



City of Blaine

City Council

March 3, 2025 | 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 7:10PM 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, Chris Ford, Leslie Larson, Chris Massoglia, Tom Newland, and Jess Robertson.

ABSENT: None.

Quorum Present.

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

4. Awards - Presentations - Organizational Business

None.

5. Communications

Councilmember Newland highlighted the Summer *RecConnect* and encouraged the community to review this great publication. He thanked the parks department for their efforts on this publication.

Councilmember Massoglia reported 3M renewed their partnership with the PGA Tour at TPC for

the 3M Open.

6. Open Forum

Open Forum is an opportunity for the public to share comments, concerns, or input on other items. While open forum is not intended to provide for response or discussion opportunities, if follow-up is needed, city staff will work to contact the speaker(s) outside of the meeting to arrange for that follow-up. Each speaker will be limited to 3 minutes with a maximum of 15 minutes set aside for open forum.

Mayor Sanders opened the Open Forum at 7:12PM.

There being no input, Mayor Sanders closed the Open Forum at 7:12PM.

7. 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 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.

7.1. 2025-71 Schedule of Bills Paid
Sponsors: Jason Zimmerman, Finance Director

7.2. 2025-72 Approval of Minutes
Sponsors: Cathy Sorensen, City Clerk

7.3. 2025-73 Approve Payment to AXON Enterprises Inc. for the Officer Safety Plan Contract
Sponsors: Brian Podany, Safety Services Manager/Police Chief

7.4. RES 25-42 Approve Plans and Specifications and Order Advertisement for Bids for the 2025 Southwest Area Street Reconstructions, Improvement Project No. T25-06
Sponsors: Daniel Schluender, Director of Engineering

7.5. 2025-74 Approve Temporary Nursery Sales License for Cub Foods Greenhouse, 12595 Central Avenue NE

Sponsors: Cathy Sorensen, City Clerk

- 7.6.** 2025-75 Approve a Therapeutic Massage Enterprise License for Crystal Williams Massage, 1341 113th Ave NE, Suite 401
Sponsors: Cathy Sorensen, City Clerk

8. 7:00 PM - Public Hearing and Items Published for a Certain Time

- 8.1.** RES 25-34 Resolution Granting a Conditional Use Permit to Allow Live Entertainment in the B-2 (Community Commercial) Zoning District at 10950 Club West Parkway NE, Suite 100. Wild Bill's Sports Saloon (Case File No. 25-0002/SLK)
Sponsors: Sheila Sellman, Interim Community Development Director

Assistant Community Development Director Sellman stated Wild Bill's Sports Saloon is requesting a Conditional Use Permit (CUP) for live entertainment at an existing restaurant.

Mayor Sanders opened the public hearing at 7:15PM.

There being no public input, Mayor Sanders closed the public hearing at 7:15PM.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to adopt a Resolution Granting a Conditional Use Permit to Allow Live Entertainment in the B-2 (Community Commercial) Zoning District at 10950 Club West Parkway NE, Suite 100.

Motion adopted unanimously.

- 8.2.** RES 25-36 Resolution Granting a Conditional Use Permit for a Specialized Athletic Training Facility (Fitness Center) in the Heavy Industrial (I-2) Zoning District at 10005 Goodhue Street NE. Transform Sports Performance (Case File No. 25-0003/ACK)
Sponsors: Sheila Sellman, Interim Community Development Director

Ms. Sellman stated the applicant is requesting a Conditional Use Permit (CUP) to open a specialized athletic training facility in a Heavy Industrial (I-2) zoning district. Staff discussed how the space would be used by the applicant and recommended approval.

Mayor Sanders opened the public hearing at 7:19PM.

The applicant of Transform Sports Fitness shared his thanks for the opportunity to create this training facility in the city of Blaine.

Nate Kveton, 9298 Central Avenue NE, explained he supported the proposed training facility.

There being no additional public input, Mayor Sanders closed the public hearing at 7:20PM.

Moved by Councilmember Newland, seconded by Councilmember Robertson, to adopt a Resolution Granting a Conditional Use Permit for a Specialized Athletic Training Facility (Fitness Center) in the Heavy Industrial (I-2) Zoning District at 10005 Goodhue Street NE.

Motion adopted unanimously.

- 8.3.** RES 25-32 Conduct Public Hearing and Adopt a Resolution to Vacate Drainage and Utility Easements on Lot 1, Block 1, Larson's Estates, according to the recorded plat thereof, Anoka County, Minnesota; Vacation No. V25-01
Sponsors: Daniel Schluender, Director of Engineering

Director of Engineering Schluender stated the city received a petition dated January 21, 2025 from Joseph Radach representing Contour Development LLC, requesting the vacation of Drainage and Utility Easements, Lot 1, Block 1, Larson's Estates; according to the recorded plat thereof, Anoka County, Minnesota.

Mayor Sanders opened the public hearing at 7:21PM.

There being no public input, Mayor Sanders closed the public hearing at 7:21PM.

Moved by Councilmember Newland, seconded by Councilmember Robertson, to Conduct Public Hearing and Adopt a Resolution to Vacate Drainage and Utility Easements on Lot 1, Block 1, Larson's Estates, according to the recorded plat thereof, Anoka County, Minnesota; Vacation No. V25-01.

Motion adopted unanimously.

- 8.4.** 2025-76 Alcohol Compliance Violation License Suspension, Best Taste of Pho Saigon, Inc. 11712 Ulysses Lane NE
Sponsors: Cathy Sorensen, City Clerk

City Clerk Sorensen stated council is asked to confirm the alcohol compliance failure violation at Best Taste of Pho Saigon and impose the penalty as outlined by city code by suspending the on-sale intoxicating liquor license for a mandatory ten-consecutive-days.

Councilmember Newland explained the city has had more alcohol violations in recent years and this was concerning to him. He read a statement from Mothers Against Drunk Drivers into the record and stressed the importance of responsible alcohol service to avoid tragedies that occur as a result of impaired and drunk driving.

Mayor Sanders opened the hearing at 7:28PM and confirmed the license holder was not present.

There being no public input, Mayor Sanders closed the public hearing at 7:28PM.

Moved by Councilmember Massoglia, seconded by Councilmember Newland, to approve the Alcohol Compliance Violation License Suspension for Best Taste of Pho Saigon, Inc. at 11712 Ulysses Lane NE.

Motion adopted unanimously.

- 8.5.** 2025-77 Alcohol Compliance Violation Hearing, Pizza Pub Prime, 2190 105th Avenue NE
Sponsors: Cathy Sorensen, City Clerk

This hearing request was withdrawn at the request of the license holder.

9. Development Business

- 9.1.** RES 25-23 Resolution Granting a 12-Month Extension to a Conditional Use Permit for the Construction of a 48-Unit Apartment in a Development Flex (DF) Zoning District at 111 99th Avenue NE. 99th Apartments (TTT Development, LLC) (Case File No. 24-0018/SAS)
Sponsors: Sheila Sellman, Interim Community Development Director

Ms. Sellman stated the applicant is requesting a 12-month extension to a Conditional Use Permit (CUP) for a 48-unit apartment.

Councilmember Massoglia indicated he would not be supporting the extension of this CUP noting he had not supported this project from the onset as he felt this was not a good location. He said with the anticipated growth in Blaine he didn't believe the city needed to continue to rezone for apartments, especially Section 8 type housing as there was enough of that type of housing already.

Councilmember Newland stated the council approved an extension with the original developer for this property and noted it was fairly routine for the council to grant extensions for CUPs. He reported the denial of this CUP would open the door for another project that could come forward that was twice the size of this project.

Councilmember Larson asked if this was the same developer that received an extension in 2024. Ms. Sellman stated this was a different developer.

Councilmember Ford indicated he was not on council when this project was originally considered, but if he had been he would have offered his support. He explained he was the result of low-income housing and noted everyone needs a place to live. He encouraged people to not be afraid of low-income housing but rather embrace providing housing because people need somewhere to live.

Councilmember Robertson reported the intent of the request before the council was to simply extend the CUP. With that in mind, she commented further on the precedent that had been set for approving extensions on CUPs and noted she would be offering her support.

Councilmember Massoglia reminded the council there was also precedent for denying CUP extensions as well. He explained the council denied the Hy-Vee CUP extension as well as another development.

Councilmember Larson indicated she voted against the last CUP extension and for this reason she would not be supporting the requested CUP extension. She stated she appreciated and respected Councilmember Ford's comments and noted her vote was not for fearmongering but rather based on comments received from the neighbors and from her tour of the site.

Moved by Mayor Sanders, seconded by Councilmember Robertson, to adopt a Resolution Granting a 12-Month Extension to a Conditional Use Permit for the Construction of a 48-Unit Apartment in a Development Flex (DF) Zoning District at 111 99th Avenue NE.

Motion adopted 5-2 (Councilmembers Larson and Massoglia opposed).

- 9.2.** RES 25-37 Granting Preliminary Plat Approval to Subdivide 19.24 Acres into 2 Single Family Lots, 28 Townhome Lots, Common Space and One Outlot to be Known as Meadowland Estates West at 2741 and 2775 125th Avenue NE. Herbst Raich Investments, LLC (Case File No. 24-0073/SAS)
Sponsors: Sheila Sellman, Interim Community Development Director

Ms. Sellman stated the applicant is requesting preliminary plat approval to develop the site into 28 townhome lots, common space and retain the existing two single family homes. This project was approved in 2023. The final plat has expired and requires new approvals to develop. Nothing has changed from the previous plat.

Moved by Councilmember Robertson, seconded by Councilmember Fleming, to grant Preliminary Plat Approval to Subdivide 19.24 Acres into 2 Single Family Lots, 28 Townhome Lots, Common Space and One Outlot to be Known as Meadowland Estates West at 2741 and 2775 125th Avenue NE.

Motion adopted unanimously.

10. Administration

- 10.1.** 2025-78 Boards and Commissions Appointments 2025
Sponsors: Cathy Sorensen, City Clerk

Ms. Sorensen stated council is asked to make appointments for the 2025 boards and commissions. Council has been reviewing and ranking applications received for the 2025

board and commission vacancies. During workshop council discussed applications received and if prepared staff is recommending the mayor announce those appointments and by motion council confirm. She recommended that council make the appointments to the SBM Fire Board and Twin Cities Gateway noting the remaining boards and commissions appointments would be considered at the March 17 city council meeting.

Moved by Mayor Sanders, seconded by Councilmember Larson, to appoint Paul Edgett to the SBM Fire Board and Kelli Goodrich to the Twin Cities Gateway Board of Directors.

Councilmember Larson stated she was very supportive of both of these appointments.

Motion adopted unanimously.

- 10.2.** RES 25-43 Resolution Authorizing the Mayor and City Manager to Enter Into a Settlement Agreement with Blaine Atlantic Funding, LLC Related to Land Use Litigation for Property Located at 551 87th Lane (Civil No. 23-CV-00172)
Sponsors: Erik Thorvig, City Manager

Community Development Director Thorvig stated the city has reached a settlement with Blaine Atlantic Funding, LLC related to land use litigation for property located at 551 87th Lane (Civil No. 23-CV-00172). The parties engaged in that court-ordered settlement conference on February 24, 2025, with Magistrate Judge Douglas Micko presiding over the discussions. In addition to litigation counsel, Community Development Director Erik Thorvig and Council Member Chris Massoglia attended for the city. Joe Neubauer attended the LMCIT. After exchanging settlement positions and discussing ranges for a potential settlement, the parties agreed to settle the lawsuit for a one-time payment to the plaintiff of \$400,000. Stipulations of the settlement require immediate council action on the settlement amount. The settlement must be formally approved by the city council in open session. Upon formal approval by the city council, a formal settlement agreement will be drafted identifying the amount and memorializing that the lawsuit will be extinguished upon payment and no further legal action may occur. No other terms or stipulations exist. Staff commented on the city would be responsible for a portion of the settlement and the remainder would be covered by the LMCIT.

Moved by Councilmember Newland, seconded by Councilmember Robertson, to adopt a Resolution Authorizing the Mayor and City Manager to Enter Into a Settlement Agreement with Blaine Atlantic Funding, LLC Related to Land Use Litigation for Property Located at 551 87th Lane (Civil No. 23-CV-00172).

Councilmember Larson indicated this item angered her as she believed zero taxpayer dollars should have been offered to the plaintiff. She said she did not believe the plaintiff had a leg to stand on because the land was not zoned for an apartment building and stated she would not be supporting this settlement agreement.

Councilmember Robertson commented with this case, the project aligned with the Northtown visioning document. She explained precedent could always be set, but in this case, she believed it was better to settle with the plaintiff than to bring this case to jury trial.

Councilmember Massoglia explained the settlement was a risk-mitigation move and noted at the end of the day the cost to the city would be \$150,000.

Motion adopted 6-1 (Councilmember Larson opposed).

11. Other Business

None.

12. Adjournment

Moved by Councilmember Robertson, seconded by Councilmember Larson, to adjourn the meeting at 7:52PM.

Motion adopted unanimously.



Signed by

Tim Sanders, Mayor

Signed by

Catherine M. Sorensen, CMC, City Clerk