse facilities constructed of masonry materials compatible with the principal structure.



City of Blaine

Planning Commission

August 14, 2024 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order

The Blaine planning commission met in the City Hall Chambers on Wednesday, August 14, 2024. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Deonauth, Gorzycki, Homan, Swanson, and Vice Chair Halpern.

Members Absent: Commission Member Olson and Chair Goracke.

Staff Present: Shawn Kaye, Planner
Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

4. Public Hearing

- 4.3.** 2024-317 Case File No. 24-0048 // City of Blaine // 10001 and 10041 Polk Street NE
The City is requesting a rezoning from Light Industrial (I-1) and Medium Density Multifamily (R-3B) to Low Density Multi-Family (R-3A).
Sponsors: Erik Thorvig, Community Development Director

The report to the planning commission was presented by Sheila Sellman, City Planner. The public hearing for Case File 24-0048 was opened at 8:01PM.

John Dahl, property owner, explained he has owned this property for many years. He indicated he appreciated the position the city was in, because these were commercial buildings in a bad spot. He requested he be allowed to use his property as existing and that this be allowed until things change.

Caroline Dahl, 10041 Polk Street, requested the memo drafted by staff be made a part of the

record.

Community Development Specialist Showalter reported this could be done.

The public hearing was closed at 8:05PM.

Commissioner Deonauth asked what the current uses were on this land and if the uses would be legal non-conforming uses.

City Planner Sellman explained the current uses would be legal non-conforming uses going forward.

Motion by Commissioner Deonauth to recommend approval of Planning Case 24-0048 a rezoning from Light Industrial (I-1) and Medium Density Multifamily (R-3B) to Low Density Multi-Family (R-3A). Motion seconded by Commissioner Swanson. The motion passed 5-0.

Vice Chair Halpern noted this would be on the agenda of the September 4, 2024 city council meeting.



City of Blaine

Staff Report

File Number: ORD 24-2557

Agenda Date	Status
September 4, 2024	
In Control	File Type
City Council	Ordinance

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.5

Second Reading

Ordinance Approving Amendments to Section 39.901 (Definitions) and Section 30.904 (Permitted Uses in the 105th Avenue Redevelopment District) of the Zoning Ordinance to Add Cigar Lounge as a Permitted Use. Society Cigars (Pinpoint Community Development) (Case File No. 24-0040/SAS)

Executive Summary

The applicant is requesting an ordinance amendment to the 105th Redevelopment District to allow a cigar lounge.

Background

Planning Commission Public Hearing	08/14/24
City Council (1st Reading)	08/19/24
City Council (2nd Reading)	09/04/24
Action Deadline (60 Days)	08/11/24
Action Deadline (60 Days - City Extended)	10/10/24

Staff report prepared by Sheila Sellman, City Planner.

The applicant is requesting an ordinance amendment to the 105th Avenue Redevelopment District (RD) in order to allow a cigar lounge.

In 2022, the City created the RD zoning district in anticipation of the development of the 105th Avenue area. This zoning code is tailored to a mixed-use type of development and is intended to promote development and redevelopment consistent with the master plan by encouraging residential uses in conjunction with commercial and expanded recreational activities to create an entertainment district with greater flexibility in land uses, and at the same time protect the interest of surrounding properties in the following ways:

- (a) By promoting a planned environment for integrated commercial uses which feature design continuity. A development shall reflect a common theme using compatible architectural design and consistency in signage, landscaping and lighting.
- (b) By encouraging a more creative approach in development, that will result in quality living environments through innovative design and aesthetic controls.
- (c) By providing for mixed-use development(s) that are carefully planned to promote efficient use of land, parking, and open space.
- (d) By providing enhanced oversight through site plan approvals to ensure compatibility of mixed uses and consistency with the approved master plan.
- (e) By encouraging pedestrian access.
- (f) By allowing flexibility in setback and height restrictions.
- (g) By ensuring high standards of site design, architectural design, building materials and landscape design are achieved through design guidelines and approvals.
- (h) By providing the means for greater creativity and flexibility in environmental design than is provided under the strict application of the Blaine Zoning Ordinance and Subdivision Ordinance, while, at the same time, preserving the health, safety, order, convenience, prosperity, and general welfare of the City of Blaine.

Currently, this district prohibits tobacco/vape shops but does not address cigar lounges. The applicant is proposing a cigar-only establishment where members and non-members can buy and sample cigars. The applicant believes that their business is a "perfect complement to the high-end restaurant experiences and other amenities" within the district.

The proposed ordinance, if passed, will define what a cigar lounge is and will be listed under permitted uses. As proposed, Cigar Lounge is defined as a licensed tobacco products shop limited to cigars and pipes and operated in compliance with the Minnesota Clean Indoor act, Minn. Stat. Sections 144.411 to 144.417. After consultation with the city attorney and clerk, the definition was amended from the first reading to remove language regarding sampling. Any business will be required to meet applicable laws related to the Minnesota Clean Indoor Air Act. The majority of the cities surveyed indicated that they don't define a cigar lounge, and it would be permitted where retail is allowed.

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission recommended approval of the ordinance amendment. There was no one present for the public hearing and no public comments were submitted prior to the Planning Commission meeting. Three letters were received prior to the August 19 City Council meeting which are attached. As noted above, if the retail establishment for cigars is permitted, any establishment must meet state law requirements related to the Minnesota Clean Indoor Air Act.

Financial Impact

Not applicable.

Public Outreach/Input

Notices of a public hearing were:

1. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
2. Posted on the City website.

Staff Recommendation

By motion, approve the ordinance.

Attachment List

1. Public Comments
2. Unapproved PC Minutes 081424
3. Additional Public Comments 090424



City of Blaine

Signature Copy

Ordinance: ORD 24-2557

Second Reading

Ordinance Approving Amendments to Section 39.901 (Definitions) and Section 30.904 (Permitted Uses in the 105th Avenue Redevelopment District) of the Zoning Ordinance to Add Cigar Lounge as a Permitted Use. Society Cigars (Pinpoint Community Development) (Case File No. 24-0040/SAS)

THE CITY OF BLAINE DOES ORDAIN: (Added portions are underscored and deleted portions are shown in overstrike.)

30.90 – 105th AVENUE REDEVELOPMENT DISTRICT (RD)

30.901 Definitions.

Definitions listed apply only to this district. If something is not defined in this section the definition in the city code shall apply.

Cigar Lounge – a licensed tobacco products shop limited to cigars and pipes and operated in compliance with the Minnesota Clean Indoor act Minn. Stat. Sections 144.411 to 144.417.

30.904 Permitted uses.

- (a) Art galleries and studios.
- (b) Bakery.
- (c) Candy or ice cream shops.
- (d) Cigar lounge
- ~~(e)~~(e) Coffee shop.
- ~~(e)~~(f) Delicatessen stores.
- ~~(f)~~(g) Entertainment - such as live music.
- ~~(g)~~(h) General retail.
- ~~(h)~~(i) Market under 5,000 square feet.
- ~~(i)~~(j) Multi-family residential.
 - (1) Multi-level multiple unit (apartments).
 - (2) Townhomes.
- ~~(j)~~(k) Professional office not including medical or clinics.
- ~~(k)~~(l) Restaurants.
 - (1) Class I.
 - (2) Class II under 3,000 square feet without drive-thru.

(Ord. No. 22-2506, 7-18-2022)

30.906 Prohibited use.

- (a) Auto sales - Indoor or outdoor sales.

- (b) Automobile repair.
- (c) Car washes.
- (d) Daycare.
- (e) Drive-thru facilities, except when located south of 105th Avenue NE.
- (f) Fitness centers including yoga and gyms.
- (g) Gas/convenience stores.
- (h) Outdoor storage.
- (i) Pawn shops.
- (j) Self-storage/mini storage.
- (k) Tobacco/vape shop, except for cigar lounge as defined in Section 30.901
- (l) Any uses not listed as permitted, or conditional.

INTRODUCED and read in full this 19th day of August, 2024.

PASSED by the City Council of the City of Blaine this 4th day of September, 2024.

August 16, 2024

Tim Sanders, Mayor
City of Blaine
10801 Town Square Drive NE
Blaine, MN 55449

Dear Tim Sanders:

The Minnesota Department of Health has been made aware of proposed amendments to city ordinance to allow a cigar lounge in the 105th Avenue Redevelopment District. This letter serves as an explanation of the Minnesota Department of Health's (MDH) position on smoking lounges and compliance with the Minnesota Clean Indoor Air Act (MCIAA).

Businesses whose primary purpose is to provide a place for customers to smoke are violating the MCIAA. While the MCIAA does contain a provision that allows customers to light tobacco in dedicated retail tobacco stores "for the specific purpose of sampling", this exemption does not apply to dedicated smoking lounges. The authors of the Freedom to Breathe amendments to the MCIAA intended the exemption to allow customers to try out a portion of a tobacco product in a tobacco store to determine if they would like to purchase a larger quantity to consume elsewhere.

Establishments that allow indoor smoking in violation of the MCIAA will be subject to formal enforcement procedures. The MCIAA regulations allow for both criminal and civil enforcement actions, including but not limited to, civil administrative penalties of up to \$10,000 per violation.

We urge the city council to consider the impact on public health and compliance with the MCIAA when voting on this proposed amendment.

Sincerely,



Mary B. Navara, BSN, PHN, MPH
Senior Environmental Health Manager

Indoor Environments and Radiation Section
PO Box 64975
St. Paul, MN 55164-0975

651 -201-5826
mary.navara@state.mn.us
www.health.state.mn.us

Enclosure: Factsheet on the Minnesota Clean Indoor Air Act

Freedom to Breathe

GENERAL INFORMATION

Background

The Freedom to Breathe (FTB) provisions amended the Minnesota Clean Indoor Air Act (MCIAA) further protect employees and the public from the health hazards of secondhand smoke. These provisions went into effect on October 1, 2007. In 2019, the MCIAA was amended again to expand the definition of smoking to include vaping, the use of electronic nicotine delivery devices (also known as e-cigarettes or vapes). The amendment is effective on August 1, 2019.

Public Health Issue

The United States Surgeon General states there is no risk-free level of secondhand smoke exposure. It is estimated that since 1965 approximately 2.5 million nonsmokers have died from health problems caused by secondhand smoke exposure.

According to the CDC, e-cigarette aerosol (often called vapor) can contain harmful and potentially harmful substances including nicotine, ultrafine particles, flavoring chemicals, VOCs, aldehydes and heavy metals.

What is considered smoking?

The MCIAA defines smoking as inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe or any other lighted or heated product containing, made or derived from nicotine, tobacco, marijuana, or other plant intended for inhalation. As of August 1, 2019, this

definition includes carrying or using an activated electronic delivery device.

What is the definition of “indoor area”?

“Indoor Area” means a space between a floor and a ceiling that is at least half enclosed by walls, doorways or windows (open or closed) around the perimeter. A wall includes retractable dividers, garage doors, plastic sheeting or any other temporary or permanent physical barrier. A (standard) window screen is not a wall.

Where is smoking prohibited?

Smoking is prohibited in virtually all **indoor** public places and **indoor** places of employment, including:

- Bars, restaurants, and private clubs
- Office and industrial workspaces
- Retail stores
- Common areas of rental apartment buildings, hotels and motels
- Public transportation, including taxis
- Work vehicles, if more than one person is present
- Home offices with more than one on-site employees, or used as a place to meet or deal with customers—during work hours
- Public and private schools, educational facilities
- Auditoriums, arenas, meeting rooms
- Day care premises
- Health care facilities and clinics

Where is smoking permitted?

The MCIAA does not prohibit smoking in the following locations or circumstances:

- Outdoor smoking, regardless of distance from building openings
 - Private places, such as private homes, residences or automobiles when they are not being used as a place of employment
 - Sleeping rooms of hotels and motels
 - Cabs of commercial motor vehicles that weigh over 26,000 pounds
 - Family farm buildings, farm trucks and equipment, if certain conditions are met
 - Patients of licensed residential healthcare facilities in designated separate, enclosed areas that meet applicable regulations
 - Patients in a locked psychiatric unit in a separated well-ventilated area, as approved by the treating physician
 - Tobacco product shops- when customers are sampling tobacco products
 - Approved scientific study participants
 - Traditional Native American ceremonies
 - Theatrical productions, that is, actors and actresses who are smoking as part of the theatrical performance
 - Disabled Veterans Rest Camp in Washington County
- Make reasonable efforts to prevent indoor smoking
 - Post “no smoking” signs
 - Ask person who smoke in prohibited areas to refrain from smoking and to leave if they refuse to do so
 - Use lawful methods consistent with handling disorderly persons or trespassers for any person who refuses to comply after being asked to leave the premises.
 - Refrain from providing ashtrays and other smoking equipment
 - Refuse to serve noncompliant person

Is outdoor smoking or e-cigarette use addressed?

The MCIAA does not prohibit outdoor smoking or vaping, regardless of distance from building openings such as doors and windows. Smoke or vapor drifting in from outside of a building is not covered by the MCIAA. Some cities and counties have local ordinances that restrict smoking and vaping by entrances.

Compliance and Enforcement

The Minnesota Department of Health (MDH) has compliance authority over the MCIAA and may delegate compliance activities to local units of government. MDH, a local board of health or any affected person can request a court order directing a repeat MCIAA violator to stop.

In addition, local law enforcement has the authority to issue petty misdemeanor citations to proprietors or individuals who knowingly fail to comply with the MCIAA.

What are the responsibilities of proprietors?

Employers and facility managers play an important role in controlling smoking in their place of business. In general, they are required to:

Local Government Ordinances

Other governments retain the authority to adopt and enforce more stringent measures to protect individuals from secondhand smoke. For example, the federal government prohibits smoking in certain housing.

Retaliation Prohibited

An employer, manager or other person in charge cannot fire, refuse to hire, penalize, discriminate or retaliate against an employee, applicant or customer who exercises any right to a smoke-free environment provided under the MCIAA.

Minnesota Department of Health
Indoor Air Unit
PO Box 64975
St. Paul, MN 55164-0975
651-201-4601
health.indoorair@state.mn.us
www.health.state.mn.us

6/4/19

*To obtain this information in a different format, call:
651-201-4601. Printed on recycled paper.*

To: Mayor Tim Sanders

Blaine City Council

RE: Proposed cigar lounge

The American Lung Association is the leading organization working to save lives by improving lung health and preventing lung disease through education, advocacy and research. The work of the Lung Association focuses on four strategic imperatives: defeat lung cancer, champion clean air for all, improve the quality of life for those with lung disease and their families and to create a commercial tobacco-free future.

Tobacco is still the leading cause of preventable death and disease in Minnesota, taking the lives of more than 6,500 Minnesotans annually. In Minnesota, smoking was responsible for \$4.7 billion in excess healthcare expenditures in 2021 – a per capita expense of \$824 for every person in the state over the course of one year. (1) In 2023, 32.2% of Minnesota high school and 12.0% of middle school student had tried at least one commercial tobacco product in their lifetimes. (2)

Cigars contain the same addictive, toxic and carcinogenic compounds found in cigarettes and are not a safe alternative to them. Cigar smoking can cause cancers of the lung, oral cavity, larynx and esophagus and people who smoke cigars are four to ten times more likely to die from these cancers than people who do not smoke. Heavy cigar smoking also increases the risk of developing lung diseases, such as emphysema and chronic bronchitis. And lastly, cigars are just as addictive as cigarettes because they contain nicotine which induces dependence and harms health.

Smoking in cigar lounges will directly expose people to secondhand smoke in surrounding and neighboring workplaces, restaurants, and bars in our community, which is dangerous for people who have made the decision to not smoke. Ventilation systems do not remove the carcinogens found in secondhand smoke and cannot prevent the smoke from carrying into other areas of a mutually shared commercial building. Not only do ventilation systems distribute secondhand smoke throughout a building, but it can also travel through doorways, cracks in walls, electrical lines, and plumbing.

Allowing cigar smoking sends the wrong message to youth. An estimated 500,000 U.S. high school and middle school students currently used cigars in 2022, making cigars the second most popular conventional tobacco product among youth. Young people who use tobacco products are more likely to become addicted than adults.

1 [2023-Cost-of-Smoking.pdf \(centerforpreventionmn.com\)](#)

2 [Teens and Tobacco in Minnesota: Highlights from the 2023 Youth Tobacco Survey \(state.mn.us\)](#)

Normalizing cigar smoking in Blaine community provides tobacco companies with more opportunity to aggressively market their deadly and addictive products. **Exposing youth to a perceived “acceptable smoking culture” is not the direction any community should be moving. We all can and must do better.**

It should also be noted that the proposed exemption appears to license the establishment as a tobacco shop and references “sampling” when what actually is being proposed by the developer is a cigar lounge. The question to clarify what is ‘sampling’ came up during the planning committee and staff response was when “we say the word sampling because that’s state statute....what we are proposing is a lounge where people would come there and buy cigars and hang out there and smoke them.” Minnesota’s Clean Indoor Air Act clearly prohibits cigar lounges.

On behalf of the American Lung Association, we urge the council not to approve the proposal to permit a cigar lounge in Blaine.

Pat McKone, Senior Director

Advocacy and Public Policy

American Lung Association in Minnesota

Pat.mckone@lung.org

1 [2023-Cost-of-Smoking.pdf \(centerforpreventionmn.com\)](#)

2 [Teens and Tobacco in Minnesota: Highlights from the 2023 Youth Tobacco Survey \(state.mn.us\)](#)



August 19, 2024

Mayor Tim Sanders and Members of the Blaine City Council:

The Association for Nonsmokers-Minnesota (ANSR) strongly opposes the City Council's proposed ordinance to allow the operation of a cigar lounge in Blaine. Doing so is a violation of Minnesota's statewide clean indoor air law.

While the Minnesota Clean Indoor Air Act (MCIAA) does contain a provision that allows customers or potential customers to light tobacco in dedicated retail tobacco stores "for the specific purpose of sampling...", this exemption does **not** apply to dedicated smoking lounges. The authors of the state law intended the exemption to allow customers to try out a portion of a tobacco product in a tobacco store to determine if they'd like to purchase a larger quantity of the product to smoke elsewhere. The Minnesota Department of Health has made it clear in a letter to local authorities more than a decade ago that "Businesses whose primary purpose is to provide a place for customers to smoke are violating the MCIAA."

We urge you to oppose the proposed changes. Everyone and every community has the right to clean, smoke-free air. We strongly urge you to uphold the MCIAA and not allow the operation of a cigar lounge.

Sincerely,

A handwritten signature in blue ink, which appears to read "Jeanne Weigum", is written over the word "Sincerely,". The signature is fluid and cursive.

Jeanne Weigum, President

Association for Nonsmokers-Minnesota | www.ansrmn.org | 651.646.3005



City of Blaine

Planning Commission

August 14, 2024 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order

The Blaine planning commission met in the City Hall Chambers on Wednesday, August 14, 2024. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Deonauth, Gorzycki, Homan, Swanson, and Vice Chair Halpern.

Members Absent: Commission Member Olson and Chair Goracke.

Staff Present: Shawn Kaye, Planner
Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

4. Public Hearing

- 4.4.** 2024-255 Case File No. 24-0040 // PinPoint Community Development, LLC (Society Cigars) // 2180 105th Avenue NE, #110
The applicant is requesting amendments to the City of Blaine Zoning Ordinance Section 39.901 Definitions, and Section 30.904 Permitted Uses in the 105th Avenue Redevelopment District to add Cigar lounge as a permitted use.

Sponsors: Sheila Sellman, City Planner

The report to the planning commission was presented by Sheila Sellman, City Planner. The public hearing for Case File 24-0040 was opened at 8:10PM. As no one wished to appear, the public hearing was closed at 8:10PM.

Vice Chair Halpern questioned if sampling would occur within the cigar lounge, and what other cities have allowed this use.

City Planner Sellman explained the proposed use would allow for the purchasing and smoking of cigars within the lounge. She indicated Maple Grove had a cigar lounge that was defined as retail.

Motion by Commissioner Swanson to recommend approval of Planning Case 24-0040 approving amendments to the City of Blaine Zoning Ordinance Section 39.901 Definitions, and Section 30.904 Permitted Uses in the 105th Avenue Redevelopment District to add Cigar lounge as a permitted use. Motion seconded by Commissioner Deonauth. The motion passed 5-0.

Vice Chair Halpern noted this would be on the agenda of the August 19, 2024 city council meeting.

From: keira walquist <keirawalquist@gmail.com>

Sent: Tuesday, September 3, 2024 11:47 PM

To: Tim Sanders <tsanders@blainemn.gov>; Tom Newland <tnewland@blainemn.gov>; Lori Saroya <lsaroya@blainemn.gov>; Jess Robertson <jrobertson@blainemn.gov>; Leslie Larson <leslielarson@blainemn.gov>; Terra Fleming <tfleming@blainemn.gov>; Chris Massoglia <cmassoglia@blainemn.gov>; Michelle Wolfe <mwolfe@blainemn.gov>; Erik Thorvig <ethorvig@blainemn.gov>

Subject: Letter Opposing Proposed Ordinance ORD 24-2557

Mayor Sanders and Blaine City Council Members,

My name is Keira Walquist and I am a senior in high school and a Ward 3 Blaine resident. I am emailing today to share my opinion on the proposed ordinance that would allow a cigar lounge in my city.

I am against the proposed zoning changes and allowing a cigar lounge to come into our city, especially near youth spaces like the soccer fields. Not allowing this type of business will ensure clean air for everyone in the surrounding area. We should not be exposing community members and youth to the harms of tobacco smoke.

Growing up, I was fortunate enough to live in areas where the use of tobacco products was not common. Because of that, I believe that my body is healthier, but also that my mind is healthier. Children should not be exposed to tobacco any more than they already are- nicotine is a dangerous and addictive *drug*, and it shouldn't be treated as a simple recreational activity. In my experience, Blaine is an up-and-coming area, and I believe that it is one of the best places to live in the metro. I hope that the council will continue this legacy by keeping Blaine a safe and comfortable area for everyone, especially the children of the area.

I urge you to oppose these changes that would allow a cigar lounge into Blaine. The Blaine community deserves to have smoke-free air.

Sincerely,
Keira Walquist
12703 Erskin St NE, Ward 3



September 4, 2024

To: Blaine City Council and Mayor Tim Sanders

RE: Proposed Ordinance amendment to 105th Redevelopment District

According to city records, the City of Blaine created the RD Zoning district in 2022 with thoughtful consideration of a plan that would provide greater creativity and flexibility and result in “quality living environments through innovative design and aesthetic controls” and noted “while at the same time, preserving the health, safety, order, convenience, prosperity and general welfare of the City of Blaine.” Which is the rationale for the current rules that prohibit tobacco/vape shops.

This amendment undermines the intent of the RD Zoning district’s goals of providing quality living environments and preserving the health of the City of Blaine and weakens the current prohibition of tobacco/vape shops by allowing a tobacco shop for the retail sale of cigars and proposed cigar lounge within the store.

Tobacco is still the leading cause of preventable death and disease In Minnesota, taking the lives of more than 6,500 Minnesotans annually. Cigars contain the same addictive, toxic and carcinogenic compounds found in cigarettes.

Cigars are the second most popular conventional tobacco product among youth. With a world class youth soccer facility located in the same district allowing a tobacco store dedicated to the sales of cigars is the wrong message for youth and a step backwards in the goal of the district to preserve the health of the City of Blaine.

Also noted in the updated staff report is the removal of language regarding sampling and that “The majority of the cities surveyed indicated that they don’t define a cigar lounge, and it would be permitted where retail is allowed.” On August 16th, The Minnesota Department of Health provided a letter documenting clear explanation on this topic and compliance with the Minnesota Clean Indoor Air Act (MCIAA), including the sampling language, urging the council to consider the impact on public health and compliance with the MCIAA and the criminal and civil enforcement penalties for violating the law. By simply not defining a cigar lounge, does not make it legal or ‘allowed’.

The American Lung Association in Minnesota urges the council to preserve the health of the City of Blaine and not approve this amendment.

A handwritten signature in black ink, appearing to read "Pat McKone". The signature is fluid and cursive, written in a professional style.

Pat McKone, Senior Director- Advocacy and Public Policy



City of Blaine

Staff Report

File Number: ORD 24-2560

Agenda Date	Status
September 4, 2024	
In Control	File Type
City Council	Ordinance

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.6

First Reading

Ordinance Approving Amendments to Section 29.010 Farm Residential (FR) and Section 29.020 Residential Estate (RE) of the Zoning Ordinance, Adding Ground Mounted Solar Systems as Accessory Uses. City of Blaine (Case File No. 24-0047/SLK)

Executive Summary

The proposed ordinance amendment adds ground mounted solar systems as accessory uses in the FR (Farm Residential) and RE (Residential Estate) zoning districts.

Background

Planning Commission Public Hearing	08/14/24
City Council (1st Reading)	09/04/24
City Council (2nd Reading)	09/16/24

Staff report prepared by Shawn Kaye, Planner.

At the May 13, 2024 council workshop, council directed staff to research ground mounted solar and provide recommendations on findings. Currently, city code does not allow ground mounted solar in any residential districts. Ground mounted solar is allowed as an accessory use in all industrial zoning districts and in the Planned Business District (PBD) with approval of a conditional use permit.

At the July 8, 2024 council workshop, staff provided additional information after researching cities with similar lot sizes and populations as Blaine. These included Maple Grove, Woodbury, Rosemount, Burnsville and Lakeville.

Based on research, staff recommended the following:

- Limit to Residential Estate (RE) (small area in the NW corner of the city with large lots) and Farm Residential (FR), regardless of lot size.
- Limit location to rear yard only
- Side yard setback - 20 feet
- Rear yard setback - 30 feet
- The maximum height at full tilt is 15 feet
- The footprint of the solar panel unit(s) and any attached or detached accessory structures may not total more than 2,000 square feet in the RE district, and 3,000 square feet in the FR district.
- Solar collection device(s) shall be designed and located to avoid solar glare or reflection onto adjacent properties and right of way and shall not interfere with traffic or create a safety hazard. The property owner shall be responsible to ensure reflection angles from collector surfaces are oriented away from neighboring windows. Where necessary, buffering may be required to address glare.

Council consensus was to support a proposed code amendment and directed staff to provide an amendment allowing ground mounted solar systems as an accessory use in the RE and FR zoning districts.

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the code amendment. No one attended the public hearing. The meeting minutes are attached for reference.

Financial Impact

Not applicable

Public Outreach/Input

Notices of a public hearing were:

1. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
2. Posted on the City website.

Staff Recommendation

By motion, introduce the ordinance for first reading and direct that it be placed on file for second reading at the September 16, 2024, council meeting.

Attachment List

1. Unapproved PC Minutes 081424



City of Blaine

Signature Copy

Ordinance: ORD 24-2560

First Reading

Ordinance Approving Amendments to Section 29.010 Farm Residential (FR) and Section 29.020 Residential Estate (RE) of the Zoning Ordinance, Adding Ground Mounted Solar Systems as Accessory Uses. City of Blaine (Case File No. 24-0047/SLK)

THE CITY OF BLAINE DOES ORDAIN: (Added portions are underscored and deleted portions are shown in overstrike.)

29.010 - FARM RESIDENTIAL (FR) 29.013 - Accessory uses.

(e) Ground mounted solar systems meeting standards outlined in 29.015 (z)

29.015 - Standards.

(z) Standards and requirements for ground mounted solar systems:

- (1) Rear yard only
- (2) Side yard setback - 20 feet
- (3) Rear yard setback - 30 feet
- (4) The maximum height at full tilt is 15 feet
- (5) The footprint of the solar panel unit(s) and any attached and/or detached accessory structures may not total more than 3,000 square feet.
- (6) Solar collection device(s) shall be designed and located to avoid solar glare or reflection onto adjacent properties and right of way and shall not interfere with traffic or create a safety hazard. The property owner shall be responsible to ensure reflection angles from collector surfaces are oriented away from neighboring windows. Where necessary, buffering may be required to address glare.

29.020 - RESIDENTIAL ESTATE (RE)

29.023 - Accessory uses.

(h) Ground mounted solar systems meeting standards outlined in 29.025 (u)

29.025 - Standards.

(u) Standards and requirements for ground mounted solar systems:

- (1) Rear yard only
- (2) Side yard setback - 20 feet
- (3) Rear yard setback - 30 feet
- (4) The maximum height at full tilt is 15 feet
- (5) The footprint of the solar panel unit(s) and any attached and/or detached accessory structures may not total more than 2,000 square feet.
- (6) Solar collection device(s) shall be designed and located to avoid solar glare or reflection onto adjacent properties and right of way and shall not interfere with traffic or create a safety hazard. The property owner shall be responsible to ensure reflection angles from collector surfaces are oriented away from neighboring windows. Where necessary, buffering may be required to address glare.

INTRODUCED and read in full this 4th day of September, 2024.

PASSED by the City Council of the City of Blaine the day of , 20 .



City of Blaine

Planning Commission

August 14, 2024 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order

The Blaine planning commission met in the City Hall Chambers on Wednesday, August 14, 2024. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Deonauth, Gorzycki, Homan, Swanson, and Vice Chair Halpern.

Members Absent: Commission Member Olson and Chair Goracke.

Staff Present: Shawn Kaye, Planner
Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

4. Public Hearing

- 4.5. 2024-318** Case File No. 24-0047 // City of Blaine
The City is proposing amendments to Section 29.010 Farm Residential (FR) and Section 29.020 Residential Estate (RE), adding ground mounted solar systems as accessory uses.
Sponsors: Shawn Kaye, Planner

The report to the planning commission was presented by Shawn Kaye, Planner. The public hearing for Case File 24-0047 was opened at 8:PM. As no one wished to appear, the public hearing was closed at 8:PM.

Vice Chair Halpern indicated requests, like the one from Aveda for the ground mounted solar farm, would be addressed through these new regulations.

Planner Kaye reported this was the case, but noted the area for a solar farm would be less.

Motion by Commissioner Gorzycki to recommend approval of Planning Case 24-0047 approval of amendments to the City of Blaine Zoning Ordinances 29.010 Farm Residential (FR) and 29.020 Residential Estate (RE) adding ground mounted solar systems as accessory uses. Motion seconded by Commissioner Homan. The motion passed 5-0.

Vice Chair Halpern noted this would be on the agenda of the September 4, 2024 city council meeting.



City of Blaine

Staff Report

File Number:

Agenda Date	Status
September 4, 2024	
In Control	File Type
City Council	Ordinance

Administration -

Agenda Item # 11.1

First Reading

Amending Chapter 42 - Health and Sanitation, Article II. - Tobacco, Division 2. - License, Sec. 42-61. Generally.

Background

At the June 17 workshop, council provided staff feedback in support of the proposed amendments to tobacco licenses that included differentiating between licenses and imposing a cap for each license type to 50 for general tobacco licenses such as grocery, gas, and liquor stores, 12 for tobacco product stores, and 3 for cigar shops. Currently, there are 54 tobacco licenses, 9 of which are tobacco products stores.

Chapter 42 - Health and Sanitation
Article II. - Tobacco
Division 2. - License

Sec. 42-61. Generally.

(c) Number of licenses.

(1) The number of tobacco licenses issued in conjunction with a grocery store, convenience store, liquor store, or gasoline service shall not exceed 50. Existing licenses shall remain in effect until through attrition the maximum number of licenses is met.

(2) The number of tobacco licenses issued to a tobacco products store shall not exceed 12. Existing licenses shall remain in effect until through attrition the maximum number of licenses is met.

(3) The number of tobacco licenses issued to a tobacco products store immediately whose primary retail product is cigars and pipes shall not exceed 3.

(4) The city council is not required to issue the full number of tobacco licenses it has available for any license type.

While placing a cap on the number of licenses issued in conjunction with a grocery store, convenience store, liquor store or convenience store could result in potential unintended consequence that could limit future businesses (grocery, convenience) from having a license, based on previous council discussion it appears

the primary concern is related to exclusive tobacco shops and not necessarily grocery and convenience stores. The proposed language above would allow for five additional licenses to be issued for new convenience stores, grocery stores, etc. and three additional for exclusive tobacco shops.

If adopted, all existing licenses would remain in effect until they are not renewed or they expire. Changes in ownership already require a new license to be applied for; the council is not required to issue the full number of tobacco licenses it has available.

Staff Recommendation

Council is asked to hold first reading of an ordinance amending tobacco license types.

Questions for Council

Is council supportive of the proposed amendments for tobacco licenses and the caps as proposed?

Attachment List

1. Business Licenses-Type and Status - Tobacco
2. Tobacco License Survey April 2024



City of Blaine

Signature Copy

Ordinance: ORD 24-2563

First Reading

Amending Chapter 42 - Health and Sanitation, Article II. - Tobacco, Division 2. - License, Sec. 42-61. Generally.

THE CITY OF BLAINE DOES ORDAIN: (Added portions are underscored and deleted portions are shown with overstrike.)

(c) Number of licenses. (1) The number of tobacco licenses issued in conjunction with a grocery store, convenience store, liquor store, or gasoline service shall not exceed 50. Existing licenses shall remain in effect until through attrition the maximum number of licenses is met.

(2) The number of tobacco licenses issued to a tobacco products store shall not exceed 12. Existing licenses shall remain in effect until through attrition the maximum number of licenses is met.

(3) The number of tobacco licenses issued to a tobacco products store immediately adjacent to a restaurant of the same owner whose primary retail product is cigars shall not exceed 3.

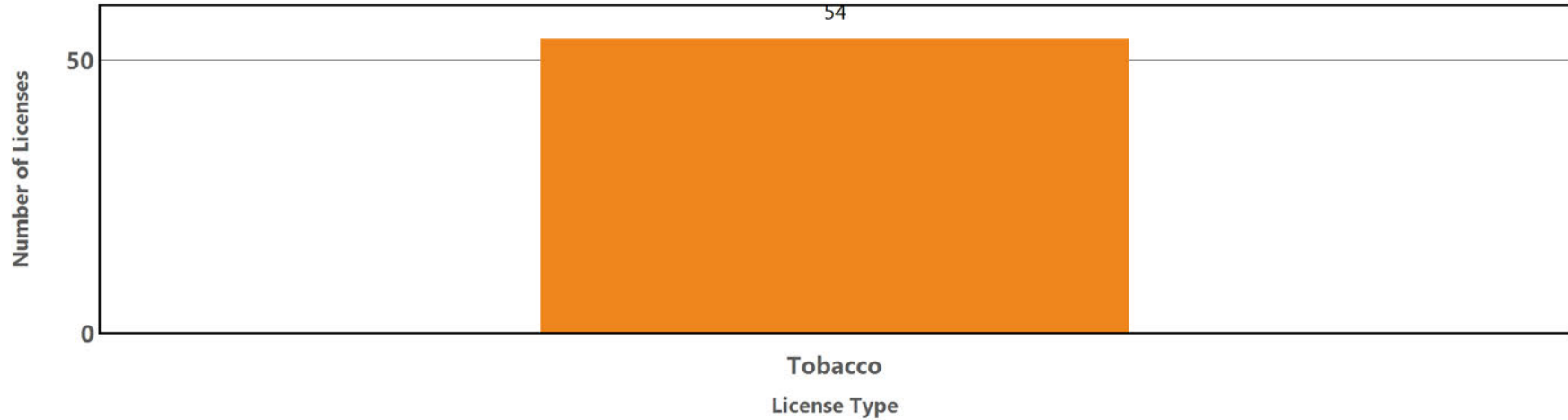
(4) The city council is not required to issue the full number of tobacco licenses it has available for any license type.

INTRODUCED and read in full this 4th day of September, 2024.

PASSED by the City Council of the City of Blaine this day of 2024.

Business Licenses by Type & Status

Report Date: 4/25/2024



Tobacco

License No	Business Name	Business Location	Iss Date	Exp Date	Status
TOB23-0003	65 HEY LLC	10904 Baltimore St Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: Muntasir Eisa				
TOB-08106	AWAD COMPANY (MARATHON)	10102 Sunset Ave Ne, Blaine, MN 55014	12/20/2023	12/31/2024	Active
	Owner: Estephan Antoine Awad				
TOB23-0004	Blaine Gas Inc.	12880 Central Ave Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: Anthony Rammer				
TOB-02234	Blaine MotoMart	10270 Baltimore St Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: FKG Oil Company				
TOB-07173	BLAINE TOBACCO	12523 Central Ave Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: Avni Istrefaj				
TOB-02249	Casey's General Stores, Inc	8501 Xylite St Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: CASEY'S RETAIL COMPANY				

Business Licenses by Type & Status

Report Date: 4/25/2024

Tobacco

License No	Business Name	Business Location	Iss Date	Exp Date	Status
TOB-02239	Central Spirits Liquor Store	1438 93rd Ln Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: Paul Spitzley				
TOB-06869	Central Tobacco	1430 93rd Ln Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: Muntasir Eisa				
TOB22-0002	Circle Pines Station	8550 Lexington Ave Ne, Blaine, MN 55014	12/20/2023	12/31/2024	Active
	Owner: Adnan Safi				
TOB22-0001	Circle Smoke Shop Plus	8550 LEXINGTON AVE NE, Blaine, MN 55014	12/20/2023	12/31/2024	Active
	Owner: Adnan Safi				
TOB-05720	Cub Foods #155936	12595 Central Ave Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: Nate Spevacek				
TOB-05721	Cub Foods #155940	585 Northtown Dr Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: Arturo Cerna				
TOB-07717	CUB FOODS #1592	10881 University Ave Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: Vicky Brekke				
TOB-05719	Cub Foods #31664	4205 Pheasant Ridge Drive Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: Lindsay Schultz				
TOB21-0004	Cub Wine and Spirits	4255 Pheasant Ridge Dr Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: Julia Petersen				
TOB-08215	E CIG SMOKE	11724 Ulysses Ln Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: Taleb Wazwaz				
TOB-07073	ELIFE, LLC	1536 125th Ave Ne, Blaine, MN 55449	1/2/2024	12/31/2025	Active
	Owner: Michael Donnelly				

Business Licenses by Type & Status

Report Date: 4/25/2024

Tobacco

License No	Business Name	Business Location	Iss Date	Exp Date	Status
TOB23-0005	Fleet Farm	10250 Lexington Ave Ne, Blaine, MN 55014	12/20/2023	12/31/2024	Active
	Owner: Steven Jensen				
TOB-05834	Fleet Farm Fuel	10280 Lexington Ave Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: Steven Jensen				
TOB21-0006	Founders Cigar Company	9150 Isanti St Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: Brian Schmittiel				
TOB-05701	GAS AND MORE, INC.	1444 93rd Ln Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: tarek kablawi				
TOB-02264	Gas Plus #10	9305 Central Ave Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: Stephen Dahl				
TOB-02260	G-Will Liquors	2320 Cloud Dr Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: Daniel Fields				
TOB-02251	Holiday Station Store # 306	4167 Ball Rd Ne, Blaine, MN 55014	12/20/2023	12/31/2024	Active
	Owner: Sarah Willis				
TOB-02270	Holiday Station Stores, Inc.	9933 Ulysses St Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: Sarah Willis				
TOB-06625	Holiday Stationstores	10909 Radisson Rd Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: Sarah Willis				
TOB-06895	Kwik Trip	1355 85th Ave Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: Kwik Trip, Inc.				
TOB-07991	KWIK TRIP #1014	12260 Fraizer St Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: Kwik Trip, Inc.				
TOB-08085	KWIK TRIP #1022	11736 Ulysses Ln Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active

Business Licenses by Type & Status

Report Date: 4/25/2024

Tobacco

License No	Business Name	Business Location	Iss Date	Exp Date	Status
	Owner: Kwik Trip, Inc.				
TOB21-0007	Kwik Trip #1136	10880 Austin St Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: Kwik Trip, Inc.				
TOB-07205	KWIK TRIP #206	3405 Lake Dr Ne, Blaine, MN 55014	12/20/2023	12/31/2024	Active
	Owner: Kwik Trip, Inc.				
TOB-07965	Kwik Trip #925	10510 Radisson Rd Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: Kwik Trip, Inc.				
TOB-05514	MGM Wine & Spirits	255 County Road 10 Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: Chai Vang				
TOB-08022	MINI MART #5	9850 Polk St Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: Mukesh Chaudhary				
TOB23-0002	MN Restwood Inc	3401 Restwood Rd Ne, Blaine, MN 55014	12/20/2023	12/31/2024	Active
	Owner: Purvakumar Ramanlal				
TOB23-0006	Northside Grocery & Deli LLC	1578 125th Ave Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: HINDIA MUMED				
TOB-08052	NOVA WAY, LLC	601 125th Ave Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: Dayaa Elnagar				
TOB-02207	Ole Piper Inn	1416 93rd Ln Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: Paul Spitzley				
TOB-06429	Speedway #4311	12504 Central Ave Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: Shameka Wiley				
TOB-06428	Speedway #4321	9720 Central Ave Ne, Blaine, MN 55434	1/2/2024	12/31/2025	Active
	Owner: Shameka Wiley				

Business Licenses by Type & Status

Report Date: 4/25/2024

Tobacco

License No	Business Name	Business Location	Iss Date	Exp Date	Status
TOB-06430	Speedway #4445	10865 University Ave Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: Shameka Wiley				
TOB-07957	Speedway #7020	2310 Cloud Dr Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: Shameka Wiley				
TOB22-0003	Super USA Gas Plus Inc.	12080 Central Ave Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: Khalaf Ibrahim Qasem				
TOB-06967	Tobacco & More	10549 University Ave Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: Qasim Almayahy				
TOB21-0002	Tobacco 10 LLC DBA Hi TEC Tobacco	780 County Road 10 Ne, Blaine, MN 55434	12/21/2023	12/31/2024	Active
	Owner: Muntasir Eisa				
TOB-07713	Tobacco Vape Center	10519 University Ave Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: Iyad Sati				
TOB-07318	TOP TEN LIQUORS	12513 Central Ave Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: Jonathan Halper				
TOB-02225	Tournament Players Club	11444 Tournament Players Pkwy Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: Joe Mascaluso				
TOB-02233	Walgreen's #05413	600 County Road 10 Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: Walgreen Co				
TOB-02223	Walgreen's #7781	4202 Pheasant Ridge Dr Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: Walgreen Co				
TOB-02201	Walgreens #07218	12480 Aberdeen St Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: Walgreen Co				



Business Licenses by Type & Status

Report Date: 4/25/2024

Tobacco

License No	Business Name	Business Location	Iss Date	Exp Date	Status
TOB-05746	Walgreens #11287	10905 Ulysses St Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: Walgreen Co				
TOB-07507	WalMart #3498	4369 Ball Rd Ne, Blaine, MN 55449	12/20/2023	12/31/2024	Active
	Owner: SARAH LITTLE				
TOB-07074	WALMART, INC.	11505 Ulysses St Ne, Blaine, MN 55434	12/20/2023	12/31/2024	Active
	Owner: SARAH LITTLE				

Total Tobacco: 54

Total Number of Licenses: 54

<u>City</u>	<u># of tobacco licenses</u>	<u>Population</u>	<u>Cap</u>
Arden Hills	5	9,592	moratorium in place until 11/24
Blaine	55	70,222	--
Brooklyn Park	50	84,993	--
Burnsville	47	64,522	--
Champlin	15	23,919	# of shops capped at 2
Coon Rapids	46	63,415	--
Cottage Grove	22	41,027	--
Crystal	20	22,265	
Eden Prairie	27	54,442	--
Hopkins	19	18,608	--
Maple Grove	29	71,230	# of shops capped at 5
Maplewood	42	42,088	--
Minnetonka	28	54,474	# of shops capped at 6
Oak Grove	7	9,311	--
Plymouth	37	80,762	--
Ramsey	18	27,646	--
Richfield	22	36,710	to be capped at 4 thru attrition
Rogers	11	13,295	--
Vadnais Heights	10	12,473	--
White Bear Lake	24	24,883	# of shops capped at 10
Woodbury	28	77,224	--



City of Blaine

Staff Report

File Number: ORD 24-2564

Agenda Date	Status
September 4, 2024	
In Control	File Type
City Council	Ordinance

Administration -

Agenda Item # 11.2

First Reading

Article II. Intoxicating Liquor and 3.2 Percent Malt Liquor, Sec. 6-33. Definitions, Sec. 6-36. License Required; Number of Licenses, and Sec. 6-38. Kinds of Liquor Licenses.

Executive Summary

Council is asked to hold first reading of an ordinance amending off-sale liquor licenses.

Background

At the May 13 workshop council provided staff feedback on possible amendments to off-sale intoxicating liquor licenses. Based on council feedback, council wished to retain the current distance of a 1 mile distance between and a cap of 1/7,000 in population for exclusive liquor stores but allow flexibility for other off-sale license types in conjunction with a large retail use or grocery store.

Article II. Intoxicating Liquor and 3.2 Percent Malt Liquor
Sec. 6-33. Definitions.

In addition to the definitions in Minn. Stat. § 340A.101, as it may be amended from time to time, the following terms are defined for purposes of this article:

Brew pub is a brewer who also holds one or more retail on-sale licenses and who manufactures fewer than 3,500 barrels of malt liquor in a year, at any one licensed premises, the entire production of which is solely for consumption on tap on any licensed premises owned by the brewer, or for off-sale from those licensed premises as permitted in by state statute.

Brewer is a person or entity who manufactures malt liquor for sale.

Brewer taproom means an area on the premises of a brewery or on the premises adjacent to a brewery

owned by the brewer in which the brewer sells or otherwise provides exclusively malt liquor produced by the brewer for consumption within the brewer taproom.

Cocktail room is an on-sale of distilled liquor or wine produced for consumption on the premises owned by the distiller or winery.

Distillery is a place or establishment where strong alcoholic drinks are produced by the process of distilling.

Liquor, as used in this article, without modification by the words "intoxicating" or "3.2 percent malt," includes both intoxicating liquor and 3.2 percent malt liquor.

Microdistillery is a place or establishment where strong alcoholic drinks are produced by the process of distilling in small quantities usually done in a single batch.

Restaurant is an establishment, other than a hotel, under the control of a single proprietor or manager, where meals are regularly prepared on the premises, and served at tables to the general public, and having a minimum seating capacity for guests as prescribed by the appropriate license issuing authority. To be a restaurant as defined by this term in this article, an establishment shall have a license from the state as required by Minn. Stat. § 157.16.

Grocery store means a business with a primary use that consists of the sale of fresh produce and food products. At least 50 percent of customer-accessible sales and display area is used for the sale of general line of food products intended for home preparation and consumption and at least 30 percent of retail space is for perishable goods that include dairy, fresh produce, fresh meats, poultry, fish and frozen and foods. Groceries must represent the majority of sales in a grocery store although there may be accessory uses such as prepared food and drink, pharmaceuticals and bank services.

Sec. 6-36. License required; number of licenses.

- (a) No person or entity shall directly or indirectly deal in, sell or keep for sale any liquor without first having received a license to do so pursuant to this article.
- (b) The city council shall issue off-sale liquor licenses in such a manner that no license shall be issued to a property which is located within one mile of the location of an existing off-sale license. The number of off-sale licenses issued shall not exceed a ratio of one license for every 7,000 population. The council is not required to issue the full number of off-sale licenses that it has available.
- (c) Off-sale liquor licenses issued in conjunction with brewer taprooms or brew pubs, in conjunction with and secondary to a permitted or conditional principal retail use with minimum floor area of 50,000 square feet, or in conjunction with and secondary to a grocery store with a minimum floor area of 25,000, or a restaurant of the same owner that is immediately adjacent are exempt from subsection (b).

Sec. 6-38. Kinds of liquor licenses.

The city council is authorized to issue the following licenses and permits, up to the number specified in section 6-36. All provisions of this chapter that apply to a retail liquor license shall apply to a license issued under this subdivision unless the provision is explicitly inconsistent with this subdivision.

- (1) 3.2 percent malt liquor on-sale licenses, which may be issued only to restaurants, hotels, clubs, bowling centers with the incidental sale of tobacco and soft drinks.
- (2) 3.2 percent malt liquor off-sale license.
- (3) Temporary on-sale intoxicating, wine and 3.2 percent malt liquor licenses, which may be issued

only to a club, charitable, religious or nonprofit organization, or a licensed brewer who meets state statute definition of a brewer in connection with a social event sponsored by the licensee. Any temporary license issued under this section shall be for a period not to exceed four consecutive days and the city council shall issue no more than 12 days' worth of temporary licenses to any one organization in one calendar year, or that which is allowed by state statute as amended from time to time.

- a. A temporary on-sale intoxicating, wine or 3.2 percent malt liquor license may authorize on-sales on premises other than the premises the organization owns or permanently occupies.
- b. The license will be issued for a specific date, time, and place.
- c. No license issued under this subdivision will be valid unless first approved by the commissioner of public safety and the chief of police or their designee.

(4) Off-sale intoxicating liquor licenses as outlined below; ~~which may be issued only to exclusive liquor stores, brewer taprooms or brew pubs.~~

(a) Class A off-sale intoxicating liquor license in conjunction with an exclusive liquor store.

(b) Class B off-sale intoxicating liquor license in conjunction with and secondary to:

(1) a permitted or conditional principal retail use with minimum floor area of 50,000 square feet

(2) a grocery store with a minimum floor area of 25,000

(3) a restaurant of the same owner that is immediately adjacent

(c) Class C off-sale intoxicating liquor license in conjunction with a brewer taproom or brew pub.

Strategic Plan Relationship

Board/Commission Review

Financial Impact

Public Outreach/Input

Staff Recommendation

1st reading

Attachment List

None



City of Blaine

Signature Copy

Ordinance: ORD 24-2564

First Reading

Article II. Intoxicating Liquor and 3.2 Percent Malt Liquor, Sec. 6-33. Definitions, Sec. 6-36. License Required; Number of Licenses, and Sec. 6-38. Kinds of Liquor Licenses.

THE CITY OF BLAINE DOES ORDAIN: (Added portions are underscored and deleted portions are shown with overstrike.)

Article II. Intoxicating Liquor and 3.2 Percent Malt Liquor

Sec. 6-33. Definitions.

In addition to the definitions in Minn. Stat. § 340A.101, as it may be amended from time to time, the following terms are defined for purposes of this article:

Brew pub is a brewer who also holds one or more retail on-sale licenses and who manufactures fewer than 3,500 barrels of malt liquor in a year, at any one licensed premises, the entire production of which is solely for consumption on tap on any licensed premises owned by the brewer, or for off-sale from those licensed premises as permitted in by state statute.

Brewer is a person or entity who manufactures malt liquor for sale.

Brewer taproom means an area on the premises of a brewery or on the premises adjacent to a brewery owned by the brewer in which the brewer sells or otherwise provides exclusively malt liquor produced by the brewer for consumption within the brewer taproom.

Cocktail room is an on-sale of distilled liquor or wine produced for consumption on the premises owned by the distiller or winery.

Distillery is a place or establishment where strong alcoholic drinks are produced by the process of distilling.

Liquor, as used in this article, without modification by the words "intoxicating" or "3.2 percent malt," includes both intoxicating liquor and 3.2 percent malt liquor.

Microdistillery is a place or establishment where strong alcoholic drinks are produced by the process of distilling in small quantities usually done in a single batch.

Restaurant is an establishment, other than a hotel, under the control of a single proprietor or manager, where meals are regularly prepared on the premises, and served at tables to the general public, and having a minimum seating capacity for guests as prescribed by the appropriate license issuing authority. To be a restaurant as defined by this term in this article, an establishment shall have a license from the state as required by Minn. Stat. § 157.16.

Grocery store means a business with a primary use that consists of the sale of fresh produce and food products. At least 50 percent of customer-accessible sales and display area is used for the sale of general line of food products intended for home preparation and consumption and at least 30 percent of retail space is for perishable goods that include dairy, fresh produce, fresh meats, poultry, fish and frozen and foods. Groceries must represent the majority of sales in a grocery store although there may be accessory uses such as prepared food and drink, pharmaceuticals and bank services.

Sec. 6-36. License required; number of licenses.

- (a) No person or entity shall directly or indirectly deal in, sell or keep for sale any liquor without first having received a license to do so pursuant to this article.
- (b) The city council shall issue off-sale liquor licenses in such a manner that no license shall be issued to a property which is located within one mile of the location of an existing off-sale license. The number of off-sale licenses issued shall not exceed a ratio of one license for every 7,000 population. The council is not required to issue the full number of off-sale licenses that it has available.
- (c) Off-sale liquor licenses issued in conjunction with brewer taprooms or brew pubs, in conjunction with and secondary to a permitted or conditional principal retail use with minimum floor area of 50,000 square feet, or in conjunction with and secondary to a grocery store with a minimum floor area of 25,000, or a restaurant of the same owner that is immediately adjacent are exempt from subsection (b).

Sec. 6-38. Kinds of liquor licenses.

The city council is authorized to issue the following licenses and permits, up to the number specified in section 6-36. All provisions of this chapter that apply to a retail liquor license shall apply to a license issued under this subdivision unless the provision is explicitly inconsistent with this subdivision.

- (1) 3.2 percent malt liquor on-sale licenses, which may be issued only to restaurants, hotels, clubs, bowling centers with the incidental sale of tobacco and soft drinks.
- (2) 3.2 percent malt liquor off-sale license.
- (3) Temporary on-sale intoxicating, wine and 3.2 percent malt liquor licenses, which may be issued only to a club, charitable, religious or nonprofit organization, or a licensed brewer who meets state statute definition of a brewer in connection with a social event sponsored by the licensee. Any temporary license issued under this section shall be for a period not to exceed four consecutive days and the city council shall issue no more than 12 days' worth of temporary licenses to any one organization in one calendar year, or that which is allowed by state statute as amended from time to time.
 - a. A temporary on-sale intoxicating, wine or 3.2 percent malt liquor license may authorize on-sales on premises other than the premises the organization owns or permanently occupies.
 - b. The license will be issued for a specific date, time, and place.
 - c. No license issued under this subdivision will be valid unless first approved by the commissioner of public safety and the chief of police or their designee.
- (4) Off-sale intoxicating liquor licenses as outlined below; ~~which may be issued only to exclusive liquor stores, brewer taprooms or brew pubs.~~
 - (a) Class A off-sale intoxicating liquor license in conjunction with an exclusive liquor store.
 - (b) Class B off-sale intoxicating liquor license in conjunction with and secondary to:
 - (1) a permitted or conditional principal retail use with minimum floor area of 50,000 square feet
 - (2) a grocery store with a minimum floor area of 25,000
 - (3) a restaurant of the same owner that is immediately adjacent
 - (c) Class C off-sale intoxicating liquor license in conjunction with a brewer taproom or brew pub.

INTRODUCED and read in full this 4th day of September, 2024.

PASSED by the City Council of the City of Blaine this day of 2024.



City of Blaine

Staff Report

File Number: ORD 24-2556

Agenda Date	Status
September 4, 2024	
In Control	File Type
City Council	Ordinance

Administration - Brian Podany, Safety Services Manager/Police Chief

Agenda Item # 11.3

First Reading

Amending Chapter 82 - Traffic and Vehicles, Article I. - In General, Article IV. - Stopping, Standing, and Parking, Adding Sec. 82-157 Median Safety

Executive Summary

Background

After discussion at the June workshop, council directed staff to bring forward the median safety ordinance for formal consideration. The ordinance is being proposed due to concerns with pedestrians standing for long periods of time in the median of high traffic intersections within the city. The ordinance still allows for safe crossing of roadways but prohibits standing in the median for multiple light cycles.

The proposed median safety ordinance arose out of police and resident concerns about pedestrians standing for long periods of time in the median of certain high-traffic intersections in the City of Blaine. There are several high-traffic, high-speed arterial roadways within the City that have been identified as potentially dangerous for pedestrians. Both residents and police have identified multiple intersections where this has been a problem and there have been repeated incidents at those locations. Pedestrians standing in high traffic roadway medians present an increased risk of being struck by a vehicle and impeding traffic flow. Feedback from officers who have responded to complaints about this problem note that those who partake in the action that have been requested to move to a position of greater safety have refused to do so as it is not prohibited by law.

The proposed median safety ordinance prohibits pedestrians from standing within the intersections identified in the ordinance for a duration longer than two crosswalk signals. It does not prohibit crossing as directed by traffic signals. It additionally prohibits motorists from stopping or standing in their vehicles to address pedestrians who are standing in medians. Concerns regarding targeting of certain activities such as panhandling have been raised. This ordinance does not restrict that or any

other specific activity from occurring in other locations but does prohibit any activities in the center median in order to ensure safety and promote traffic flow and safety. This helps to ensure safety in preventing crashes and promoting efficient traffic movement consistent with semaphore cycles. Enforcement of the ordinance will begin with education and requests for movement from the prohibited activity. For continued or repeated violations, enforcement action will be an option.

This item came before council in 2021 and attached is summary information from the city attorney at that time regarding legal considerations of adopting a median safety ordinance. After review with the Director of Engineering the proposed ordinance has been revised from the version shared with council at the June workshop to include all arterial, reliever, and expander roads at intersections to better define the areas.

Strategic Plan Relationship

Board/Commission Review

N/A

Financial Impact

Public Outreach/Input

Staff Recommendation

Staff is asking council to hold first reading of the proposed ordinance as presented. If approved, second reading and adoption would occur at the August 19 regular meeting.

Attachment List

1. City Attorney Memo
2. Road Classifications Map
3. median safety ordinance email to council



City of Blaine

Signature Copy

Ordinance: ORD 24-2556

First Reading

Amending Chapter 82 - Traffic and Vehicles, Article I. - In General, Article IV. - Stopping, Standing, and Parking, Adding Sec. 82-157 Median Safety

Findings and Purpose.

1. The City has high-capacity arterial roadways that are heavily traveled thruways. Traffic counts include on County Road 10 of 19,100 to 34,400 vehicles per day, on University Avenue of 15,000 to 46,600 vehicles per day, on Highway 65 of 41,000 to 51,000 vehicles per day, and on Lexington Avenue of 28,700 to 41,000 vehicles per day. These arterial roadways have posted speed limits that range from 35 m.p.h. to 60 m.p.h., contain numerous high-traffic intersections, and have relatively narrow or obstructed medians.
2. The medians on these roadways are traffic separation structures that were not designed, and are not maintained, to accommodate either any pedestrians, or only those who are temporarily crossing through the designated crosswalk. Most of the medians also contain landscaping, traffic control devices, and other obstructions which are inconsistent with use by pedestrians.
3. The City has experienced an increase in the number of pedestrians remaining on medians at high-traffic intersections for extended periods. This creates a public safety risk for both pedestrians as well as drivers. Due to the large volume of traffic traveling through these intersections at high speeds, pedestrians remaining on the median are put at risk of being struck. Additionally, pedestrian presence on the medians distracts drivers whose focus becomes fragmented between not striking the pedestrians so close to the roadway and navigating through these high-traffic intersections.
4. The purpose of this chapter is to establish a narrowly tailored regulation intended to protect public safety, health, and welfare related to pedestrians in roadways and drivers passing through high-traffic intersections. This chapter and the prohibitions herein are specific to identified arterial roadways within the City. This chapter is designed to decrease safety hazards by restricting unsanctioned activity in the medians.

Definitions. For the purposes of this chapter, the following terms shall have the meaning given to them in this section.

1. "Arterial roadway" and "high-traffic intersection" means any arterial, relievers, and expanders at intersections within the City.
2. "Median" means a paved or unpaved area dividing a street or highway that separates lanes of traffic traveling in opposite directions, or, in the case of separated turn lanes, vehicles traveling in the same

direction.

3. "Roadway" means both the traveled portion and median of a street or highway.

Prohibition.

1. No person shall be on a median within 300 feet of a high-traffic intersection unless the person is in the process of legally crossing the roadway through a safety zone or crosswalk. This prohibition applies to both the median on the arterial roadway and the median on the intersecting roadway. A person shall not be considered in the process of legally crossing a roadway, and it shall be prima facie evidence of a violation of this section, if a person stays on a median through two consecutive opportunities to cross the roadway in accordance with the crossing signal and state law. This may include a change in the traffic control signal or lack of traffic, as applicable.
2. No operator of a motor vehicle shall park, stop, or leave standing a vehicle at any high traffic intersection where prohibited or suddenly decrease the speed of said vehicle or deviate from a traffic lane for the purpose of responding to a person violating subdivision (a).

Exceptions. The prohibitions in Prohibitions shall not apply to any of the following:

1. Any person engaged in law enforcement or rescue activities, including aiding an injured or disabled vehicle or person;
2. Any person engaged in the emergency repair of their vehicle;
3. Any public works staff or public contractor engaged in the maintenance, repair or improvement of a roadway or related to public facilities, or public utility workers installing, maintaining, repairing, or removing public utilities; or
4. Streets or portions thereof that have been closed pursuant to a street use permit or other express authorization from the City.

Penalty. Any person who fails to comply with the provisions of this chapter shall be guilty of a misdemeanor.

ECKBERG LAMMERS MEMO

To: City Council and City Manager
From: Chris Nelson and Anneliese McCahery, City Attorney's Office
Date: February 23, 2021
Re: Background on Median Safety Ordinance

Background on the Median Safety Ordinance

At the upcoming City Council Workshop on March 1, 2021, the Council will discuss a draft Median Safety Ordinance. The City Attorney's Office worked with the Blaine Police Department to produce the draft Ordinance before the Council for consideration.

The draft Median Safety Ordinance arose out of Police and resident concerns about pedestrians standing for long periods within certain high-traffic intersections in the City. As noted in the draft Ordinance, there are several high-traffic, high-speed arterial roadways in the City. Blaine Police have identified certain intersections of high-traffic, high-speed arterial roadways and other roads as potentially dangerous for pedestrians. Blaine Police and residents have noted pedestrians stand at these particular intersections, including within the medians that divide the roadways, creating a high-risk of collisions. Pedestrians standing in roadway medians are at a high risk of being struck by a vehicle, which could result in severe injury to the pedestrian, the motorist, and any passengers, along with property damage.

Blaine Police have identified 22 specific intersections within the City that pose a particularly high-risk of pedestrian/vehicle collision. In an effort to reduce this risk and keep pedestrians, motorists, and passengers safe, the Median Safety Ordinance prohibits pedestrians from standing within the 22 identified high-risk intersections in the City. The Ordinance prohibits a pedestrian from standing in medians at these intersections. A pedestrian is not prohibited from crossing the street as directed by traffic signals, but if a pedestrian stands in the medians for a duration longer than two crosswalk signals, then the pedestrian violates the Median Safety Ordinance. Additionally, the Ordinance prohibits motorists from stopping their vehicles to address pedestrians who are standing in medians.

The purpose of this ordinance is pedestrian, motorist, passenger, and vehicle safety. The City Attorney's Office and the Blaine Police Department consider the draft Median Safety Ordinance specifically designed to promote public safety at 22 identified high-risk intersections. The ordinance is not intended to prohibit any other lawful activity and is not designed to prohibit so-called panhandling in the City. Rather, the draft Ordinance states that pedestrians cannot stand within these 22 specifically identified medians, in an effort to reduce the high risk of collision that exists in the identified intersections.

In discussions with the Blaine Police Department, any enforcement of the Median Safety Ordinance will begin with education. Police will inform any pedestrian standing in a high-risk intersection that the Median Safety Ordinance prohibits such activity and instruct the pedestrian to move. For persons repeatedly violating the Ordinance and fostering an ongoing traffic risk, the Police have the option to cite the pedestrian with a misdemeanor violation. The City Attorney's Office and Police Department propose adding a violation of the Median Safety Ordinance to the local payable fines list, with a minimal corresponding fine.

FIGURE 7-1: FUNCTIONAL CLASSIFICATION

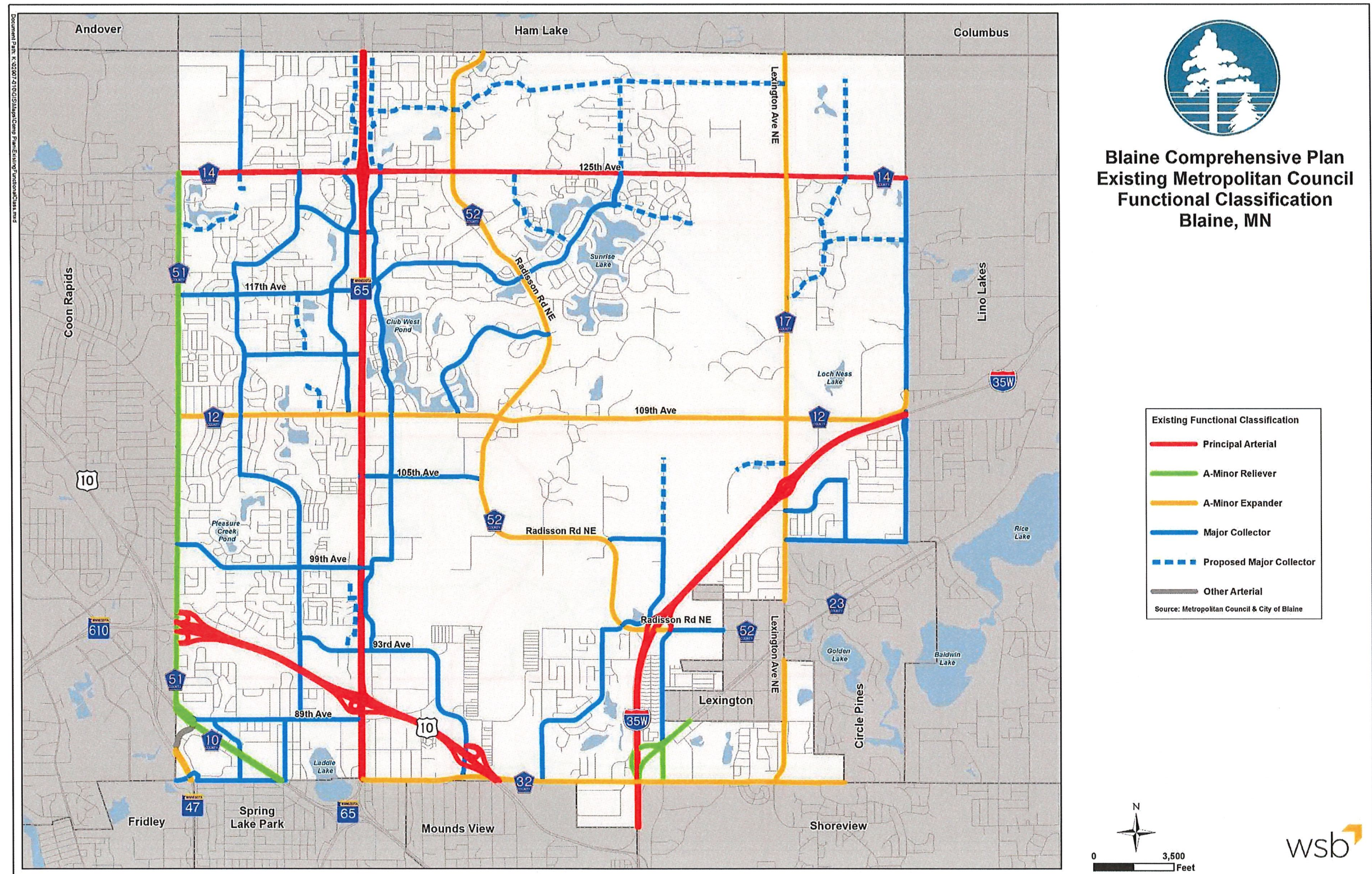
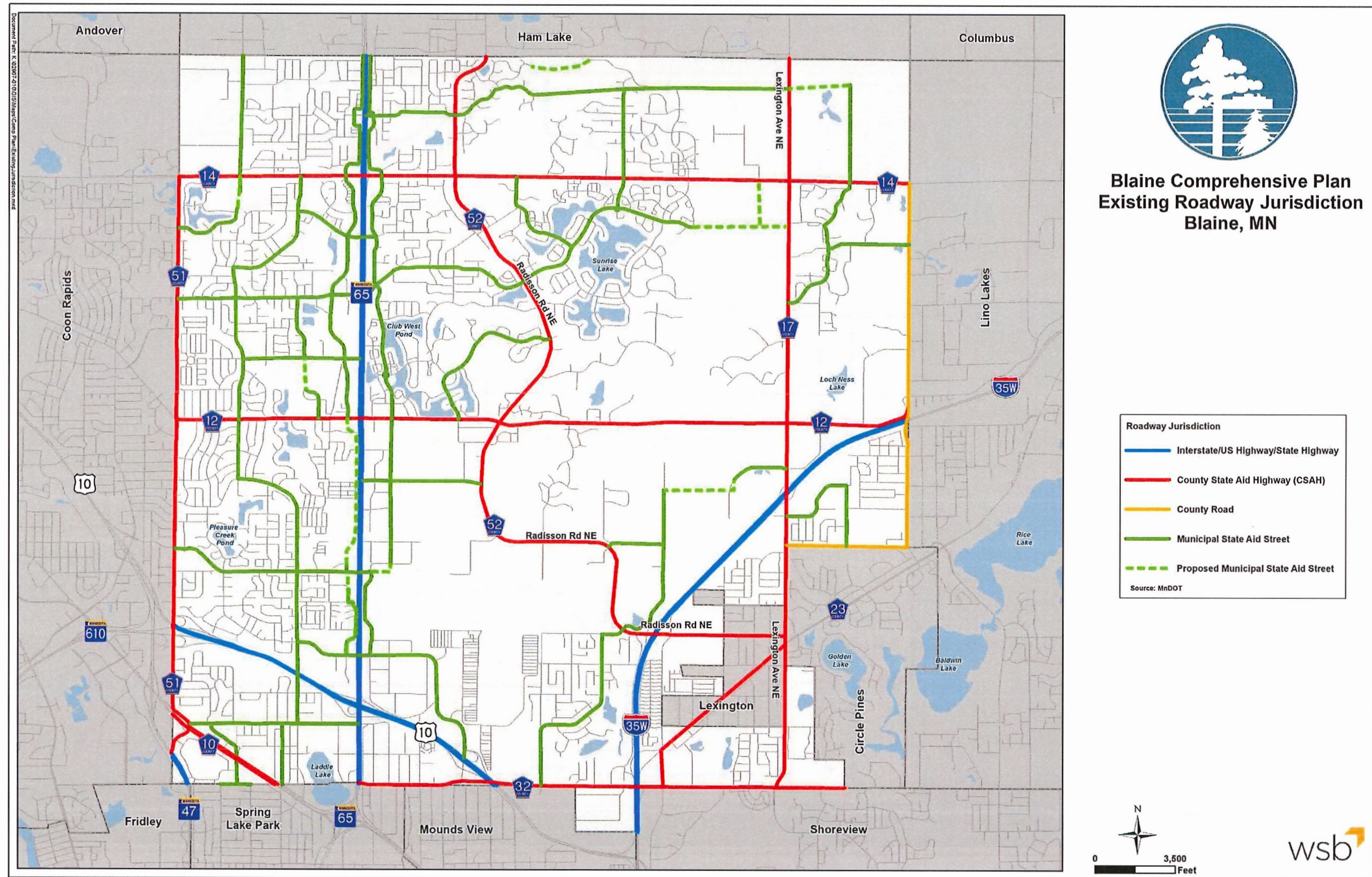


FIGURE 7-2: ROADWAY JURISDICTION



Brian Podany

From: Michelle Wolfe
Sent: Wednesday, August 28, 2024 10:29 AM
To: Brian Podany
Subject: FW: LP median safety ordinance letter
Attachments: Opposition to Median Safety Ordinance.pdf



Michelle Wolfe

City Manager

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

p: 763-785-6121 m: 763-257-9773 f: 763-785-6156

BlaineMN.gov

From: Kat Kerwin <kkerwin@localprogress.org>
Sent: Monday, July 1, 2024 1:27 PM
To: CityCouncil <CityCouncil@blainemn.gov>
Cc: Lori Saroya <lorisaroya@gmail.com>; LiJia Gong <lgong@localprogress.org>
Subject: LP median safety ordinance letter

Dear members of the council,

I am sending along a letter in advance of tonight's meeting regarding the median safety ordinance.

Thank you,

Kat

--

Kat Kerwin

Legal Fellow

Local Progress + Local Progress Impact Lab

she/hers | 401-340-8662

LP and the Impact Lab staff operate on a four day workweek with a default schedule of Mon-Thurs.

July 1, 2024

Subject: **Median Safety Ordinance**

Honorable City Council Members,

My name is Kat Kerwin. I am a Legal Fellow at Local Progress. I am writing in opposition to the proposed median safety ordinance. Local Progress is a network of over 1400 local elected officials from across the country working to advance racial and economic justice. Local Progress alongside our partners at Vera Institute, Center for Policing Equity, and Vision Zero Network is in the process of launching a nation-wide campaign for driving equality, with a goal of helping jurisdictions across the country pass and implement traffic safety policies that prioritize public health and racial equity. Although the purpose of this proposed ordinance is purportedly to advance traffic safety, the impact of such an ordinance would merely reinforce a system of punishment that criminalizes people who are unhoused.¹

Our existing traffic safety systems are broken. There are real racial disparities in traffic enforcement and traffic stops are ineffective. Research consistently finds that Black and Latine drivers are more likely to be [stopped](#), [searched](#) and [subjected to force](#) during traffic stops. **Given our country's current epidemic of traffic deaths paired with its history of racial injustice, new ideas to keep us safe on our streets are long overdue.** That is why we are opposed to the Median Safety Ordinance. The ordinance does not provide infrastructural or policy solutions to address the traffic safety concerns that communities are facing, but is a tool for police to criminalize panhandling. Criminalization makes it harder for homeless individuals to get a job, harder to rent an apartment, and harder to have time to address barriers when life is filled with court appearances and jail time. In fact, under federal law, people who have spent more than [90 days incarcerated lose their "chronic homelessness"](#) status and are no longer a priority for permanent housing.

When significant resources are allocated to services and housing instead of criminalization, local governments see not only savings but long-term successes. When Eugene, Oregon began deploying medical and mental health care workers rather than law enforcement to address calls

¹ Courts have routinely overturned ordinances banning panhandling, finding violations of the First Amendment. For example, the U.S. Court of Appeals for the Seventh Circuit in *Norton v. City of Springfield* invalidated Springfield, Illinois' panhandling ordinance as unconstitutional. Springfield's ordinance banned oral requests for immediate money. Recognizing that panhandling ordinances have repeatedly been overturned as unconstitutional by the courts, cities have pivoted to rewriting or amending their panhandling ban laws to include language around median safety. For example, in [Oklahoma City](#), the Council initially drafted a panhandling ordinance before amending the ordinance to address median safety as an attempt to circumvent constitutional concerns. Similarly, in [Madison, WI](#) the Board of Alderman repealed their panhandling ordinance to avoid constitutional concerns and later passed a median safety ordinance which was [marketed](#) by the city as a tool to address the unhoused population.



LOCALPROGRESS

LOCALPROGRESS
IMPACT LAB



involving people experiencing homelessness, they saved an average of \$8.5 million per year and saw positive results for public safety overall.

Criminalizing panhandling is not the answer to the housing crisis. Criminalization traumatizes people, traps them in a cycle of incarceration, and consequently makes it even more difficult to access housing. Solving homelessness will take action and investments in deeply affordable housing, permanently supportive housing and other housing first strategies from all levels of government. We urge the Council to reject this ordinance and instead consider policies that create real traffic safety.

Thank you,

Kat Kerwin
Legal Fellow
Local Progress