



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

10801 Town Square Drive  
Blaine MN 55449

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Thursday, November 19, 2015

7:30 PM

Council Chambers

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

The meeting was called to order at 7:38 p.m. by Mayor Ryan followed by the Pledge of Allegiance and the Roll Call.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

Quorum present.

**ALSO PRESENT:** City Manager Clark Arneson; City Attorney Patrick Sweeney; Planning and Community Development Director Bryan Schafer; Public Services Manager Bob Therres; Finance Director Joe Huss; Police Captain Dan Szykulski; Public Works Director Mike Ulrich; Communications Technician Roark Haver; Senior Engineering Technician Jason Sundeen; City Clerk Catherine Sorensen; and Recording Secretary Linda Dahlquist.

**Present:** 7 - Tom Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**4. APPROVAL OF MINUTES**

**4.-1 [MIN 15-33](#) RECENTLY HELD MEETINGS**

Councilmember Bourke requested verbatim minutes for agenda item 11.3 of the Regular Meeting Minutes of November 5, 2015.

Councilmember King requested verbatim minutes for agenda item 12.3 of the Regular Meeting Minutes of November 5, 2015.

**Moved by Councilmember Herbst, seconded by Councilmember Bourke, that the Workshop Closed Session Minutes of November 5, 2015, and the Workshop Meeting Minutes of November 5, 2015, be approved.**

**Motion adopted 5-0-2 (Councilmembers Clark and Hovland abstained due to their absence).**

**Aye:** 5 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst and Councilmember King

**Abstain:** 2 - Councilmember Clark and Councilmember Hovland

**5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS**

None.

**6. COMMUNICATIONS**

Mayor Ryan welcomed Gavin Sparks from Boy Scout Troop 522 - Blaine United Methodist Church to the Council meeting. Mr. Sparks shared that he is working on his Citizenship in the Community badge.

Mayor Ryan thanked the volunteers for the exceptional Veterans Day programs held throughout the City and at the Blaine High School. He stated residents may drop off toys at the Dollar Store on Ulysses Street and if any veteran family needs help with Christmas needs to contact him. Mayor Ryan noted the Veterans Administration reported that there are 103 Minnesota veterans still missing in action.

Councilmember Clark stated the Anoka County Historical Society will present the History of Blaine at the Anoka County Library on Highway 10 on November 21, 2015.

**7. OPEN FORUM FOR CITIZEN INPUT**

Mayor Ryan opened the Open Forum at 7:44 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:45 p.m.

**8. ADOPTION OF AGENDA**

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

Moved on the agenda to follow agenda item 11.9.

**10. APPROVAL OF CONSENT AGENDA:**

**Moved by Councilmember Swanson, seconded by Councilmember Hovland, that the following be approved:**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**10.-1 [MO 15-134](#)**

**SCHEDULE OF BILLS PAID**

Approved

- 10.-2 [MO 15-135](#) ACCEPTANCE OF DONATIONS FOR PARKS AND RECREATION PROGRAMS

Approved

- 10.-3 [MO 15-136](#) AUTHORIZING PAYMENT TO XCEL ENERGY FOR THE TRUNK SANITARY SEWER AND WATER MAIN PROJECT IN THE AMOUNT OF \$36,104.77, IMPROVEMENT PROJECT NO. 14-14

Approved

## 11. DEVELOPMENT BUSINESS

- 11.-1 [MO 15-137](#) GRANTING APPROVAL OF THE CONSENT AND ESTOPPEL REGARDING DEVELOPMENT CONTRACTS FOR THE LAKES OF RADISSON

Planning and Community Development Director Schafer stated the applicant is preparing to sell development-related assets to M/I Homes and is requesting approval to assign current developers agreements for three active plats in the Lakes of Radisson.

Councilmember Bourke asked about the escrow. Planning and Community Development Director Schafer replied the City will continue to retain any escrows currently being held until such time of their release.

**Moved by Councilmember King, seconded by Mayor Ryan, that Motion 15-137, "Granting Approval of the Consent and Estoppel Regarding Development Contracts for the Lakes of Radisson," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

- 11.-2 [RES 15-183](#) GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE 6.34 ACRES INTO 18 SINGLE FAMILY LOTS AND FOUR (4) OUTLOTS TO BE KNOWN AS WOODLAND VILLAGE 11TH ADDITION, LOCATED AT 119TH CIRCLE/WOODLAND PARKWAY. WOODLAND DEVELOPMENT. (CASE FILE NO. 15-0068/SLK)

Planning and Community Development Director Schafer stated the final plat proposal consists of subdividing 6.34 acres into a subdivision with a total of 18 lots creating single-family residential units. He noted work will be done in

the spring and homes sold in the summer.

Councilmember King asked if there are going to be both one- and two-story homes. Planning and Community Development Director Schafer replied there will be both one- and two-story homes in this development.

Councilmember Clark asked about buffering from the park. Planning and Community Development Director Schafer replied the park is already in place so no further buffering is necessary.

**Moved by Councilmember Herbst, seconded by Councilmember Clark, that Resolution 15-183, "Granting Final Plat Approval to Subdivide 6.34 Acres into 18 Single Family Lots and Four (4) Outlots to be known as Woodland Village 11th Addition, Located at 119th Circle/Woodland Parkway. Woodland Development," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**11.-3** [RES 15-184](#)

GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE 52 ACRES INTO 29 SINGLE FAMILY HOMES AND 3 OUTLOTS TO BE KNOWN AS WAGAMON RANCH 2ND ADDITION, LOCATED AT 132ND AVENUE/HARPERS STREET NE. WAGAMON RANCH LLC. (CASE FILE NO. 15-0067/LSJ)

Planning and Community Development Director Schafer stated the final plat contains 29 single-family lots and 3 outlots. He noted the developer has responsibility for financial participation in the plat's share of the cost of off-site improvements required by Anoka County on 125th Avenue NE at Harpers Street.

**Moved by Councilmember Herbst, seconded by Councilmember Bourke, that Resolution 15-184, "Granting Final Plat Approval to Subdivide 52 Acres into 29 Single Family Homes and 3 Outlots to be known as Wagamon Ranch 2nd Addition, Located at 132nd Avenue/Harpers Street NE. Wagamon Ranch LLC," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**11.-4** [RES 15-185](#)

GRANTING A COMPREHENSIVE LAND USE PLAN AMENDMENT FROM LDR (LOW DENSITY RESIDENTIAL) TO MDR (MEDIUM DENSITY RESIDENTIAL) FOR THE ASPEN GARDENS ASSISTED LIVING DEVELOPMENT AT 9103 LEXINGTON AVENUE NE. ASPEN GARDENS ASSISTED LIVING. (CASE FILE NO. 15-0057/SLK)

Planning and Community Development Director Schafer stated the applicant is proposing to construct an assisted living and memory care facility (Aspen

Gardens) on Lexington Avenue. He stated the site is zoned R-1 (Single Family) with LDR (Low Density Residential) land use. He noted the LDR land use does not allow for the proposed density and must be changed to MDR (Medium Density Residential) to accommodate an assisted living facility.

**Moved by Councilmember Swanson, seconded by Councilmember Clark, that Resolution 15-185, "Granting a Comprehensive Land Use Plan Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) for the Aspen Gardens Assisted Living Development at 9103 Lexington Avenue NE. Aspen Gardens Assisted Living," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**11.-5** [ORD 15-2330](#)

**SECOND READING**

**GRANTING A REZONING FROM R-1 (SINGLE FAMILY) TO DF (DEVELOPMENT FLEX) FOR THE ASPEN GARDENS ASSISTED LIVING DEVELOPMENT AT 9103 LEXINGTON AVENUE NE. ASPEN GARDENS ASSISTED LIVING. (CASE FILE NO. 15-0057/SLK)**

Planning and Community Development Director Schafer stated Aspen Gardens will construct 21 assisted living units and 20 memory care units for a total of 41 units within the building.

**Moved by Councilmember Swanson, seconded by Councilmember Herbst, that Ordinance 15-2330, "Granting a Rezoning from R-1 (Single Family) to DF (Development Flex) for the Aspen Gardens Assisted Living Development at 9103 Lexington Avenue NE. Aspen Gardens Assisted Living," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**11.-6** [RES 15-186](#)

**GRANTING PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 4.85 ACRES INTO ONE (1) LOT (6 EXISTING LOTS AND A PORTION OF A LOT) TO BE KNOWN AS ASPEN GARDENS, LOCATED AT 9103 LEXINGTON AVENUE NE. ASPEN GARDENS ASSISTED LIVING. (CASE FILE NO. 15-0057/SLK)**

Planning and Community Development Director Schafer stated Aspen Gardens will construct 21 assisted living units and 20 memory care units for a total of 41 units within the building.

**Moved by Councilmember Bourke, seconded by Councilmember Hovland, that Resolution 15-186, "Granting Preliminary Plat Approval to Subdivide 4.85 Acres into One (1) Lot (6 Existing Lots and a Portion of a Lot) to be known as Aspen Gardens, Located at 9103 Lexington Avenue NE. Aspen Gardens Assisted Living," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**11.7 [RES 15-187](#)**

GRANTING A CONDITIONAL USE PERMIT TO CONSTRUCT A 34,590 SQUARE FOOT, 41 UNIT ASSISTED LIVING FACILITY IN A DF (DEVELOPMENT FLEX) ZONING DISTRICT AT 9103 LEXINGTON AVENUE NE. ASPEN GARDENS ASSISTED LIVING. (CASE FILE NO. 15-0057/SLK)

Planning and Community Development Director Schafer stated Aspen Gardens will construct 21 assisted living units and 20 memory care units for a total of 41 units within the building.

**Moved by Councilmember Hovland, seconded by Mayor Ryan, that Resolution 15-187, "Granting a Conditional Use Permit to Construct a 34,590 Square Foot, 41 Unit Assisted Living Facility in a DF (Development Flex) Zoning District at 9103 Lexington Avenue NE. Aspen Gardens Assisted Living," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**11.8 [RES 15-188](#)**

GRANTING PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 14.03 ACRES INTO ONE (1) LOT TO BE KNOWN AS BLAINE PRESERVE BUSINESS PARK FOURTH ADDITION, LOCATED AT 3705 95TH AVENUE NE. UNITED PROPERTIES INVESTMENT, LLC. (CASE FILE NO. 15-0062/SLK)

Planning and Community Development Director Schafer stated the applicant is requesting approval of a preliminary plat to replat an outlot in the original plat, a conditional use permit for the development of a new site in the plat, a zero lot line for a shared access, and an 8-foot fence on the north property line which all uses in a PBD zoning district require a separate conditional use permit.

**Moved by Councilmember Swanson, seconded by Councilmember Bourke, that Resolution 15-188, "Granting Preliminary Plat Approval to Subdivide 14.03 Acres into One (1) Lot to be Known as Blaine Preserve Business Park Fourth Addition, Located at 3705 95th Avenue NE. United Properties Investment, LLC," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**11.9 [RES 15-189](#)**

GRANTING APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW FOR CONSTRUCTION OF ONE (1) 201,600 SQUARE FOOT OFFICE/WAREHOUSE BUILDING, AN EIGHT (8) FOOT

SOLID FENCE ON NORTH PROPERTY LINE AND FOR SHARED PARKING AND ACCESS, IN A PBD (PLANNED BUSINESS DISTRICT) ZONING DISTRICT FOR BLAINE PRESERVE BUSINESS PARK FOURTH ADDITION AT 3705 95TH AVENUE NE. UNITED PROPERTIES INVESTMENT, LLC. (CASE FILE NO. 15-0062/SLK)

Planning and Community Development Director Schafer stated the applicant is requesting approval of a preliminary plat to replat an outlot in the original plat, a conditional use permit for the development of a new site in the plat, a zero lot line for a shared access, and an 8-foot fence on the north property line which all uses in a PBD zoning district require a separate conditional use permit.

Brandon Champeau, Vice President of United Properties, stated United Properties is planning to start construction in spring 2016. He noted the concrete will be precast.

Councilmember Swanson asked about other parcels that could handle the size of the building. Planning and Community Development Director Schafer replied yes, there are other three-acre parcels that would fit the same size building.

Planning and Community Development Director Schafer asked Mr. Champeau about interest in the three-acre parcel. Mr. Champeau replied there was a small manufacturing company that was interested but smaller buildings are expensive to build and it would not work out.

Councilmember Bourke asked about truck docks. Planning and Community Development Director Schafer replied truck docks will be in the back but not across the entire building.

**Moved by Mayor Ryan, seconded by Councilmember Hovland, that Resolution 15-189, "Granting Approval of a Conditional Use Permit to Allow for Construction of One (1) 201,600 Square Foot Office/Warehouse Building, an Eight (8) Foot Solid Fence on North Property Line and for Shared Parking and Access, in a PBD (Planned Business District) Zoning District for Blaine Preserved Business Park Fourth Addition at 3705 95th Avenue NE. United Properties Investment, LLC," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

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

**9.-1**   [ORD 15-2332](#)   **SECOND READING**

AN ORDINANCE AMENDING APPENDIX C - FRANCHISES ARTICLE II. - CABLE TELEVISION FRANCHISE OF THE CODE OF ORDINANCES OF THE CITY OF BLAINE GRANTING A FRANCHISE TO QWEST BROADBAND SERVICES, INC., D/B/A CENTURYLINK, TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE SYSTEM IN THE CITY OF BLAINE, MINNESOTA, FOR THE PURPOSE OF PROVIDING CABLE SERVICE; SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR REGULATION AND USE OF THE SYSTEM AND THE PUBLIC RIGHTS-OF-WAY IN CONJUNCTION WITH THE CITY'S RIGHT-OF-WAY ORDINANCE, IF ANY; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS HEREIN

Mayor Ryan opened the public hearing at 8:04 p.m.

Michael Bradley, Attorney with Bradley Hagen & Gulikson, representing North Metro Telecommunications Commission. He stated the Commission has negotiated a cable television franchise with CenturyLink.

Councilmember Clark asked when the residents can sign up for service CenturyLink and what is CenturyLink bringing to residents. Mr. Bradley replied he expects January 1, 2016 and will roll out over time to residents.

Councilmember King clarified that CenturyLink already provides services to residents. Mr. Bradley replied CenturyLink currently provides phone and internet service and this agreement will allow cable television service that can be bundled for the residents.

Councilmember Clark asked about the fiber optic infrastructure. Mr. Bradley replied CenturyLink has existing fiber optic in the City, which will be used and plans to install fiber optic where there is none.

Patrick Hagerty, CenturyLink, stated the franchise is branded as Prism and is all digital. He stated there are applications installed within the CenturyLink service that work with smartphones and iPads. He stated 240 channels are high definition and offer whole home DVRs and wireless set top box that only uses an electrical outlet for power.

Councilmember Herbst asked about the franchise fees and how it can be used. City Manager Arneson stated the funds the City receives from franchise fees are used for the production of the City's public television and other cable uses.

Mr. Bradley stated PEG fees are required to be spent on television. He noted that the franchise fees are committed.

Councilmember Herbst requested further information on franchise fee



restrictions and use of funds.

Mayor Ryan closed the public hearing at 8:13 p.m.

**Declared by Mayor Ryan that Ordinance 15-2332, "An Ordinance Amending Appendix C – Franchises Article II. Cable Television Franchise of the Code of Ordinances of the City of Blaine Granting a Franchise to Qwest Broadband Services, Inc., DBA CenturyLink, to Construct, Operate and Maintain a Cable System in the City of Blaine, Minnesota, for the purpose of Providing Cable Service; Setting Forth Conditions Accompanying the Grant of the Franchise; Providing for Regulation and Use of the System and the Public Rights-of-Way in Conjunction with the City's Right-of-Way Ordinance, if any; and prescribing Penalties for the Violation of the Provisions Herein" be introduced and placed on file for second reading at the December 3, 2015, Council meeting.**

#### **DEVELOPMENT BUSINESS - continued**

11. [ORD 15-2331](#) SECOND READING  
-10

GRANTING A REZONING FROM I-1 (LIGHT INDUSTRIAL) TO I-2A (HEAVY INDUSTRIAL) AT 9949 NAPLES STREET NE. CROWN ENTERPRISES, INC. (CASE FILE NO. 15-0051/BKS)

Planning and Community Development Director Schafer stated Crown Enterprises is a national truck freight company pursuing a 40-acre site on Naples Street that is not zoned or guided properly for this business. He noted the applicant would need I-2A (Heavy Industrial). He stated staff is not in favor of this project at this location as the Comprehensive Plan does not include this use in this area and that the Planning Commission voted to deny the rezoning as well.

Peter Coil, land use attorney, stated he is representing Crown Enterprises. He stated there is a disagreement about the use of this site and noted there are similar uses in the area.

Michael Campesi, President of Crown Enterprises, stated Crown is a large real-estate entity that is family owned. He stated Crown Enterprises is a large landlord and holder of properties and rarely sells properties. He stated from the street it will have an office front and the site does not mix with retail or residential.

Dan Onifer, Project Manager, stated Crown Enterprises has responded to all staff concerns. He stated Central Transport is an LTL carrier and has a 60-door terminal in Mounds View. He stated the proposed project is 160-door truck terminal. He noted there would be two types of truck drivers and freight leaving the terminal. He stated from 7:30 a.m.-10:00 a.m. approximately 27 trucks leaving the terminal and line haul or highway from 7:00-9:00 p.m. He stated the traffic will be strictly on Naples Street to 35W. He noted truck traffic is projected to be 120 trips per day, which equals one

truck every 5-6 minutes.

Mr. Coil stated the use of the property is entirely appropriate. He stated the business will attract well-paying jobs to the City. He noted the volume of truck traffic is modest.

Michael Strauss, 10101 Naples, stated he doesn't object to having a new neighbor but noted there is already enough truck traffic in the area. He stated there have been a lot of developers that have come and gone and there is not a lot of interest in the property. Mr. Strauss stated he would like to sell his property eventually. He doesn't know if heavy or light industrial makes a difference. He noted there is a lot of traffic especially from the asphalt company in the summer and the road gets really busy. He stated if a zoning change is granted, he would want to request a zoning change for his property as well. He noted there have been multiple projects proposed but nothing has developed.

Mayor Ryan commented there are access issues with other properties in the area.

Mr. Strauss commented the wetland is an issue in the area and remains undeveloped. He stated he would want his zoning changed too if this request is granted.

Councilmember Hovland asked about the on-site maintenance shop and the type of services the shop will perform. Mr. Campesi replied the maintenance shop would be for their own trucks. He noted that some parts will be purchased locally and others nationally.

Mayor Ryan asked about rebuilding trucks. Mr. Campesi replied truck rebuilding is done in Michigan.

Councilmember Hovland stated he is most concerned about traffic, especially through the residential neighborhood to the south but noted there is a lack of Heavy Industrial in the City. He commented the City is not looking to become the trucking capital of the state.

Councilmember Bourke asked how long the property was on the market and how much are taxes. Planning and Community Development Director Schafer replied the property has been vacant a long time and did not have the tax amount available.

Mayor Ryan stated he has been in the trucking business a long time. He stated there are several trucking firms in the area as well as the 100 buses from the park and ride. He noted that trucking pay is higher. Mayor Ryan stated he will support this project.

Councilmember Clark commented he has a trucking history as well. He stated he is not in favor of this project because this use is contrary to the City's vision. He stated if trucking is approved for this site, other trucking firms will locate to this area. He stated he is concerned that the airport would want to change their use, which would be done by MAC, FAA and the Legislature. He stated for the long term value, light industrial use is best for this area.

Councilmember Swanson stated representatives from Crown have answered his questions. He stated other land owners want trucking on their properties as well. He stated he has talked to another property owner that wants trucking on his property.

Councilmember Clark commented that the development on 109th and Lexington Avenues will spur more traffic on Naples Street.

Councilmember Hovland commented other property owners want to sell and develop their land and the City is holding these property owners up. He noted the City needs to be flexible. He asked if the Comprehensive Plan can be changed on usage and suggested a moratorium could be put in place.

City Manager Arneson replied a moratorium could be done but a study would have to be completed and results reported, adding it would only temporarily delay further inquiries.

Councilmember Swanson asked about a specific property owner who attended the Planning Commission meeting and his comments on this proposal. Planning and Community Development Director Schafer replied that property owner did not want the zoning changed.

Councilmember King stated he supports the project and it would be a good use for the area. He noted there are no major improvements needed. He stated the company is well run and would bring jobs to the City. He requested a workshop be scheduled to discuss uses in I-2A zoning.

Councilmember Herbst stated the company is creating good jobs and a nice building.

Mayor Ryan commented there is currently no freight uses at the Blaine airport and that this use could not be supported so there is no need for that concern. Mr. Campesi commented his company would not service the airport.

Councilmember Herbst stated he is in support of this project. He noted that this use fits the area.

Councilmember Bourke stated he knows the property owner and he is in support of the project.

Councilmember Clark stated while he is impressed with the firm he is sympathetic to the surrounding property owners.

Councilmember Swanson stated he has no opposition to the company but does oppose the proposed use.

**Declared by Mayor Ryan that Ordinance 15-2331, "Granting a Rezoning from I-1 (Light Industrial) to I-2A (Heavy Industrial) at 9949 Naples Street NE. Crown Enterprises, Inc." be introduced and placed on file for second reading at the December 3, 2015, Council meeting.**

**Moved by Councilmember King, seconded by Councilmember Herbst, to schedule a workshop on I-2A (Heavy Industrial) zoning.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

## 12. ADMINISTRATION

### 12.-1 [MO 15-138](#)

#### AWARD RFP FOR UTILITY SCADA SYSTEM UPGRADE

Public Works Director Ulrich stated staff received three bids in response to an RFP and is recommending the Council award the contract to InControl to supply, integrate and install a new Supervisory Control and Data Acquisition (SCADA) system.

Councilmember Herbst left the meeting at 9:14 p.m.

**Moved by Mayor Ryan, seconded by Councilmember Swanson, that Motion 15-138, "Award RFP for Utility Scada System Upgrade," be approved.**

**Motion adopted 6-0-1 (Councilmember Herbst absent for the vote).**

**Aye:** 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Clark, Councilmember King and Councilmember Hovland

**Abstain:** 1 - Councilmember Herbst

Councilmember Herbst returned to the meeting at 9:15 p.m.

### 12.-2 [RES 15-190](#)

#### CERTIFY DELINQUENT UTILITY ACCOUNTS AND INVOICES TO ANOKA COUNTY

Finance Director Huss stated the Council annually certifies delinquent utilities and unpaid invoices for mowing, false alarms, and meter repairs to Anoka County for collection with the following year's property taxes. He stated that

notice has been sent to all affected property owners regarding their respective delinquent bills and if payment is not received before the deadline for remittance to the County, the resolution authorizes staff to certify the amount due to the Anoka County Auditor for collection with the 2016 property taxes.

**Moved by Councilmember Hovland, seconded by Mayor Ryan, that Resolution 15-190, "Certify Delinquent Utility Accounts and Invoices to Anoka County," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**12.-3** [RES 15-191](#)

**ADOPT 2016 SANITATION UTILITY FUND BUDGET**

Finance Director Huss stated the 2016 Sanitation Utility Fund budget reflects a change in haulers on January 1, 2016 to Walter's Refuse and Recycling and a 17% increase in tipping fees.

Councilmember Swanson asked about adding a fourth fee level. Finance Director Huss replied the hauler would like to research over a nine-month period prior to potentially initiating a fourth tier.

Councilmember Swanson noted that residents do not have to go with a larger container. Finance Director Huss replied residents can choose the size of their container.

**Moved by Councilmember Swanson, seconded by Mayor Ryan, that Motion 15-191, "Adopt 2016 Sanitation Utility Fund Budget," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**12.-4** [MO 15-139](#)

**AUTHORIZE AGREEMENT FOR INVESTMENT PORTFOLIO MANAGER**

Finance Director Huss stated five bids were received from an RFP and staff is recommending Council authorize the City Manager to enter into an agreement with US Bank Municipal Advisory Group to provide investment management services for the City of Blaine. He noted US Bank's pricing structure for portfolio management, securities custody, and associated banking services provides the City with the most cost-effective solution for services.

Councilmember Bourke asked about the fee amounts and contract detail. Finance Director Huss replied this was not a bid process but a proposal and explained that based on basis points and other factors US Bank's fees were the lowest overall.

Councilmember Bourke asked about the security of the City's funds. Finance Director Huss replied the precautions are the same as it currently is with staff managing the portfolio. He stated there are restrictions and statutes in place and that US Bank are required to follow staff instructions.

Councilmember Bourke asked what funds are invested. Finance Director Huss replied the funds that are in reserve are lumped into one and managed. He noted the current portfolio is managed by staff.

Councilmember Clark asked about the fee for the firm to manage the portfolio and how much staff time is currently being spent to manage the portfolio. Finance Director Huss replied the fee is approximately \$30,000 and that while there is not much staff time spent to manage the portfolio we are also not doing as well as we could because of the lack of time that can be spent on this management.

Councilmember King inquired about the dollar amount of idle cash. Finance Director Huss replied the entire portfolio is \$60-70 million and idle cash is between \$10-15 million.

Councilmember King said gains alone will pay for the fee to manage the portfolio.

**Moved by Councilmember Herbst, seconded by Councilmember King, that Motion 15-139, "Authorize Agreement for Investment Portfolio Manager," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

## 12.-5 [ORD 15-2333](#)

### SECOND READING

#### AMENDING SECTION 74-81(g)(4)g OF THE MUNICIPAL CODE OF THE CITY OF BLAINE ESTABLISHING 2016 PARK DEDICATION FEES

Public Services Manager Therres stated annually on January 1 the Council adjusts the park dedication fees. He noted park dedication fees are updated separately from the annual fee schedule ordinance. He stated the adjustment is determined by the percent of increase in the fair market value of under developed land within the City and must not exceed 10% increase. He stated staff is recommending the Council adopt a 10% increase for residential fee; 5% increase for commercial fee; and 5% increase for industrial fee for 2016.

Councilmember Herbst asked how the park dedication funds are used. Public Services Manager Therres replied the funds are used for new and existing parks.

Councilmember Herbst stated he does not support the commercial rate increase. He asked how long the residential rate has been at 10%. Public Services Manager Therres replied residential has been at 10% for three years.

Councilmember Swanson requested rates for Arden Hills and Edina.

Councilmember King stated he is not in support of any commercial increase.

City Attorney Sweeney stated since the Council has substantially the ordinance first reading should be postponed and brought back again incorporating the new rates as proposed by Council.

Council postponed first reading to the December 3, 2015 meeting with the noted changes.

**Postponed**

**12.-6 [ORD 15-2328](#)**

**SECOND READING**

**AMENDING CHAPTER 14 - ANIMALS AND CHAPTER 54 - PARKS AND RECREATION, CODE OF ORDINANCES OF THE CITY OF BLAINE**

Police Captain Dan Szykulski stated staff is recommending changes to the animal-related ordinances in order to update and clarify references to police and canine rescue/service dogs, updates on restraint and on-leash, and removing verbiage for potentially dangerous dogs. Captain Szykulski shared that while staff has an internal procedure for monitoring potentially dangerous dogs there is no penalty that can be imposed. He said there are times when people move into the City with a potentially dangerous dog who are supposed to notify us and while staff does take this seriously there is no real penalty we can impose if they do not notify us. He noted first reading was scheduled to be held in October but since Council directed significant changes with regard to potentially dangerous and on-leash references first reading was being held now.

Councilmember Swanson asked if potentially dangerous dog definition is in Statute. Captain Szykulski said it is but we have no way to charge this. He said while we are abiding internally without an ordinance we cannot charge.

Councilmember Swanson asked if we can charge by State Statute. Captain Szykulski said we cannot unless it is in our ordinance.

Councilmember Clark clarified the off-leash reference does not apply to dogs that are in their own yard.

**Declared by Mayor Ryan that Ordinance 15-2328, "Amending Chapter 14 –**

**Animals and Chapter 54 – Parks and Recreation, Code of Ordinances of the City of Blaine” be introduced and placed on file for second reading at the December 3, 2015, Council meeting.**

**12.-7 [MO 15-140](#)**

**AUTHORIZE PAYMENT FOR SQUAD REPAIR**

Police Captain Dan Szykalski stated two police squad cars were damaged on September 28, 2015. He stated the League of Minnesota Cities insurance fund will cover the cost of the repairs and there are adequate funds in the account.

**Moved by Councilmember Herbst, seconded by Councilmember Bourke, that Motion 15-140, “Authorize Payment for Squad Repair,” be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**13. OTHER BUSINESS**

Mayor Ryan requested if residents wish to contact him regarding any concerns about homeland security to do so directly instead of sending letters and emails.

**Informational; no action required.**

**14. ADJOURNMENT**

**Moved by Councilmember Herbst, seconded by Councilmember Bourke, to adjourn the meeting at 9:45 p.m.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland