



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, contingent upon meeting all license requirements.

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.



Signed by

Tim Sanders, Mayor

Signed by

Catherine M. Sorensen, CMC, City Clerk