



**City of Blaine**  
**Anoka County, Minnesota**  
**Minutes - Final**  
**City Council**

10801 Town Square Dr.  
Blaine MN 55449

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Thursday, April 5, 2012

7:30 PM

Council Chambers

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**Meeting Number 12-22**

**1. CALL TO ORDER BY THE MAYOR**

*The meeting was called to order at 7:45 p.m. by Mayor Ryan followed by the Pledge of Allegiance and the Roll Call.*

*ABSENT: City Manager Clark Arneson.*

*Quorum present.*

*ALSO PRESENT: Bryan Schafer, Community Development Director; Joe Huss, Finance Director; Jean Keely, City Engineer; Chris Olson, Safety Service Manager/Police Chief; Nyle Zikmund, SBM Fire Chief; Roark Haver, Communications Technician; Al Thorp, Senior Engineering Technician; Jane Cross, City Clerk; and Recording Secretary Linda Dahlquist.*

**Present:** 7 - Mayor Ryan, Councilmember Hovland, Councilmember Swanson, Councilmember Clark, Councilmember Bourke, Mayor Pro Tem Kolb and Councilmember Herbst

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**4. APPROVAL OF MINUTES**

**4.1 [MIN 12-13](#)**

**CLOSED MEETING MINUTES - 03/08/2012**

**Sponsors:** Cross

**Attachments:** [030812 Closed Pending Litigation](#)

**Moved by Mayor Pro Tem Kolb, seconded by Councilmember Herbst, that this Minutes be Approved. The Motion was adopted unanimously.**

**4.2 [MIN 12-14](#)**

**SPECIAL COUNCIL MEETING - 03/08/2012**  
**WORKSHOP MEETING - 03/15/2012**  
**REGULAR MEETING - 03/15/2012**  
**BOARD OF REVIEW MEETING - 03/19/2012**

**Sponsors:** Cross

**Attachments:** [Workshop Minutes 3/15/12](#)  
[Regular Minutes 3/15/12](#)  
[Special Council Minutes 3/8/12](#)  
[BOR Minutes 3/19/12](#)

*Councilmember Clark made the following corrections to the City Council Meeting Minutes of March 15, 2012:*

*Page 8, paragraph 8, Councilmember Clark clarified that the 60 day cancellation applied to the optional years and once the City signed for an optional year, the year was locked in.*

*Page 8, paragraph 9, Councilmember Clark clarified that the soccer club could be consulted as to the best effective date for the agreement so as to fall in line with planning for the soccer season.*

**Moved by Mayor Pro Tem Kolb, seconded by Councilmember Herbst, that this Minutes be Approved. Motion adopted 6-0-1 (Councilmember Bourke abstained from the Board of Review Meeting Minutes of March 19, 2012, due to his absence.)**

## 5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

### 5.1 [PROC 12-02](#)

#### PROCLAMATION - LOREN FREITAG

**Sponsors:** City Council

*Mayor Ryan recognized Loren Freitag who retired on March 4, 2012 after eighteen years of service. Todd Miller accepted the award on behalf of Loren Freitag who was out on a call for the State of Minnesota.*

### 5.2

*Mayor Ryan presented Service Awards to Tom Newland, Park Advisory Board 2007-2012; Lou Ochocki, National Resource Conservation Board 2005-2012; Keith Garner, National Resources Conservation Board 2008-2012; Adam McLane, Planning Commission 2007-2012; Drew Karnick, Planning Commission; and thanked each for their service to the City of Blaine.*

### 5.3

*City Engineer Keely stated she was contacted by Lieutenant Bill Alms who was a storm water intern for the City in 2007. Lieutenant Alms had nominated a City employee for the Patriot Award. Lieutenant Bill Alms and David Bominick, Employer Support of the Guard and Reserve, recognized Jim Hafner for his support of Lieutenant Alms. Lieutenant Alms, after serving as a summer intern for the City, left for a tour of duty in Iraq and when he returned Mr. Hafner helped Mr. Alms with contacts and served as a reference that helped Lieutenant Alms with his job search.*

**6. COMMUNICATIONS**

*Mayor Ryan announced the annual bike helmet fitting will be held on April 10, 2012.*

**7. OPEN FORUM FOR CITIZEN INPUT**

*Mayor Ryan opened the Open Forum at 8:03 p.m.*

*There being no input, Mayor Ryan closed the Open Forum at 8:04 p.m.*

**8. ADOPTION OF AGENDA**

*Mayor Ryan moved up agenda items 11.2 and 12.3 after the Consent Agenda.*

**9. 8:00 P.M. - PUBLIC HEARING AND ITEMS SET FOR A CERTAIN TIME**

*Moved to follow the Approval of the Consent Agenda.*

**10. APPROVAL OF CONSENT AGENDA:****Approval of the Consent Agenda**

**Moved by Councilmember Herbst, seconded by Councilmember Hovland that the following items be Approved by Consent Vote. Motion adopted unanimously.**

**10.1 [MO 12-039](#)****SCHEDULE OF BILLS PAID**

**Sponsors:** Huss

**Attachments:** [February 2012 Payroll Checks and Wire Transfers](#)

[03/09/12 Bills Paid](#)

[03/16/12 Bills Paid](#)

[03/23/12 Bills Paid](#)

**Approved unanimously by Consent Vote.**

**10.2 [MO 12-040](#)**

**AUTHORIZING PAYMENT IN THE AMOUNT OF \$28,406.00, PLUS \$1,762.82 REPRESENTING 6.875% STATE OF MN SALES TAX, TOTTALLING \$30,168.82, TO PARADIGM SYSTEM SOLUTIONS, INC., FOR SEVEN NOTEBOOK COMPUTERS FOR SQUAD CARS.**

**Sponsors:** Peters

**Approved unanimously by Consent Vote.**

**10.3 [MO 12-043](#)**

**AUTHORIZING PAYMENT IN THE AMOUNT OF**

**\$10,755.00, PLUS \$739.40 REPRESENTING 6.875% STATE OF MN SALES TAX, TOTTALLING \$11,494.40, TO SOFTWARE HOUSE INTERNATIONAL, INC., FOR MICROSOFT SELECT PLUS THREE YEAR SOFTWARE ASSURANCE.**

**Sponsors:** Peters

**Approved unanimously by Consent Vote.**

**10.4** [MO 12-041](#)

**APPROVE THE FOLLOWING TEMPORARY NURSERY SALES LICENSES:**

**CUB FOODS NORTH, 12595 CENTRAL AVENUE NE  
CUB FOODS SOUTH, 585 NORTHTOWN DRIVE NE  
FRATTALONE HARDWARE, 10809 UNIVERSITY AVENUE NE  
LINDERS GREENHOUSES, 551 87TH LANE NE (RAINBOW FOODS)  
K-MART, 8949 UNIVERSITY AVENUE NE**

**Sponsors:** Cross

**Approved unanimously by Consent Vote.**

**The Following Ordinance is Scheduled for a Public Hearing and Second Reading**

**9.1** [ORD 12-2248](#)

**AN ORDINANCE AMENDING APPENDIX D - FEE SCHEDULE OF THE BLAINE CODE OF ORDINANCES**

**Sponsors:** Fiske

*Safety Services Manager/Police Chief Olson stated it has been determined that the 8% fee that was previously charged to non-compliant property owners is not sufficient to cover the City's costs in enforcing the ordinance. He stated a proposed fee of \$25 per lot would be an appropriate and equitable amount.*

*Mayor Ryan opened the public hearing 8:08 p.m.*

*Mayor Ryan closed the public hearing 8:09 p.m.*

**Moved by Councilmember Swanson, seconded by Councilmember Herbst, that this Ordinance be Adopted. The Motion was adopted unanimously.**

**The Following Ordinance is Scheduled for Second Reading**

**10.5** [ORD 12-2247](#)

**AN ORDINANCE AMENDING CHAPTER 90, ARTICLE II - WEEDS AND TALL GRASS, SECTION 90-36 - ASSESSMENT OF ABATEMENT COST**

**Sponsors:** Fiske

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that this Ordinance be Adopted. The Motion was adopted unanimously.

11. DEVELOPMENT BUSINESS

11.2 [RES 12-036](#)

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR CONSTRUCTION OF A 28,100 SQUARE FOOT (6 LANES) ICE CURLING FACILITY AND A RESTAURANT/CONCESSION AREA AT 9250 LINCOLN STREET NE. FOGERTY ARENA. (CASE FILE NO. 12-0005/SLK)**

**Sponsors:** Schafer

**Attachments:** [Attachments.pdf](#)

*Community Development Director Schafer stated the proposal is to add a sheet of ice to the south side of Fogerty Arena. He stated the building addition would accommodate a new sheet of ice with six lanes for curling, a restaurant/concession area, lounge, men's and women's locker rooms, and an outdoor dining/patio area that will require a Conditional Use Permit amendment when it is determined how the space will be used. He stated the existing 30-year old refrigeration system will be replaced with a new system for the south rink and the new curling rink. He stated a new parking lot will be constructed on the south side of the proposed building where an existing softball field is currently located and will need to be removed.*

*Mark Lawson from Fogerty Board thanked the City Council and staff for the work that has been done. He stated the St. Paul Curling Club has been very helpful with the proposed new curling facility. He stated the club is unable to grow because they cannot expand the facility. He stated Fogerty's need for updated refrigeration and the City's land access, and Fogerty's non-profit status makes it possible to move into this area of recreation.*

*Mayor Ryan asked if curling is an Olympic sport. Mr. Lawson replied he received a letter of intent from the U.S. Curling Association stating their intent to move training to the Fogerty facility. He stated he also received a letter requesting Fogerty to bid on the 2013 World Curling Federation Olympic Qualifier for Women's Curling.*

*Councilmember Swanson asked about Fogerty's timeline. Mr. Lawson stated they would like to be in the ground within a few weeks and open in October.*

*Mayor Ryan asked how many original members are still on the Fogerty Board. Mr. Larson stated the Board has a tremendous mix of long and short term members.*

*Mayor Ryan asked about electronic pull tabs and its effect on the Youth Hockey Association. Mr. Larson replied the association believes it will increase their revenues and will be a benefit. He commented Fogerty Arena does not get involved in the gambling side of the Youth Hockey Association.*

*Mr. Larson introduced Fogerty Board members: John Bauer, Blaine Youth Hockey;*

Tom Bergquist, Blaine Youth Hockey; Rob Hall; and Paul Connery, Fogerty President.

Councilmember Clark asked about Fogerty's ownership mix with the hockey associations and financial support from the City. Mr. Larson stated the nine board of directors members represent the entire County. He stated four members represent Blaine hockey; two members represent Spring Lake Park hockey; one City Council member, Councilmember Clark; one county representative, Tony Plumbo; and one County-at-large member. He stated the City initially contributed funds in 1982 and contributes occasionally for snow plowing and landscaping.

Councilmember Clark commented Fogerty operates in the black and does not use any funding from the City. He stated there is a lot of community excitement for the new facility.

Mayor Ryan stated Fogerty was built by volunteers.

Councilmember Bourke commented Blaine is a community for sports.

**Moved by Councilmember Clark, seconded by Councilmember Hovland, that this Resolution be Adopted. The Motion was adopted unanimously.**

12.3 [MO 12-042](#)

**AUTHORIZE THE CITY TO ENTER INTO CONTRACT WITH SRF CONSULTING GROUP, INC. TO PROVIDE SERVICES FOR THE RELOCATION OF AQUATORE PARK FIELD #1 IN THE AMOUNT OF \$26,404.**

**Sponsors:** Kappelhoff

**Attachments:** [Aquatore #1 Proposed Site & Construction Map.pdf](#)

**Moved by Councilmember Bourke, seconded by Councilmember Clark, that this Motion be Approved. The Motion was adopted unanimously.**

11.1 [RES 12-035](#)

**GRANTING 15-FOOT VARIANCE TO THE 25-FOOT PARKING LOT SETBACK REQUIREMENT ON THE SOUTHWEST SIDE OF THE SITE AT 13200 CENTRAL AVENUE NE. WAY OF THE SHEPHERD. (CASE FILE NO. 12-0004/LSJ)**

**Sponsors:** Schafer

**Attachments:** [Attachments.pdf](#)  
[Public Comments.pdf](#)

Community Development Director Schafer stated the Way of the Shepherd school is requesting a variance be granted that allows them to leave their parking lot as it exists. He stated the setback for the parking area is 10-feet which would require a 15-foot variance. He stated the school does not have the money to remove the 10-feet of asphalt to create a 20-foot parking setback and they do not want to lose a row of parking stalls.

Mayor Ryan stated he received a call from the contractor about not removing the parking spaces.

Councilmember Kolb asked if the land is sold, would the parking lot remain the same. Community Development Director Schafer stated yes.

Moved by Mayor Pro Tem Kolb, seconded by Councilmember Herbst, that this Resolution be Adopted. The Motion was adopted unanimously.

**The Following Ordinance is Scheduled for First Reading**

11.3 [ORD 12-2249](#)

**CODE AMENDMENT TO SECTION 29.30 R-1 (SINGLE FAMILY) OF THE ZONING ORDINANCE TO ALLOW, AS A PERMITTED USE, THE OF STEEL PANEL (STANDING SEAM) METAL ROOF MATERIALS. CITY OF BLAINE (CASE FILE NO. 12-0006/BKS)**

**Sponsors:** Schafer

**Attachments:** [Metal Roof Pic.jpg](#)

Community Development Director Schafer stated a zoning code amendment was adopted in June 2011 that allows standing seam metal roofs in the City's large lot residential districts Residential Estate (RE) and Farm Residential (FR). He stated it was determined that the amendment and the ability for standing seam metal roofs would not apply to standard R-1 zoning. He stated currently the R-1 does allow metal roofing materials but they would need to be a shingle style similar to wood, tile, slate fiberglass or asphalt.

Declared by Mayor Ryan that Ordinance 12-2249, Code Amendment to Section 29.30 R-1 (Single Family) of the Zoning Ordinance to Allow, as a Permitted Use of Steel Panel (Standing Seam) Metal Roof Materials" be introduced and placed on file for second reading at the April 16, 2012 Council meeting.

**The Following Two Items are Related**

11.4A [RES 12-037](#)

**RESOLUTION GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE 4.80 ACRES INTO FOUR (4) DETACHED TOWNHOME LOTS TO BE KNOWN AS WOODLAND VILLAGE AT WOODLAND PARKWAY/GHIA STREET NE. (CASE FILE NO. 12-0008/SLK)**

**Sponsors:** Schafer

**Attachments:** [Plat Attachments.pdf](#)

Community Development Director Schafer stated the applicant, Woodland Development, is requesting approval to final plat four lots that were a part of the original preliminary plat for Woodland Village that was approved in 2006. He stated the final plat proposal consists of subdividing approximately 4.8 acres into a subdivision with a total of four dwelling units for detached townhome units. The final plat also includes outlots for future development and a private drive.

Moved by Councilmember Swanson, seconded by Councilmember Bourke, that this Resolution be Adopted. The Motion was adopted unanimously.

11.4B [RES 12-038](#)

**RESOLUTION GRANTING A CONDITIONAL USE PERMIT AMENDMENT FOR EXTERIOR MATERIAL STANDARDS FOR FOUR (4) DETACHED TOWNHOME LOTS IN WOODLAND VILLAGE AT WOODLAND PARKWAY/GHIA STREET NE. (CASE FILE NO. 12-0008/SLK)**

**Sponsors:** Schafer

**Attachments:** [CUP Attachments.pdf](#)

*Community Development Director Schafer stated the applicant, Woodland Development, is requesting approval to final plat four lots that were a part of the original preliminary plat for Woodland Village that was approved in 2006. He stated Woodland Development is proposing to continue the cottage style construction with premium grade steel horizontal siding, vinyl shakes and cultured stone.*

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that this Resolution be Adopted. The Motion was adopted unanimously.

12. ADMINISTRATION

12.1 [RES 12-039](#)

**PROVIDING FOR THE COMPETITIVE SALE OF GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2012A, IN THE AMOUNT OF \$1,970,000**

**Sponsors:** Huss

**Attachments:** [Springsted Recommendations - Series 2012AB](#)

*Finance Director Huss stated the resolution calls for the sale of \$1,970,000.00 in General Obligation Improvement Bonds and sets the sale date of these bonds for May 3, 2012. He stated the proceeds from the bonds will be used to reimburse the City and fund the Pavement Management Program (PMP) project costs related to public improvements that have been funded at least in part by assessments against property owners.*

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that this Resolution be Adopted. The Motion was adopted unanimously.

12.2 [RES 12-040](#)

**PROVIDING FOR THE COMPETITIVE SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012B, IN THE AMOUNT OF \$2,995,000**

**Sponsors:** Huss

*Finance Director Huss stated the resolution calls for the sale of \$2,995,000.00 in General Obligation Improvement Bonds, and sets the sale date of these bonds for May 3, 2012. He stated the bonds would be issued per MN Statues and the proceeds from the bonds will be used to refund the City's General Obligation*



*Improvement Bonds, Series 2004B. He stated the 2004B bonds have a final maturity of February 1, 2020. The refunding would not extend the maturity schedule and is expected to result in net present values savings of \$111,000.00.*

**Moved by Councilmember Hovland, seconded by Councilmember Herbst, that this Resolution be Adopted. The Motion was adopted unanimously.**

**12.4**     [RES 12-041](#)

**ACCEPT BID FROM PEARSON BROS., INC. IN THE  
AMOUNT OF \$166,784.34 FOR THE 2012 SEAL COAT  
PROGRAM (IMPROVEMENT PROJECT NO. 12-02)**

**Sponsors:**     Keely

**Attachments:**     [project location mp.pdf](#)

*City Engineer Keely stated a total of three bids were received for the project and it is recommended that the lowest bid be accepted and a contract entered into with Pearson Brothers, Inc. She stated the Council is also asked to approve a 5% contingency to bring the total project budget to \$175,123.55. She stated the bid for the seal coat project, including the 5% contingency is within the amount budgeted.*

*Councilmember Kolb asked if the contingency should be 10% instead of 5%. City Engineer Keely replied the contingency is based on the amount budgeted.*

**Moved by Mayor Pro Tem Kolb, seconded by Councilmember Herbst, that this Resolution be Adopted. The Motion was adopted unanimously.**

**12.5**     [RES 12-042](#)

**ACCEPT BID FROM HIGHWAY TECHNOLOGIES, INC.  
IN THE AMOUNT OF \$40,610.27 FOR THE 2012  
PAVEMENT MARKINGS (IMPROVEMENT PROJECT NO.  
12-03)**

**Sponsors:**     Keely

*City Engineer Keely stated a total of three bids were received for the project and it is recommended that the lowest bid be accepted and a contract entered into with Highway Technologies. She stated the Council is also asked to approve a 10% contingency to bring the total project budget to \$44,671.30. The low bid for the pavement markings including the 10% contingency is within the amount budgeted.*

*Mayor Ryan asked for the total mileage. City Engineer Keely replied she didn't have the total mile number. She stated it is all the striping and line work that is in the city.*

**Moved by Mayor Pro Tem Kolb, seconded by Councilmember Bourke, that this Resolution be Adopted. The Motion was adopted unanimously.**

**13.     OTHER BUSINESS**

*Councilmember Swanson stated the sidewalk on Lincoln Street has dropped. He asked staff to check the sidewalk. Mayor Ryan confirmed that Councilmember Swanson is referring to the sidewalk along Aquatore Park.*

*Councilmember Clark asked for an update on the Vet Clinic's fire sprinkler work which is due in May. Community Development Director Schafer replied staff will check with them and update the Council.*

*Mayor Ryan stated a business meeting will be held at Rasmussen College on April 10, 2012, from 7:30-8:30 p.m. Councilmember Swanson asked staff to send a reminder email to the Council.*

*City Clerk Cross stated the Special Board of Review meeting is scheduled for April 16, 2012.*

**14. ADJOURNMENT**

**Moved by Councilmember Herbst, seconded by Councilmember Bourke, that this meeting be Adjourned. The Motion was adopted unanimously. The meeting adjourned at 8:50 p.m.**