City of Blaine
City Council

November 18, 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 7:02PM by Mayor Sanders followed by the Pledge of Allegiance and the Roll Call.

2. Pledge of Allegiance

3. Roll Call

PRESENT: Mayor Tim Sanders, Councilmembers Terra Fleming, Leslie Larson, Chris Massoglia, Tom Newland, Jess Robertson.

ABSENT: Councilmember Lori Saroya.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; City Planner Sheila Sellman; Deputy Police Chief Joe Gerhard; Finance Director Jason Zimmerman; Director of Administrative Services Scott Johnson; Public Works Director Nick Fleishhacker; Director of Engineering Dan Schluender; City Attorney Tom Loonan; Finance Analyst Nikki Beckers; Accountant Haley Chapman; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

4. Awards - Presentations - Organizational Business

4.1. 2024-466 Results of Bond Sale Series 2024B, 2024C, and 2024D
Sponsors: Jason Zimmerman, Finance Director

Finance Director Zimmerman stated representatives from Baker Tilly, the City's municipal advisor, will present the sale results of bond series 2024B, 2024C, and 2024D. It was noted no formal action would be required from the Council as this was an informational item only.

Mikaela Huot, Baker Tilly, shared the results of the bond series sales with the Council. She noted for bond Series 2024B, the City received 11 bids and the low bid came in at 3.29%. She indicated the bond Series 2024C had four bids and the low bid came in at 4.4%. Lastly, she noted bond Series 2024D received five bids and the low bid came in at 4.4%. She reviewed the outstanding bonds that had been issued by the City in the past seven years. She explained the City's AAA bond rating was confirmed through this bond issuance. She commented further on the bond series sale and asked for comments or questions from the Council.

There being no questions from the Council, Mayor Sanders thanked Ms. Huot for her thorough presentation.

5. Communications

None.

6. Open Forum

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

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

Dr. Roger Day, 9701 Xebec Street NE, shared that he recently filed a federal lawsuit to sue Dr. Bailey of the State Medical Board regarding crimes committed in 1992 that affected his practice. He asked for help from the Blaine Police Department on this matter. He indicated Blaine and all cities in the nation are being harmed and requested as many co-plaintiffs join his lawsuit as soon as possible.

Mike Quenell, 1296 123rd Avenue NE, shared concerns regarding the Gateway Fiber Optics installation work in his neighborhood and felt their work was intrusive. He reported there was a lack of communication regarding the amount of work and the time the project would occur. He noted he now has a bump in his driveway that has to be addressed. He thanked city staff for their professional, friendly and knowledgeable work when responding to residents' concerns.

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

7. Adoption of Agenda

The agenda was adopted as presented.

8. Approval of Consent Agenda:

All items listed under the "Consent Agenda" are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a

Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

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

Motion adopted unanimously 5-0-1 (Councilmember Newland abstained from Item 8.1 Schedule of Bills Paid due to a potential conflict of interest).

8.1. 2024-538 Schedule of Bills Paid

Sponsors: Jason Zimmerman, Finance Director

8.2. 2024-536 Approval of Minutes

Sponsors:

8.3. RES 24-226 Resolution Authorizing the Purchase of Flow Control Valves for Water Treatment Plant #3 and Corresponding Budget Amendments

Sponsors: Nick Fleischhacker, Public Works Director

8.4. RES 24-214 Resolution Granting Final Plat Approval to Divide One Existing Lot into Two Lots to be Known as Northtown Revitalization Second Addition at 100 Northtown Drive. 4th Dimension Properties, LLC. (Case File No. 24-0063/EES)

Sponsors: Sheila Sellman, City Planner

8.5. 2024-525 Approve a Tobacco and Tobacco Products License for Zong Zoua LLC dba Super USA, 12080 Central Avenue NE

Sponsors: Cathy Sorensen, City Clerk

8.6. 2024-527 Approve Ramsey County Master Agreement for Maintenance of Traffic Control Signal Systems

Sponsors: Daniel Schluender, Director of Engineering

8.7. RES 24-221 Resolution Authorizing the Execution of a Fourth Amendment to the Amended Real Property Lease Agreement Relating to the Fogerty Arena "Ice House" Project

Sponsors: Michelle Wolfe, City Manager

8.8. RES 24-227 Certify 2024 Delinquent Utility Accounts to Anoka County
Sponsors: Jason Zimmerman, Finance Director

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

9.1. RES 24-217 Granting an Interim Use Permit for a Land Reclamation Permit to Allow for Stockpile of Soil Onsite and Prepare Property for Future Development
Sponsors: Daniel Schluender, Director of Engineering

Director of Engineering Schluender stated the property owner, Menomonie Land 11 LLC, has acquired the property located at 3100 101st Ave NE, currently platted as Lot 1 Block 1 of Larsons Estates. The property is a total of 12.29 acres with approximately 7.8 acres of wetland on the east and south side of the property. The property owner is currently planning construction of a building to begin in Spring 2025. The current client will need occupancy of the building by October of 2025. Therefore, import of fill to the site will need to begin this fall in order to begin construction as soon as possible in spring of 2025. Sand will be imported to raise the site to grade as shown in the provided grading plan. Provided that more than 15,000 cubic yard of soil will be disturbed, the amount triggers the need for an interim use permit. Staff is recommending that the applicant be allowed a timeframe of December 2024 to Spring 2025, after which time the applicant can reapply if there is still material to be removed and the operation has been conducted in a manner that has minimized disruption to the surrounding properties and roadways.

Mayor Sanders opened the public hearing at 7:23PM.

There being no public input, Mayor Sanders closed the public hearing at 7:23PM.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, Granting an Interim Use Permit for a Land Reclamation Permit to Allow for Stockpile of Soil Onsite and Prepare Property for Future Development.

Motion adopted unanimously.

9.2. RES 24-218 Order Improvement and Order Preparation of Plans and Specifications for the 2025 Southwest Area Street Reconstructions, Improvement Project No. T25-06
Sponsors: Daniel Schluender, Director of Engineering

Mr. Schluender stated Council is asked to conduct the public hearing and consider ordering the improvements and preparation of the project plans and specifications for the 2025 Southwest Area Street Reconstructions, Improvement Project No. T25-06. The estimated cost of these proposed improvements is $4,335,630, of which $976,568 is proposed to be assessed over a 15-year period. In addition, replacement of existing sanitary sewer castings and rings and select hydrants and valves at an estimated cost of $404,560 is proposed to be paid for by City Public Utility Funds. The remaining portion of $2,954,502 is proposed to be paid from the City's Pavement Management Program Fund.

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

Janet Zawadski, 8813 Jefferson Street NE, asked for an option to pay her assessment for this project before it is assessed with our property taxes. Mr. Schluender explained that once the project is done, residents will be given a timeframe to pay off their assessment before the amount was assessed to a residents' property taxes.

Elizabeth Santino, 636 87th Lane NE, inquired when she would know the final assessment amount and then noted she would like the opportunity to pay for the assessments prior to the amount being assessed to her property taxes. Mr. Schluender reported the proposed assessment amount was an estimate. He indicated the final assessment amount would be recalculated based on actual costs once the project was completed. He stated residents would have a 60 day period after the project was complete to pay the assessment fee.

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

Moved by Councilmember Newland, seconded by Councilmember Robertson, to Order Improvement and Order Preparation of Plans and Specifications for the 2025 Southwest Area Street Reconstructions, Improvement Project No. T25-06.

Councilmember Newland confirmed there will be an access plan during this project. Mr. Schluender reported this was the case.

Motion adopted unanimously.

10. Development Business

10.1. ORD 24-2567 Second Reading

Ordinance Granting a Rezoning from Planned Business District (PBD) to Development Flex (DF) at 3629 95th Avenue NE. As-Suffah Islamic Center (Case File No. 24-0059/SLK)

Sponsors: Sheila Sellman, City Planner

City Planner Sellman stated the applicant is requesting a rezoning to Development Flex (DF) to allow for a K-8 school with a daycare and a mosque. The subject site is currently zoned Planned Business district and does not allow elementary schools. She reviewed the history of the proposed site noting Medway Clinic would remain within the building for the next two years. Staff commented further on the request and reported the Planning Commission recommended approval of the rezoning.

Moved by Councilmember Fleming, seconded by Councilmember Newland, to adopt the Second Reading of Ordinance No. 24-2567, Granting a Rezoning from Planned Business District (PBD) to Development Flex (DF) at 3629 95th Avenue NE.

Councilmember Newland asked about potential security concerns/access between the student space and the overlapping Medway Clinic. Ms. Sellman deferred this question to the applicant.

Jay Smigielski, Ferdinand Peters Law Firm, responded to the question regarding the overlapping use with the Medway Clinic. He explained while no specific plan has been devised there is a good working relationship between the two uses and based on the number of patients Medway sees on a daily basis, the school does not feel there is that much of a concern. He reported there will be some physical separation between the two uses and noted As-Suffah would be willing to create more specific procedures, if requested.

Councilmember Newland indicated he did not have any specific requirements in mind but wanted to bring awareness to his observation. He asked if the building would be secured for access. Mr. Smigielski anticipated the building would be secured. He discussed how As-Suffah would not occupy the building until sometime next year and students would not be in the building until the fall of 2025.

Mayor Sanders commented it was not the Council's job to regulate building security but highly encouraged the school to block off the public from entering the school for the safety of the children in the building.

Councilmember Fleming thanked the students in attenance for their show of support for the proposed school.

Muhammed Mohudien, As-Suffah Principal, shared further comments on safety/security plans for separating the clinic from the school. He indicated the patients seen by Medway were mostly children with autism. He discussed how the next two years would be a transition period for Medway and his new school.

Motion adopted unanimously.

10.2. RES 24-200 Resolution Granting a Conditional Use Permit to Allow a Mosque (Place of Worship), K-8 Elementary School, and a Daycare/Pre-School in the Development Flex (DF) Zoning District at 3629 95th Avenue NE. As-Suffah Islamic Center (Case File No. 24-0059/SLK)

Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a Conditional Use Permit (CUP) to allow for a mosque, K-8 school, and a daycare.

Moved by Councilmember Newland, seconded by Councilmember Robertson to adopt a Resolution Granting a Conditional Use Permit to Allow a Mosque (Place of Worship), K-8 Elementary School, and a Daycare/Pre-School in the Development Flex (DF) Zoning District at 3629 95th Avenue NE.

Councilmember Robertson shared concerns about potential queuing of traffic into the adjoining business uses and the possible need for fencing to separate the school from the adjacent business use on the east property line to address potential safety concerns. She explained this same request was made of a previous applicant that located a school on an industrial property.

Councilmember Newland indicated the playground on this property would be on the opposite side of the parking lot. He explained it was his understanding the playground area would be fenced. Mr. Smigielski reported As-Suffah would rather not build a six-foot fence along the entire property line. However, he understood safety was a major concern for schools. He commented on how this building was tucked back into the property which would assist with addressing traffic stacking. He indicated the As-Suffah school would be dividing families into two categories in order to stagger the drop-off and pick-up times. He stated the adjacent building manufactures motorcycle parts and did not generate a large amount of traffic. He questioned if a fence would be required if this school were located on a 25-mile per hour roadway.

Councilmember Robertson indicated this was new territory for the Council as they typically didn't consider conditional uses in industrial parks. She explained this meant the Council had to consider what concerns may arise from locating an elementary school within an industrial park. She reported elementary schools were typically tucked into a residential neighborhood. She commented on how Centerview Elementary School had fencing surrounding the entire school. She stated she brought up this issue for safety purposes.

Mayor Sanders stated the adjacent industrial business was a large employer in the community that generated a great deal of semi-truck traffic. He noted these drivers were not used to looking for students because there was not an elementary school within the industrial park. He explained this was the reason the Council had to consider safety matters.

Councilmember Fleming indicated she understood the safety concerns being raised regarding the fence, but noted she also understood the playground area would be fenced. Mr. Smigielski reported this would be a K-8 school and the students would be guided to classes and the playground.

Councilmember Newland supported closing the gap between the playground and the building. He indicated this would keep students from wandering around the parking lot. He recommended a condition be considered to ensure vehicle queuing does not spill out onto adjacent roadways, noting this same requirement was made of the previous applicant.

Mayor Sanders asked if staff had this language. Ms. Sellman stated the condition could read: Queuing of cars shall not extend onto 95th Avenue.

Amendment motion made by Mayor Sanders, seconded by Councilmember Newland, to add a condition that traffic queuing shall not extend onto 95th Avenue.

Amendment motion adopted unanimously.

Amendment motion made by Councilmember Newland, seconded by Councilmember Massoglia, to add a condition that additional fencing be installed around the playground or any future playgrounds to connect the playground space to the building as approved by the

Fire Marshal.

Amendment motion adopted unanimously.

Amended motion adopted unanimously.

A member of the audience suggested similar additional safety conditions be incorporated into all schools, both public and private.

10.3. ORD 24-2568 Second Reading
Ordinance Approving Annual Revisions to the Blaine Zoning Ordinance. City of Blaine (Case File No. 24-0060/EES)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated annually, staff reviews the zoning code to identify areas for improvement. This process was established following substantial revisions to the zoning code in 2020 to ensure that the code remains current and prevent the need for such substantial revisions. Changes this year include modification to the park dedication calculation, changes to setbacks in response to variance granting in 2024, and rewriting of intent/purpose statements for commercial and industrial districts.

Moved by Councilmember Robertson, seconded by Councilmember Fleming, to adopt the Second Reading of Ordinance No. 24-2568, Approving Annual Revisions to the Blaine Zoning Ordinance.

Councilmember Massoglia asked if these changes included changes to the sign ordinance. Ms. Sellman reported changes to the sign ordinance would be coming to the city council at a future meeting.

Motion adopted unanimously.

10.4. RES 24-228 Summary Resolution for Publication of Ordinance 24-2568 Approving Annual Revisions to the Blaine Zoning Ordinance. City of Blaine (Case File No. 24-0060/ESS)
Sponsors: Cathy Sorensen, City Clerk

City Clerk Sorensen requested the Council adopt the proposed resolution allowing for publication of title and summary of Ordinance 24-2568. It was noted Minnesota Statute 412.191, Subd. 4, provides for publication of the title and summary of an ordinance in the case it is lengthy if the city council determines that publication of the title and a summary would clearly inform the public of the intent and effect of the ordinance. As Ordinance 24-2568 is lengthy, staff is recommending adoption of the proposed summary resolution. The summary resolution requires an affirmative vote of four-fifths of the council and the entire ordinance is available for inspection during regular office hours at city hall and can be forwarded upon request.

Moved by Councilmember Newland, seconded by Councilmember Massoglia, to adopt a Summary Resolution for Publication of Ordinance 24-2568 Approving Annual Revisions to the Blaine Zoning Ordinance.

Motion adopted unanimously.

11. Administration

11.1. 2024-532 Motion to Authorize Mayor and City Manager to Enter into a Contract with Bolton & Menk, Inc. for Professional Design and Construction Services for the 2025 Southwest Area Street Reconstruction Project, Improvement Project No. T25-06

Sponsors: Daniel Schluender, Director of Engineering

Mr. Schluender stated Council is requested to approve a contract for professional services for final design and construction services for the 2025 Southwest Area Street Reconstructions, Improvement Project No. T25-06 in the amount of $454,384.

Moved by Councilmember Newland seconded by Councilmember Fleming, to Authorize Mayor and City Manager to Enter into a Contract with Bolton & Menk, Inc. for Professional Design and Construction Services for the 2025 Southwest Area Street Reconstruction Project, Improvement Project No. T25-06.

Councilmember Newland inquired about the proposed contingency and asked if the amount was sufficient. Mr. Schluender reported the proposed 10% contingency was sufficient.

Motion adopted unanimously.

11.2. RES 24-223 Resolution Accepting Quote from Winberg Companies, LLC in the amount of $94,455.51 for the Lever Street Restoration Project, Improvement Project No. 17-07

Sponsors: Daniel Schluender, Director of Engineering

Mr. Schluender requested the Council accept a quote and approve a contract with Winberg Companies, LLC for the Lever Street Restoration Project, Improvement Project No. 17-07. It was noted this project consists of grading and constructing a small berm, constructing a retaining wall and fence, and turf restoration along the west boulevard of Lever Street, near 12730 Lever Street. Quotes were received electronically at 10AM, November 8, 2024, for Project No. 17-07. Request for Quotes was sent to four contractors. Only one quote was received from Winberg Companies in the amount of $94,455.51. This quote has been checked and tabulated, and it has been determined that Winberg Companies, LLC of Shafer, Minnesota has submitted a responsible quote. The Engineering Department has worked with Winberg Companies, LLC on previous contracts and recommends that the quote be accepted, and a contract entered into with Winberg Companies, LLC. City Council is also asked to approve a 10% contingency to bring the total project budget to $103,901.06. The funding source for this project will be the city's internal MSAS Fund and there are sufficient funds budgeted to cover these costs.

Moved by Councilmember Newland, seconded by Councilmember Massoglia, to adopt a Resolution Accepting Quote from Winberg Companies, LLC in the amount of $94,455.51 for the Lever Street Restoration Project, Improvement Project No. 17-07.

Motion adopted unanimously.

12. Other Business

None.

13. Adjournment

Moved by Councilmember Robertson, seconded by Councilmember Fleming, to adjourn the meeting at 8:20PM.

Motion adopted unanimously.

CITY OF BLAINE
L'ETOILE DU NORD
ANOKA CO., MINN.

Signed by ______________________

Tim Sanders, Mayor

Signed by ______________________

Catherine M. Sorensen, CMC, City Clerk