



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

10801 Town Square Dr.
Blaine MN 55449

Thursday, August 2, 2012

7:30 PM

Council Chambers

Meeting Number 12-44

1. CALL TO ORDER BY THE MAYOR

The meeting was called to order at 7:30 p.m. by Mayor Ryan followed by the Pledge of Allegiance and the Roll Call.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

ALSO PRESENT: Bryan Schafer, Community Development Director; Bob Therres, Public Services Manager; Joe Huss, Finance Director; Jean Keely, City Engineer; Chris Olson, Safety Service Manager/Police 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

4. APPROVAL OF MINUTES

4.1 [MIN 12-26](#)

WORKSHOP MEETING - 06/14/2012
WORKSHOP MEETING - 07/12/2012
REGULAR MEETING - 07/12/2012
WORKSHOP MEETING - 07/19/2012
REGULAR MEETING - 07/19/2012

Sponsors: Cross

Attachments: [Workshop Meeting 06/14/2012](#)
[Workshop Meeting 07/12/2012](#)
[Regular Meeting 07/12/2012](#)
[Workshop Meeting 07/19/2012](#)
[Regular Meeting 07/19/2012](#)

Mayor Ryan abstained from the Minutes of the Workshop Meeting of July 12, 2012 and the Minutes of the Regular Meeting of July 12, 2012 due to his absence. Councilmember Hovland abstained from the Minutes of the Workshop Meeting of July 12, 2012 and the Minutes of the Regular Meeting of July 12, 2012 due to his absence.

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that the Minutes be Approved. The Motion was adopted unanimously.

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

There were none.

6. COMMUNICATIONS

Mayor Ryan congratulated Ivan Arndt on his retirement after serving the City for 38 years.

Mayor Ryan thanked Andrea Hunt, Allina, Police Chief Olson, and staff on the success of the Safety Camp.

Mayor Ryan thanked the staff for another successful Blazin 4th Celebration.

Councilmember Bourke stated the 3M Championship is July 30 through August 5 and is free to attend.

Councilmember Kolb stated the Soccer Tournament was a great success. Mayor Ryan stated there were 19 countries represented with 900 teams that played 2,000 soccer games. Councilmember Herbst suggested the City work with MnDOT next year on the timing of the signal lights.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:35 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:36 p.m.

8. ADOPTION OF AGENDA

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

Moved in the agenda to follow agenda item 11.5B.

10. APPROVAL OF CONSENT AGENDA:

Approval of the Consent Agenda

Councilmember Swanson requested the removal of agenda item 10.3.

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

10.1 [MO 12-101](#)**SCHEDULE OF BILLS PAID**

Sponsors: Huss

Attachments: [06/29/12 Bills Paid](#)
 [07/13/12 Bills Paid](#)
 [07/20/12 Bills Paid](#)
 [June 2012 Payroll Checks and Wire Transfers](#)

Approved unanimously by Consent Vote.

10.2 [MO 12-096](#)**AUTHORIZING PAYMENT FOR TRAKIT SOFTWARE
MAINTENANCE AGREEMENT ANNUAL RENEWAL.**

Sponsors: Peters

Approved unanimously by Consent Vote.

10.3 [RES 12-107](#)**APPROVE A PREMISES PERMIT FOR CHARITABLE
GAMBLING
FOR SPRING LAKE PARK DISTRICT 16 YOUTH
HOCKEY AT
J.J. MURPHYS IRISH PUB, 10400 BALTIMORE STREET
NE, #200**

Sponsors: Cross

Councilmember Swanson asked about the number of licenses Spring Lake Park holds. City Clerk Cross responded Spring Lake Park is allowed up to four licenses. Councilmember Swanson requested the number of licenses be included in the agenda item.

Moved by Councilmember Swanson, seconded by Councilmember Herbst, that

this Resolution be Adopted. The Motion was adopted unanimously.

11. DEVELOPMENT BUSINESS

- 11.1 [RES 12-097](#) GRANTING A CONDITIONAL USE PERMIT TO ALLOW UP TO 3,000 SQUARE FEET OF ACCESSORY BUILDING SPACE IN A FR (FARM RESIDENTIAL) ZONING DISTRICT AT 12614 LEXINGTON AVENUE NE. ALBERT HUTCHINSON. (CASE FILE NO. 12-0017/GG)

Planning Commission Action

The Planning Commission voted unanimously to approve the conditional use permit. There were no comments at the public hearing.

Sponsors: Schafer

Attachments: [Attachments.pdf](#)

Planning and Community Development Director Schafer stated the applicant's driveway that leads to a detached garage will be lost due to the widening of Lexington Avenue. He stated to replace the loss of the driveway access to the garage; the applicant would like to construct a new 24' x 24' detached garage.

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

- 11.2 [RES 12-098](#) GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR OPERATION AND EXPANSION OF THE EXISTING CHARTER SCHOOL INSIDE NORTHTOWN MALL AT 508 NORTHTOWN DRIVE NE. PALADIN ACADEMY. (CASE FILE NO. 12-0018/LSJ)

Sponsors: Johnson

Attachments: [Attachments.pdf](#)

Planning and Community Development Director Schafer stated Paladin Academy wants to expand the school, which is located in the Northtown Mall. He stated the City is requiring Paladin to obtain a conditional use permit, which is required for schools in B-3 Regional Commercial zoning district.

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

11.3 [RES 12-099](#)

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW
FOR A 2,016 SQUARE FOOT ADDITION ONTO THE
EXISTING BUILDING AT 10250 XYLITE STREET NE.
UNITED TRAILER LEASING (CASE FILE NO.
12-0019/LSJ)**

Sponsors: Johnson

Attachments: [Attachments.pdf](#)
[Unapproved Planning Commission Minutes.doc](#)

Planning and Community Development Director Schafer stated United Trailer Leasing received a conditional use permit amendment that allowed for the business to operate a truck/trailer sales, leasing and repair business in a I-2A zoned area. He stated the CUP required site improvements of hard surfacing of the parking areas, curb and gutter installation, and landscaping to be done by 1999. The applicant wants to add an addition to the existing building in the future and is requesting a conditional use permit to allow the addition, so the site improvements that have not been completed will now need to be done.

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

11.4 [RES 12-100](#)

**GRANTING A CONDITIONAL USE PERMIT TO STORE
DUMPSTER CONTAINERS AND FOR THE
CONSTRUCTION AND OPERATION OF A NEW SOLID
WASTE TRANSFER FACILITY AND RECYCLING
FACILITY AT 2665 101st AVENUE NE. WALTER'S
RECYCLING AND REFUSE. (CASE FILE NO.
12-0020/SLK)**

Sponsors: Kaye

Attachments: [Attachments.pdf](#)
[Unapproved Planning Commission Minutes.doc](#)

Planning and Community Development Director Schafer stated the applicant is requesting a conditional use permit to store dumpster containers outside and to operate a waste transfer and recycling facility for construction and demolition debris, solid waste, yard waste, and recyclable materials. He stated the applicant will need two CUPs for the outside storage of dumpster containers and a waste transfer facility. He stated the applicant is proposing to construct a 120 foot by 100 foot (12,000 square foot) building on a vacant 7.5 acre parcel located on 101st Avenue NE which is zoned I-2 (Heavy Industrial). He commented the lot has large established trees so the City is not requiring a berm installed.

Councilmember Bourke asked about a tree issue on the east side of the lot. George Walter responded we added a maintenance facility on the east side of the property and two property owners wanted more screening. Mr. Walter agreed to pay for a portion of the trees.

Councilmember Herbst asked if Walter's will increase in employees with the new building. George Walter stated the new transfer station will have one employee. He commented the current facility is an eye sore and inefficient. He also wants to have a filling station installed at the new facility.

Mayor Ryan asked if the waste is cubed. George Walters responded the waste is loose. Residents will be able to drive into the building to unload their waste.

Mayor Ryan asked how far does Walter's drive to collect waste. George Walters responded Walter's goes as far as Elk River. Walter's has been in the City since 1958.

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

The Following Two Items are Related

11.5A [RES 12-101](#)

**GRANTING PRELIMINARY PLAT APPROVAL TO
SUBDIVIDE 9.32 ACRES INTO 33 SINGLE FAMILY LOTS
AND TWO (2) OUTLOTS TO BE KNOWN AS THE LAKES
OF RADISSON 52nd ADDITION AT 123rd LANE/NORTH
LAKES BOULEVARD. HANS HAGEN HOMES (CASE
FILE NO. 12-0021/SLK)**

Sponsors: Kaye

Attachments: [Attachments.pdf](#)

Planning and Community Development Director Schafer stated The Lakes of Radisson 52nd Addition consists of subdividing approximately 9.32 acres into a subdivision with 33 dwelling units, and two outlots for drainage and ponding. He stated the applicant is proposing to construct 33 detached single-family townhomes in a DF (Development Flex) zoning district. He stated the street going into the development is a public street.

Councilmember Swanson asked about overflow parking. Planning and Community Development Director Schafer responded parking should not be an issue.

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

11.5B [RES 12-102](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR CONSTRUCTION OF 33 SINGLE FAMILY HOMES IN A DF (DEVELOPMENT FLEX) ZONING DISTRICT FOR THE LAKES OF RADISSON 52nd ADDITION AT 123rd LANE/NORTH LAKES BOULEVARD. HANS HAGEN HOMES (CASE FILE NO. 12-0021/SLK)

Attachments: [Attachments.pdf](#)

Planning and Community Development Director Schafer stated The Lakes of Radisson 52nd Addition consists of subdividing approximately 9.32 acres into a subdivision with 33 dwelling units, two outlots for drainage and ponding. He stated the applicant is proposing to construct 33 detached single-family townhomes in a DF (Development Flex) zoning district. He stated a public hearing was held on July 10, 2012 and two residents had questions about the ponding and the outlots.

Councilmember Bourke asked if there are two associations. Planning and Community Development Director Schafer responded yes, there are two associations.

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

9.1 [RES 12-096](#)

ADOPTING ASSESSMENT FOR CONSTRUCTION OF A NORTHBOUND RIGHT TURN LANE ON LEXINGTON AVENUE NE AT WOODLAND PARKWAY NE, IMPROVEMENT PROJECT NO. 11-07

Sponsors: Keely

Attachments: [11-07FinalAsmt map.pdf](#)
[11-07 FinalAssmt roll](#)

Mayor Ryan opened the public hearing at 8:02 p.m.

City Engineer Keely stated the project involved construction of a northbound right turn lane on Lexington Avenue NE at Woodland Parkway NE and appurtenant construction. She stated the total project was \$193,236.00 and of the total cost, the amount to be assessed is \$116,000.00 over a ten-year period at an interest rate of 5percent. She noted that developer bond funds will be used to pay the remaining balance to reduce the proposed per lot assessment.

Mayor Ryan closed the public hearing at 8:03p.m.

Councilmember Herbst asked how the new residents in Gardenwood will be notified of the future park. Planning and Community Development Director Schafer responded the park is marketed in the development's brochure as an amenity. He stated the large lots next to the park have not been plotted.

Councilmember Clark suggested posting a "Future Development" sign at the site or posting a link to the Gardenwood development plans on the City's website.

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

9.2 [MO 12-095](#)

**CONDUCTING PUBLIC HEARING FOR PROPOSED
ASSESSMENT FOR INSTALLATION OF FIRE
SUPPRESSION SYSTEM AT COMPANION VETERINARY
HOSPITAL AT 625 COUNTY ROAD 10 NE
PIN # 31-31-23-43-0045**

Attachments: [Proposed Assessment Roll 625CountyRd10.xls](#)

Mayor Ryan opened the public hearing at 8:07 p.m.

Planning and Community Development Director Schafer stated the Council is asked to open the public hearing and bring comments from this hearing and continue the public hearing to the Council meeting on November 1, 2012. He stated this will give the applicant time to complete the necessary work by the November 1, 2012 deadline. The applicant has bids and understands the deadline of November 1, 2012. The proposed assessment will be levied to cover a portion of the cost of a fire suppression system in the amount of \$23,000 plus \$230 assessing fee for a total of \$ 23,230 that will be paid back over a ten year period at an interest rate of 5 percent. He stated funds will be drawn from the EDA cash reserves or pooled TIF dollars. He noted the applicant has signed an assessment agreement and is prepared to move forward with the work.

Councilmember Clark asked if other businesses have used EDA funds for sprinkler systems. Planning and Community Development Director Schafer responded there have been 7 to 8 businesses that have through the EDA Fire Grant Program. He stated this will be the first time through an additional assessment.

Councilmember Clark is concerned about setting precedence of using EDA funds for the assessment portion. He asked about the EDA fund balance. He commented the fund has not been levied in a long time. Planning and Community Development Director Schafer stated the Council approved using

EDA funds on July 12, 2012.

Councilmember Swanson stated the Council discussed this on July 12, 2012, and should not go back on the decision.

Councilmember Herbst stated the Council did discuss the funding on July 12, 2012, and he supports the decision.

Councilmember Kolb asked if this motion can be made finite for EDA funds.

Mayor Ryan commented if the owner sells the business at least the building is worth something.

Councilmember Hovland suggested modifying the criteria for EDA grants.

Councilmembers Clark and Herbst are concerned about the EDA fund balance.

Councilmember Swanson asked about the availability of pooled TIF dollars. Planning and Community Development Director Schafer responded the City is seeking pooled TIF dollars and EDA funds would be a backup if TIF dollars are not available.

Councilmember Swanson stated guidelines need to be developed for future policy.

Councilmember Kolb stated it would be good if the motion and the policy could be done at the same meeting. Councilmember Herbst stated the guideline would take a lot of work.

Councilmember Bourke stated there is a certain amount of hardship with financial issues in this case.

Councilmember Clark withdrew his motion.

Moved by Councilmember Swanson, seconded by Councilmember Herbst, that Motion 12-095, "Conducting Public Hearing for Proposed Assessment for Installation of Fire Suppression System at Companion Veterinary Hospital at 625 County Road 10 NE," and the public hearing be continued to the November 1, 2012, Council meeting.

Motion adopted unanimously.

Moved by Councilmember Clark, second by Councilmember Bourke, to direct staff to research the use of EDA and assessments for fire sprinkler systems and draft a policy that can be considered at the November 1, 2012, Council meeting.

Motion adopted unanimously.

12. ADMINISTRATION

The Following Two Items are Related

12.1A [RES 12-103](#) **AUTHORIZING EXECUTION OF LIMITED USE PERMIT WITH THE MINNESOTA DEPARTMENT OF TRANSPORTATION FOR THE NAPLES STREET TRAIL (IMPROVEMENT PROJECT NO. 11-18)**

Sponsors: Keely

Attachments: [COUNCIL MAP.pdf](#)
[10FT 5FT BLVD AROUND SIGN SWPPP8 \(1\).pdf](#)

City Engineer Keely stated the City has received inquiries from residents and local commuters requesting a trail be constructed along Naples Street from 95th Avenue N to the Park-N-Ride lot. She stated the City has secured an Energy Efficient Community Block Grant (EECBG) to fund the construction of a pedestrian trail. She noted that the proposed trail would be in the existing right-of-way of the Minnesota Department of Transportation (MnDOT) and they will allow the trail as long as the municipality enters into a Limited Use Permit, which states the responsibilities of both parties.

Councilmember Swanson asked about pedestrian safety crossing the road. City Engineer Keely responded the City met with MnDOT, Metro Transit and Anoka County. She stated the signal is a county road and the City will talk to the county about adjusting the signal timing if needed for pedestrians.

Councilmember Herbst stated speed limits on 95th Avenue would be a good topic for a future Workshop.

Public Services Manager Therres stated in the meeting with MnDOT, Metro Transit and Anoka County the consensus was a trail would be good for that intersection and it would be safer than it is today.

Councilmember Clark asked if a change in the timing of the light will be made in order for the pedestrians to cross safely. Public Services Manager Therres responded that was not discussed in the meeting. He stated the City will ask the County to look at the timing.

City Engineer Keely stated the grant has a time constraint of September 20, 2012.

Councilmember Clark asked if there is enough time to modify the motion to add light timing for the landing pad. Public Services Manager Therres stated the roadway is under Anoka County's jurisdiction.

Councilmember Herbst commented adding the trail would make this area safer than what it is now. Public Services Manager Therres responded yes.

Councilmember Kolb stated it will take drivers time to acclimate. She stated the Council should act on this item tonight. Mayor Ryan agreed.

Councilmember Bourke stated he did not want to spend money on a project that is not effective. Councilmember Swanson replied the residents have been asking for this trail.

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

12.1B [RES 12-104](#)

**ACCEPT BID FROM OMANN BROTHERS PAVING INC.
IN THE AMOUNT OF \$85,193.76 FOR THE NAPLES
STREET TRAIL IMPROVEMENT (IMPROVEMENT
PROJECT NO. 11-18)**

Sponsors: Keely

Attachments: [COUNCIL MAP.pdf](#)
[10FT 5FT BLVD AROUND SIGN SWPPP8 \(1\).pdf](#)

City Engineer Keely stated a total of three bids were received for the Naples Street trail and it has been determined that Omann Brothers Paving, Inc. of Albertville, Minnesota is the lowest bidder. She stated the Engineering Department has worked with Omann Brothers Paving, Inc. on previous projects and recommends the Council accept the bid and a contract entered into with Omann Brothers Paving, Inc. She stated the Council is also asked to approve a 10% contingency to bring the total project budget to \$93,713.13. She noted the funding source is an EECB Grant and there are sufficient funds to cover the costs.

Councilmember Swanson stated he opposes the amendment because this is a timeline and there is no way to know the engineers will make a recommendation in the amount of time we have to use the funds. He stated a landing in the median will take care of the signal timing.

Councilmember Clark stated the amendment does not require the signal timing to be done before the project is billed. It requires Anoka County to

review the signal timing for safety and adjust it if necessary.

Councilmember Kolb stated concern on using the word “contingent” in the amendment.

Councilmember Swanson suggested Councilmember Clark reword the amendment by removing the word “contingent.”

Councilmember Clark withdrew his amendment motion.

Moved by Councilmember Clark, seconded by Councilmember Bourke, to amend the motion to make approval contingent on Anoka County agreeing to review and adjust the signal timing.

The motion was withdrawn.

Moved by Councilmember Swanson, seconded by Councilmember Herbst, to amend the motion for Anoka County and MnDOT to review signal timing to maximize safety.

Amendment adopted unanimously.

Amended motion adopted unanimously.

12.2 [RES 12-070](#)

**ADOPTING ASSESSMENT FOR RECONSTRUCTION OF
CLOUD DRIVE NE/119TH AVENUE NE FROM TH 65 TO
LONDON STREET NE, IMPROVEMENT PROJECT NO.
10-11**

Sponsors: Keely

Attachments: [10-11 Final Assmt Roll](#)
 [10 11 assessmentMAP.pdf](#)

City Engineer Keely stated the project involved spot concrete curb and gutter replacement, spot concrete sidewalk replacement, storm sewer, full replacement of gravel base, asphalt surface, revision of traffic signal, additional lane at TH 65, traffic control signage and striping, and appurtenant construction for Cloud Drive NE/119th Avenue NE from TH 65 to London Street NE. She stated the residential properties are being assessed 25% and the commercial properties 50% per the City’s assessment policy. She stated in addition to the assessments, funds will be used from the Public Utility Fund (water and sewer improvements) and Municipal State Aid. She stated the public hearing was conducted on June 7, 2012 where two residents expressed concerns about workmanship. She stated the staff researched the issues and reported findings to the Council on June 21, 2012. The Council sent the item

to the Workshop on July 12, 2012, for discussion of the Special Assessment Policy. At the Workshop, the Council discussed the Policy and then directed staff to place the Special Assessment Policy on the July 19, 2012, Workshop agenda for additional discussion.

Councilmember Hovland left the meeting at 8:42 p.m. and returned at 8:44 p.m.

City Manager Arneson suggested the Assessment Policy be discussed at the August 9, 2012, Workshop.

Moved by Mayor Pro Tem Kolb, seconded by Councilmember Hovland, that this Resolution be Adopted.

Moved by Councilmember Bourke, seconded by Councilmember Hovland that Resolution 12-070, "Adopting Assessment for Reconstruction of Cloud Drive NE/119th Avenue NE From TH 65 to London Street NE," to defer discussion to the August 16, 2012, Council meeting.

Motion adopted unanimously. Discussion is deferred to August 16, 2012.

12.3 [MO 12-102](#)

ADDITIONAL MEMORY FOR IN-CAR SQUAD CAMERA SYSTEM

Sponsors: Safety Services Manager / Police Chief Olson

Councilmember Herbst left the meeting at 8:47 p.m. and returned at 8:50 p.m.

Safety Services Manager/Police Chief Olson stated the in-car squad camera system includes five cameras per squad, wireless microphones for officers, a wireless downloading system of data and a storage system that offers ready access to the data. He stated the existing disk storage system has an 8 TB capacity and uses about 40% of the space for the operating system. He stated in order to maintain the system and the required data retention, an update of disk storage of 12 TB SAN is necessary. He noted forfeiture dollars will be used for the purchase.

Councilmember Hovland asked about data storage on the system versus storing on CD/DVD. Police Chief Olson responded the data has to be stored on the system in order to utilize the program's capabilities. He stated discs are burned for coping purposes.

Councilmember Kolb stated terabytes is a large amount of data. She stated a CD only holds a small amount of data and it would take hundreds of CDs to hold one terabyte.

Councilmember Clark asked if the 8 TB drive could be used to archive the old

data. Police Chief Olson responded with the new 12 TB system, the City will be able to continue to archive data.

Councilmember Swanson asked if all the squad cars have video systems. Police Chief Olson replied yes.

Mayor Ryan asked if the video systems can be moved from car to car. Police Chief Olson replied yes.

Councilmember Bourke asked about data requests from other law enforcement. Police Chief Olson replied there are requests for data from attorneys and the data protects the City from lawsuits.

City Attorney Sweeney replied the data is used to help the prosecution.

Councilmember Bourke asked if there is a cost savings to the City. City Attorney Sweeney replied yes in prosecution costs.

Councilmember Hovland asked how much space one event takes. Police Chief Olson responded one event can take up to two DVDs. He stated when more than one car responds there is more data. Police Chief Olson stated there are between 8,000-10,000 traffic stops annually. Councilmember Hovland commented the long term data should be burned to CD/DVD.

Councilmember Kolb stated a Cloud storage system will be more efficient.

Mayor Ryan asked if the data is public. Police Chief Olson replied most data is public unless it is under investigation.

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

12.4 [MO 12-098](#)

**APPROVE OF SECOND AMENDED REAL PROPERTY
LEASE AGREEMENT WITH FOGERTY ICE ARENA
BOARD**

Sponsors: City Council

Attachments: [2nd amended fogerty lease](#)

Public Services Manager Therres stated the existing lease agreement between the City and Fogerty Arena needs to be amended to include the Curling Rinks and parking lot. He stated the amended lease has a revised legal description and a provision that references the repayment agreement. He stated the Fogerty Board is asking for the approval of the amended lease agreement in order to be able to complete the bond sale and start using the funds for the construction. He noted the repayment agreement will be discussed at a future

Council meeting.

Mayor Ryan asked about the term of the lease. Public Services Manager Therres responded the lease is until 2014.

Councilmember Swanson is concerned about the Fogerty Board repayment agreement.

Councilmember Clark commented the Fogerty Board will seek modification to Section G in the repayment agreement.

City Manager Arneson stated the Fogerty Board needs action tonight. Public Services Manager Therres stated Fogerty is tied with the good faith of the City.

Councilmember Clark stated the Board objects to some wording on the repayment agreement.

Councilmember Clark stated the Council is approving this motion with the understanding that Section G will be reviewed.

Councilmember Kolb commented the City may be interested in an archery range in the future.

Moved by Councilmember Swanson, seconded by Mayor Ryan, that this Motion be Approved. The Motion was adopted unanimously.

12.5 [MO 12-099](#)

APPROVE PAVING HAPPY ACRES PARK HOCKEY RINK #2 FOR AN ESTIMATED COST OF \$12,000-\$14,000 FUNDED FROM THE PARK MAINTENANCE FUND.

Sponsors: Kappelhoff

Attachments: [Happy Acres Park Hockey Rinks-Rk 2.pdf](#)

Public Services Manager stated the Park Maintenance Division is recommending paving hockey rink #2 in Happy Acres Park as was done for hockey rink #1 last year. He stated the cost of the bituminous material is estimated to be \$12,000-\$14,000. He commented the work would be done by the Park Maintenance staff and would be completed before the 2012-13 outdoor skating season. He noted funding would come from the Park Maintenance budget.

Councilmember Kolb would like a future discussion on the Park Maintenance Fund. She is concerned that the funds are being depleted.

Councilmember Clark stated the Council will need to direct staff on funding for maintenance.

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

12.6 [RES 12-106](#)

**APPROVING FIRST AMENDMENT TO
AMENDED AND RESTATED JOINT AND COOPERATIVE
AGREEMENT AND APPROVING ISSUANCE BY
THE NORTH METRO TELECOMMUNICATIONS
SYSTEM
OF CERTAIN REFUNDING BONDS AND RELATED
MATTERS**

Sponsors: City Manager Arneson

Attachments: [First Amendment to JPA](#)

City Manager Arneson stated the City is a member of the North Metro Telecommunications Commission (NMTC). The NMTC's member cities entered into an Amended and Restated Joint and Cooperative Agreement for the Administration of a Cable Communications System in June 2003. He stated NMTC issued \$2,000,000 NMTC franchise revenue bonds, Series 2003, to finance the facility for its operations. NMTC has determined it is reasonable and necessary to refund the Series 2003 Bonds in order to achieve debt service savings by issuing its Cable Franchise Revenue Refunding Bonds, Series 2012. He stated Council is also asked to review a First Amendment to the Joint Agreement providing for certain changes in appointment by member cities of alternate directors who serve on the board of NMTC.

Councilmember Swanson stated currently the City's representatives are a councilmember and the alternate is a staff member. In the new agreement, the alternate has to be a councilmember.

City Manager Arneson stated appointments will be made in January.

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

12.7 [MO 12-100](#)

**APPROVAL OF 2012 JOINT POWERS
AGREEMENT WITH ANOKA COUNTY FOR
FUNDING FOR THE CITY'S RECYCLING
PROGRAM**

Attachments: [2012 Anoka County Joint Powers Agreement.pdf](#)

City Manager Arneson stated the City is eligible to receive revenues of \$115,385 from Anoka County's Solid Waste Management Plan for the period of January through December 2012. He stated the execution of this Joint Powers Agreement will allow the transfer of anticipated funding from Anoka County to Blaine's sanitation fund. He stated the funds are made available from the garbage service sales tax to municipalities in order to help fund recycling programs and related recycling education activities as part of the Waste Management Act.

Mayor Ryan asked if the funds will go in to the Sanitation Fund. City Manager Arneson replied yes.

Councilmember Bourke stated he would like to review the Sanitation Fund.

Finance Director Huss stated the amount in the fund as of July 31, 2012, is \$860,000. He stated the fund has lost \$315,000 of its balance since the beginning of this year and is budgeted to lose \$156,000. He stated the budget recommendation was a graduated rate increase over the next five years. He stated the five year outlook is for the fund to gradually reduce. He stated the fund currently has \$860,000, the funds are expected to reduce annual over the next five years (2013 - \$115,000, 2014 - \$108,000 and 2015 \$100,000). The fund will continue to decrease until the fund will stabilize in 2017. If no rate increase is implemented the fund would run out of money by 2014.

Finance Director Huss stated tipping fees increased 2010-11 and remained the same for 2012. He stated the fees are expected to go up in 2014.

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

13. OTHER BUSINESS

Mayor Ryan asked staff to develop a plan to remove the prairie grass on Radisson Road.

Councilmember Hovland asked the City Manager to provide a listing of expiring professional service contracts. City Manager Arneson stated the contracts up for renewal are CCE, senior housing and auditing firm. He stated staff is processing RFPs.

Councilmember Kolb stated the grass is high on 113th and TH 65. She asked who cuts the grass in this area the State or City. City Manager Arneson responded the City will cut the grass.

14. ADJOURNMENT

Moved by Councilmember Herbst, seconded by Mayor Pro Tem Kolb, that this meeting be Adjourned. The Motion was adopted unanimously. The meeting adjourned at 9:32 p.m.