



City of Blaine

City Council

December 2, 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 7:04PM 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, and Jess Robertson.

ABSENT: Councilmember Lori Saroya.

Quorum Present.

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

4. Awards - Presentations - Organizational Business

None.

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 7:07PM.

Dale Sprouse, 12880 Lexington Avenue, shared concerns about the proposed high density development at Lexington Avenue and 125th Avenue. He reported the neighbors do not want an apartment complex on this corner. He encouraged the council to consider the voices of the residents and not the developers.

There being no further input, Mayor Sanders closed the Open Forum at 7:10PM.

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 Robertson requested the removal of Consent Agenda Item 8.9.

Moved by Councilmember Newland, seconded by Councilmember Massoglia, that the Consent Agenda be approved as amended removing Item 8.9.

Motion adopted unanimously.

8.1. 2024-553 Schedule of Bills Paid
Sponsors: Jason Zimmerman, Finance Director

8.2. 2024-567 Approval of Minutes
Sponsors: Cathy Sorensen, City Clerk

8.3. 2024-571 Approve Lobbying Agreement with The Ferguson Group
Sponsors: Michelle Wolfe, City Manager

8.4. 2024-566 Approve Renewal of Labor Attorney Contract with Eckberg Lammers
Sponsors: Scott Johnson, Director of Administrative Services

- 8.5.** 2024-550 Approve an Amendment to the City Manager's Employment Agreement and Approve an Agreement with Mission Square Retirement to Establish a Deferred Compensation Plan for the City Manager
Sponsors: Scott Johnson, Director of Administrative Services
- 8.6.** 2024-554 Accept Bid and Renewal Terms from Johnson Litho Graphics for the 2025-2027 City of Blaine Printing Contract
Sponsors: Ben Hayle, Communications Manager
- 8.7.** 2024-573 Approve Payment to Cisco Systems for Network Switch Infrastructure Upgrade, Year 2 of 3.
Sponsors: Paul Grosse, IT Manager
- 8.8.** 2024-555 Authorizing the Acquisition of Permanent Easement consistent with State Law for the 2024 Southwest Area Street Reconstruction Project, Improvement Project Number T24-07
Sponsors: Daniel Schluender, Director of Engineering
- 8.9.** 2024-451 Motion to Authorize the Mayor and City Manager to Enter into a Contract with ISG for Monitoring and Maintenance Planning for the Blaine Wetland Sanctuary
Sponsors: Daniel Schluender, Director of Engineering

Councilmember Robertson asked questions regarding maintenance for this project and inquired how the city can capture the remaining wetland bank credits. She inquired if annual maintenance has not occurred on Branch 7 to ensure the wetland credits were available. She questioned what the status was for the total 81 acres of wetland credits. Director of Engineering Schluender stated the original contract with an environmental firm ended about a year and a half ago, and since that time staff has been working to determine where this contract was left, what maintenance had been done and what maintenance was required to hold the credits/realize the remaining credits. He explained this led staff to pursue a new proposal and contract with ISG that would continue the monitoring and maintenance of the wetlands.

Councilmember Robertson anticipated because there was a gap in the maintenance, the city would have to start over in order to realize the wetland credits. Mr. Schluender indicated the city did not have to start over but rather would have to reengage in the process.

Moved by Councilmember Robertson, seconded by Councilmember Newland, to Authorize the Mayor and City Manager to Enter into a Contract with ISG for Monitoring and Maintenance Planning for the Blaine Wetland Sanctuary.

Motion adopted unanimously.

- 8.10.** RES 24-200 Resolution Granting an Updated 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, Assistant Community Development Director

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

- 9.1.** RES 24-220 Conduct Public Hearing and Adopt a Resolution to Vacate a 54-ft length portion of the Drainage and Utility Easement, according to the recorded plat thereof, Anoka County, Minnesota; Vacation No. V24-05
Sponsors: Daniel Schluender, Director of Engineering

Mr. Schluender stated the city received a petition dated October 25, 2024 from Paul Morrissey Jr., property owner, requesting the vacation of a 54-ft length portion of the platted drainage and utility easements as created over the northerly 10 feet of Lot 7 Block 1, Quail Creek 12th Addition; according to the recorded plat thereof, Anoka County, Minnesota. Additional property was purchased to the north of this easement and the two lots will be combined; therefore this section of the easement is no longer needed and will be considered reconfigured as the two lots combine. Engineering staff has reviewed the request and agrees with the vacation.

Mayor Sanders opened the public hearing at 7:14PM.

There being no additional public input, Mayor Sanders closed the public hearing at 7:14PM.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to adopt a Resolution to Vacate a 54-ft length portion of the Drainage and Utility Easement, according to the recorded plat thereof, Anoka County, Minnesota; Vacation No. V24-05.

Motion adopted unanimously.

- 9.2.** 2024-534 Approve Renewal of Currency Exchange Licenses
Sponsors: Cathy Sorensen, City Clerk

City Clerk Sorensen stated Council is asked to hold a public hearing to consider approval of currency exchange license renewals. Staff has received the attached correspondence regarding currency exchange license renewals from the Minnesota Department of Commerce for the following locations: AL'S Check Cashing LLC, 1434 93rd Lane NE and SJB Enterprises Inc., d/b/a/ Your Exchange, 10545 University Avenue NE. Ms. Sorensen explained the renewal requests were forwarded to the police department for review and no items of concern were raised with either location.

Mayor Sanders opened the public hearing at 7:16PM.

There being no additional public input, Mayor Sanders closed the public hearing at 7:16PM.

Moved by Councilmember Robertson, seconded by Councilmember Newland, to Approve Renewal of Currency Exchange Licenses.

Motion adopted unanimously.

10. Development Business

- 10.1.** RES 24-225 Resolution Granting a Conditional Use Permit to Allow Continued Operations of a Mosque (Place of Worship) in the Regional Commercial (B-3) Zoning District at 12175 Aberdeen Street NE. Minnesota Education Trust (MAS Blaine) (Case File No. 24-0061/SAS)
Sponsors: Sheila Sellman, Assistant Community Development Director

City Planner Sellman requested the Council consider a conditional use permit to allow the continued operation of a mosque in the Regional Commercial (B-3) zoning district at 12175 Aberdeen Street NE. Staff commented on the history of the site and noted in 2017 MAS applied for a remodeling permit and in the fall of 2023 staff met with MAS to discuss traffic concerns and the outstanding CUP. She explained the applicant was requesting a CUP to continue operating as a mosque, noting no additional remodeling was proposed at this time. Staff reviewed the parking/traffic information noting the site was 27 stalls short if the capacity was capped at 700. She noted a recommendation for approval was to require the applicant to submit a traffic mitigation plan. It was staff's recommendation one-way traffic should be explored along with off-site parking. Staff reported the Planning Commission reviewed this matter on November 17 and recommended approval.

Moved by Councilmember Fleming, seconded by Councilmember Robertson, to adopt a Resolution Granting a Conditional Use Permit to Allow Continued Operations of a Mosque (Place of Worship) in the Regional Commercial (B-3) Zoning District at 12175 Aberdeen Street NE.

Councilmember Newland asked about the timing for the parking proposal and suggested delaying action on this item in order to have the parking proposal brought to the City prior to receiving approval. He stated he didn't have a problem with the use, but he did want to see the traffic and parking concerns addressed. Ms. Sellman explained staff was recommending the parking proposal be submitted to staff as a condition for approval. She indicated the council could require this document to be submitted prior to action being taken on the CUP.

Councilmember Newland stated he believed this was the order in which the council should proceed.

Councilmember Larson questioned if there were other businesses where this has

happened. Ms. Sellman stated the city has allowed fences to be installed within a certain timeline after residents received approval.

Councilmember Fleming explained she did not have a problem with the use, but commented she would like to see the parking and traffic concerns addressed prior to the CUP being considered, given how the businesses in the area were being impacted. She suggested a shuttle system be considered by the applicant.

Councilmember Massoglia asked if the applicant has not had a CUP in place since 2007. Ms. Sellman explained in 2007 a CUP was in effect for a charter school and this was vacated. She commented an existing CUP was not in place on the property at this time for the use as a mosque.

Councilmember Massoglia inquired if this was a normal occurrence for the city. Community Development Director Thorvig reported the mosque has been in operation since 2017.

Councilmember Massoglia questioned why the mosque did apply for a CUP in 2017. Ms. Sellman indicated the mosque did not apply for a CUP in 2017, but did apply for a remodeling permit. She commented at that time Planning staff did not review remodeling permits and indicated the applicant did obtain the proper building permits but not from a zoning perspective.

Asad Zaman, Executive Director of the Muslim American Society of Minnesota, thanked the city for being so welcoming and shared the history of the MAS and how they have worked to mitigate the parking impacts during services. He stated in 2007 a charter school applied for and received a CUP to conduct education and have a prayer room in the building. He indicated this school vacated the premises in 2011 and the Muslim American Society immediately occupied the space and started doing prayer services in the prayer room, along with education services. He thought he was continuing the use of the same CUP. He commented in 2017 he applied for a remodeling permit and everything seemed fine. He discussed how to mitigate the traffic concerns and said city staff has come up with many good ideas and over the past few months he has implemented different mitigation strategies, including a shift to four prayer services. In addition, he has hired police officers to assist with managing traffic and barricades were being put in place when the lot was full as well as consider right turns only when exiting the parking lot after services on Fridays. He stated with this new change, it only took five or six minutes to empty the parking lot. He estimated the mosque had 250 visitors per service now that the mosque has moved to four services.

Councilmember Fleming questioned how long the prayer services were. Mr. Zaman estimated the services were 15 to 20 minutes in length. He explained the prayer times were spread out to allow the parking lot to empty before the next service.

Councilmember Massoglia thanked Mr. Zaman for addressing the council. He asked if it was typical for the city to adjust the capacity number based on the applicant's recommendation versus the recommendation from the fire marshal. Ms. Sellman stated if the capacity were set at 700, as proposed by the applicant, this number could be posted and enforced by the fire marshal.

Mr. Zaman stated the practical reality was he had 150 parking spaces and it was better to cap the building at 700 even if the building could hold 1,500.

Councilmember Fleming asked what progress has been made since the parking mitigation efforts have been put in place. Safety Services/Police Chief Podany explained he has seen some improvements and noted the city has a very good working relationship with the mosque. He reported the one-way in, one-way out and shuttle still had to be implemented. In addition, the adjacent businesses have begun towing cars. He stated he has not seen how the additional measures will impact traffic and parking, but noted progress was being made.

Councilmember Robertson thanked the mosque community for being in attendance. She stated she understood the mosque was a staple for this neighborhood. She supported a solid traffic mitigation plan being put in place prior to the CUP being approved.

David Erly, contractor for the project, said he felt the parking impacts were small because of the short service times and recommended the parking plan be included with the certificate of occupancy. He indicated the gridlock that occurs was for five to ten minutes on a Friday evening and while it was inconvenient for several properties the gridlock was not occurring for hours. He anticipated the shift to four services would assist with addressing the gridlock concerns.

Councilmember Robertson stated her comments are not meant to be accusatory but rather based on the statements from the police chief and that she would like to see additional work done on the traffic mitigation plan prior to approving the CUP for this property. She explained she wanted all the proper pedestrian and safety measures taken to ensure there was a positive result.

City Attorney Loonan explained the safeguard the council was looking for was already outlined in the conditions of the CUP resolution and noted operations cannot happen without the city's approval of the mitigation plan, which must occur by January 31, 2025.

Mayor Sanders asked what the process would be for the mitigation plan. Ms. Sellman stated typically mitigation plans are reviewed by staff. She commented the council add a condition that would require review and approval of the traffic mitigation plan by the city council.

Councilmember Fleming indicated several traffic mitigation measures have already been tried and some work and some do not work. She supported the city council postponing this item out to ensure the proper measures were in place within the traffic mitigation plan.

Councilmember Massoglia inquired if the mosque had looked at expanding the parking lot to the south. Mr. Zaman indicated he had considered this, but noted the small portion of land to the south was wetland and would only accommodate five to ten parking spaces.

Councilmember Newland stated it appears the city is very close to addressing the traffic mitigation concerns, but he wanted to be assured all issues were addressed. He recommended action on this item be tabled to allow the applicant to work with staff on the traffic mitigation plan and that this be brought back to the city council for consideration at the first council meeting in January.

Mr. Loonan asked what the 60-day deadline was for this planning item. Ms. Sellman stated the 60-day deadline was January 8, 2025.

Mr. Loonan reported the city council would have to take action on this item prior to January 8 or this item would be deemed approved without any conditions.

Councilmember Robertson inquired if the applicant has the ability to push back the 60-day deadline. Mr. Loonan stated the applicant could voluntarily agree to extend the deadline at their own discretion.

Mr. Thorvig reported the applicant would be allowed to continue operations until the matter is brought back to the council for further consideration.

Moved by Councilmember Newland, seconded by Councilmember Robertson, to table consideration of a Resolution Granting a Conditional Use Permit to Allow Continued Operations of a Mosque (Place of Worship) in the Regional Commercial (B-3) Zoning District at 12175 Aberdeen Street NE to allow the applicant time to create and present a parking mitigation plan and include with the item for consideration prior to January 8, 2025, which is the 60-day deadline.

Motion adopted unanimously.

11. Administration

- 11.1.** 2024-556 Motion to Accept Proposal and Authorize Mayor and City Manager to Enter into a Contract with Stantec for Professional Design Services for the Blaine Wetland Sanctuary Trail Development Project
Sponsors: Daniel Schluender, Director of Engineering

Mr. Schluender stated council is requested to approve a contract for Professional Services for preliminary design and preparation plans and specifications for construction of the Blaine Wetland Sanctuary Trail Development Project. The Engineering Department has received proposals for the development of a preliminary design followed by plans and specifications for the construction of additional trail system throughout the Blaine Wetland Sanctuary. The preliminary proposed route can be seen on the attached Proposed Trail System drawing. This plan is subject to change based on preliminary design investigation, funding, and community input.

Mr. Schluender reported the city received 4 proposals from local consultants for this project ranging from \$89,000 to \$339,812.50 for the preliminary design and production of plans and specifications. Stantec has provided the proposal in the amount of \$89,000. Staff has reviewed the submitted proposal and determined that the fees are justified and reasonable. After completion of the preliminary design and of the plans and specifications, a contract for construction would then be ordered to bid by the City of Blaine. Final project costs would be brought to Council during this process for final approval. Depending on timing and workload, construction administration is planned to be handled in house by staff. This

project is proposed to be funded through the Open Space Fund. The approved 2024 capital improvement budget can adequately fund this proposal.

Moved by Councilmember Massoglia, seconded by Councilmember Larson, to Accept Proposal and Authorize Mayor and City Manager to Enter into a Contract with Stantec for Professional Design Services for the Blaine Wetland Sanctuary Trail Development Project.

Councilmember Robertson shared frustrations on the continuing need for consulting fees, trail head identification, and maintenance delays and noted the funds for this project do not come from the general levy. She questioned if the delay was due to the lapse in the previous contract and the change to staff members.

Councilmember Larson asked what the consulting fees would cover. Mr. Schluender explained the process the city has gone through was quite extensive. He reported the consultant to be determining routes through the wetland area as well as editing the EDA portion of wetlands in order to receive the wetland banking credits. He reported the proposed trails were renditions from the previous time this matter was brought to the council, but were not finalized.

Councilmember Larson inquired who would determine where the trail heads were at. Mr. Schluender reported the trail heads were proposed for areas where the city has easements or connections to public streets. City Manager Wolfe added the 109th trail head was planned prior to this neighborhood being constructed, and a parking lot was constructed for this trail head.

Councilmember Larson stated she understood the neighbors in this area want trail connectivity. She asked if the Sanctuary neighborhood was considered for trails. Mr. Schluender stated a few corridors were being considered within the Sanctuary neighborhood, but noted at this time everything connects south to 101st Avenue.

Councilmember Robertson stated Commission Jeppson served on the Transportation Advisory Board and noting she was working on non-motal transportation grants.

Motion adopted unanimously.

12. Other Business

None.

13. Adjournment

Moved by Councilmember Robertson, seconded by Councilmember Newland, to adjourn the meeting at 8:05PM.

Motion adopted unanimously.



Signed by

Tim Sanders, Mayor

Signed by

Catherine M. Sorensen, CMC, City Clerk