



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

Blaine City Hall
10801 Town Sq Dr NE
Blaine, MN 55449

Thursday, May 19, 2016

7:30 PM

Council Chambers

1. CALL TO ORDER BY THE MAYOR

The meeting was called to order at 7:34 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 Associate Planner Lori Johnson; Public Services Manager Bob Therres; Finance Director Joe Huss; Police Chief/Safety Services Manager Chris Olson; City Engineer Jean Keely; Senior Engineering Technician Al Thorp; Senior Engineering Technician Jason Sundeen; City Clerk Catherine Sorensen; and Recording Secretary Linda Dahlquist.

Present: 6 - Tom Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember Hovland

Absent: 1 - Councilmember King

4. APPROVAL OF MINUTES

4.-1 [MIN 16-19](#) RECENTLY HELD MEETINGS

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that the Workshop Meeting Minutes of May 5, 2016; and the Regular Meeting Minutes of May 5, 2016, be approved.

Motion adopted 5-0-1 (Councilmember Herbst abstained from the Workshop Meeting Minutes of May 5, 2016; and the Regular Meeting Minutes of May 5, 2016, due to his absence.).

Aye: 5 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Clark and Councilmember Hovland

Abstain: 1 - Councilmember Herbst

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

None.

6. COMMUNICATIONS

Mayor Ryan thanked Woodcrest Baptist Church in Fridley for their church service for law enforcement in honor of Police Week. He stated many Blaine residents attended the service.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:36 p.m.

Rebecca Colby, 12963 Quincy Street NE, stated she has an issue with the City's ordinance for keeping chickens in backyards. She stated she lives in a single family home that is not under an association, meets the space requirements, and received her neighbor's approval of their having chickens. She stated she applied for a permit but was told she lives in a DF zone and is not eligible. She was told she could apply for a conditional use permit for \$400 which is unfair because a permit is \$45. She stated she is asking for an ordinance change to include chickens in a DF zone.

Councilmember Herbst stated he would like to reduce the fee for a conditional use permit to allow chickens.

City Manager Arneson stated Planning and Community Development Director Bryan Schafer will review the ordinance and respond back to Ms. Colby.

There being no further input, Mayor Ryan closed the Open Forum at 7:41 p.m.

8. ADOPTION OF AGENDA

Adopted as amended, adding Item 11.2 - Conditional Use Permit to Allow for Outdoor Event on Saturday, May 21, 2016 at Twin Cities Harley-Davidson, 1441 85th Avenue NE

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

Moved on the agenda to follow the agenda item 12.5.

10. APPROVAL OF CONSENT AGENDA:

10.-1 [MO 16-053](#) SCHEDULE OF BILLS PAID

Approved

- 10.-2 [MO 16-054](#) APPROVAL OF A TEMPORARY ON-SALE INTOXICATING MALT BEVERAGE LICENSE FOR THE DISCOVER AVIATION DAYS

Approved

- 10.-3 [MO 16-055](#) APPROVE REVISION TO THE 2016 COUNCIL WORKSHOP AND REGULAR MEETING CALENDAR FOR THE MONTH OF JULY

Approved

- 10.-4 [MO 16-056](#) APPROVAL OF THE 2016 S.C.O.R.E. AGREEMENT WITH ANOKA COUNTY

Approved

- 10.-5 [RES 16-083](#) RESOLUTION APPROVING MASTER SUBSCRIBER AGREEMENT FOR MINNESOTA COURT DATA SERVICES FOR GOVERNMENTAL AGENCIES

Adopted

11. DEVELOPMENT BUSINESS

- 11.-1 [RES 16-084](#) GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE 4.6 ACRES INTO EIGHT (8) SINGLE FAMILY LOTS TO BE KNOWN AS HIDEAWAY OF BLAINE, LOCATED AT 1749 118TH AVENUE NE. BALD EAGLE BUILDERS, INC. (CASE FILE NO. 16-0009/LSJ)

Planning and Community Development Associate Planner Johnson stated the proposed plat contains 8 single family lots in an R-1 zoning district and will be known as Hideaway of Blaine. She stated there is an existing home and accessory structure that will be removed with the development of the plat.

Moved by Councilmember Hovland, seconded by Councilmember Herbst, that Resolution 16-084, "Granting Final Plat Approval to Subdivide 4.6 Acres into Eight (8) Single Family Lots to be known as Hideaway of Blaine, Located at 1749 118th Avenue NE. Bald Eagle Builders, Inc.," be approved.

Motion adopted unanimously.

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

- 11.2 [RES 16-087](#) GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR AN

OUTDOOR EVENT TO BE HELD ON SATURDAY, MAY 21, 2016
THAT INCLUDES OUTDOOR MUSIC AND FOOD IN A B-3
COMMERCIAL ZONING DISTRICT AT TWIN CITIES
HARLEY-DAVIDSON, 1441 85TH AVENUE NE

Planning and Community Development Associate Planner Johnson stated that staff just learned that Twin Cities Harley-Davidson is planning an outdoor event at their location on 1441 85th Avenue NE that will have live music, serve food and beer. She stated the site is B-3 Community Commercial and requires a conditional use permit but because of the short notice of the event the neighborhood has not been notified and the event will be stopped if complaints come in.

Police Chief/Safety Services Manager Olson stated the emergency services will do an inspection for fire access. He stated Baltimore Street will have no event parking posted and the home owners will receive notice that parking on the street is only allowed for homeowners' events.

Councilmember Swanson commented if the neighborhood complains about noise the event will be shut down because the neighborhood was not notified properly.

Councilmember Bourke suggested the Harley Davidson store staff personally invite the neighbors.

Councilmember Hovland stated if the motorcycle riders make a lot of noise, the neighbors will complain.

Moved by Councilmember Clark, seconded by Councilmember Bourke, that Resolution 16-087, "Granting a Conditional Use Permit to Allow for an Outdoor Event to be Held on Saturday, May 21, 2016 that Includes Outdoor Music and Food in a B-3 Commercial Zoning District at Twin Cities Harley-Davidson, 1441 85th Avenue NE," be approved.

Motion adopted unanimously.

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

12. ADMINISTRATION

12.-1 [RES 16-085](#)

RESOLUTION ESTABLISHING COMMUNITY CENTER
PARTNERSHIP PRINCIPLES AND VALUES BETWEEN THE CITY
OF BLAINE AND THE YOUNG MEN'S CHRISTIAN ASSOCIATION
(YMCA) OF THE GREATER TWIN CITIES

Public Services Manager Therres stated this resolution would allow the City, Task Force and the YMCA to start discussions on a possible partnership. He noted an operations agreement would follow if all parties come to an

agreement. He noted the YMCA requested an amendment to 2C to change the word “may” to “will.”

Moved by Mayor Ryan, seconded by Councilmember Herbst, that Resolution 16-085, “Resolution Establishing Community Center Partnership Principles and Values between the City of Blaine and the Young Men’s Christian Association (YMCA) of the Greater Twin Cities,” be approved.

Amended motion adopted unanimously.

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

Moved by Councilmember Clark, seconded by Councilmember Herbst to insert number 4.5, “Whereas the task force has exercised an open process and actively solicited a competitive process to encourage multiple parties to compete for this partnership.”

Councilmember Clark stated the purpose is for estimating cost and for the ballot referendum.

Moved by Councilmember Clark, seconded by Councilmember Bourke to add to the end of number 5, “for the purpose of preparing a ballot referendum.”

Amendment adopted unanimously.

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

12.-2 [ORD 16-2352](#)

SECOND READING

AMEND ARTICLE II. - INTOXICATING LIQUOR AND 3.2 PERCENT MALT LIQUOR - SEC. 6-45. - INVESTIGATION OF APPLICANT FOR LICENSE

City Clerk Sorensen stated a taproom application is expected from Invictus Brewing and staff is recommending the option to waive the background investigation for taprooms and brew pubs applicants. She stated part of the Wholesaler's/Manufacturer's Intoxicating Liquor License application process with Alcohol and Gambling Enforcement Division, brewers must undergo the same background investigation that the City conducts for liquor license applications and another background investigation is not necessary.

Declared by Mayor Ryan that Ordinance 16-2352, “Amend Article II. – Intoxicating Liquor and 3.2 Percent Malt Liquor – Sec. 6-45. – Investigation of Applicant for License” be introduced and placed on file for second reading at the June 16, 2016, Council meeting.

12.-3 [ORD 16-2350](#)

SECOND READING

ORDINANCE AMENDING CHAPTER 70 - STREETS, SIDEWALKS

AND OTHER PUBLIC PLACES ARTICLE II. - SPECIAL EVENTS OF THE MUNICIPAL CODE OF THE CITY OF BLAINE

City Clerk Sorensen stated an increase in special and large events at Aquatore Park, the Lexington Athletic Complex, and the National Sports Center has prompted proposed amendments to better define special events and include some additional requirements of liability insurance, traffic management and providing notification to surrounding area residents and receive 60% approval.

Councilmember Clark inquired about Metro Gun Club shooting events or mud runs. Safety Services Manager/Police Chief Olson replied shooting events are customary use at the gun club and a special event permit is not necessary; although a mud run would not be considered customary and would require a special event permit.

Councilmember Herbst inquired about who is responsible to send notification. City Clerk Sorensen stated the applicant is required to send notification.

Councilmember Herbst asked if notice comes back that the neighborhood does not want the event. City Clerk Sorensen stated the license would not be approved; although the Council could still approve the permit if they so choose.

Councilmember Bourke asked if the National Sports Center is exempt from this ordinance. Safety Services Manager /Police Chief Olson replied the NSC is exempt for sports related events, but not concerts. City Clerk Sorensen stated the NSC holds customary events such as games but concerts are not customary.

Councilmember Bourke suggested entertainment complexes be exempt.

Councilmember Bourke asked if the TPC would have to get a special event permit. City Manager Arneson replied the TPC has not had to permit in the past. City Clerk Sorensen noted the 3M Championship would be exempt from this ordinance.

Councilmember Clark asked if there is a cost if the ordinance is postponed. City Clerk Sorensen replied events may be cancelled due to the wait to go through the regular process.

Councilmember Bourke commented if an event takes traffic control it would require Council approval.

Moved by Mayor Ryan, seconded by Councilmember Swanson, that Ordinance 16-2350, "Ordinance Amending Chapter 70 - Streets, Sidewalks and Other Public Places Article II. - Special Events of the Municipal Code of the City of Blaine" be introduced and placed on file for second reading at the May 19,

2016, Council meeting.

Motion adopted unanimously.

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

12.-4 [RES 16-086](#)

PUBLICATION OF THE TITLE AND SUMMARY OF ORDINANCE 16-2350 AMENDING CHAPTER 70 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES ARTICLE II. - SPECIAL EVENTS OF THE MUNICIPAL CODE OF THE CITY OF BLAINE

City Clerk Sorensen stated this resolution provides for summary publication of the lengthy special event ordinance.

Moved by Councilmember Herbst, seconded by Councilmember Hovland, that Resolution 16-086, "Publication of the Title and Summary of Ordinance 16-2350 Amending Chapter 70 – Streets, Sidewalks and Other Public Places Article II. - Special Events of the Municipal Code of the City of Blaine," be approved.

Motion adopted unanimously.

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

12.-5 [ORD 16-2353](#)

SECOND READING

AMENDING APPENDIX D - FEE SCHEDULE OF THE BLAINE CODE OF ORDINANCES REGARDING CHAPTER 70 - ARTICLE II. - SPECIAL EVENTS ON PUBLIC LANDS OR PRIVATE PROPERTY WITH COMMERCIAL, REGIONAL RECREATIONAL OR INDUSTRIAL ZONING OR LAND USES, LICENSE FEES, FOR THE CITY OF BLAINE

City Clerk Sorensen stated staff is recommending a fee increase to the special event license to help offset the newly adopted license review process implemented as part of the revised ordinance. She stated staff conducted a survey of surrounding cities and is recommending increasing the fee to \$50 and keep the deposit fee the same.

Councilmember Clark asked how the ordinance affects the neighborhood garage sales. Safety Services Manager/Police Chief Olson replied the process would need to be reviewed. He stated the event is a neighborhood and community event.

Councilmember Clark asked if the garage sale will have to pay the \$50 fee. Safety Services Manager/Police Chief Olson replied the garage sale is an event. City Clerk Sorensen replied the event would require the \$50 fee.

Councilmember Clark requested staff review the multi-family garage sales to ensure the City is not impeding the residents' ability to hold multi-family

garage sales.

Safety Services Manager/Police Chief Olson stated staff will review the ordinance because the ordinance does not include events held on residential property multi-family garage sales may be exempt.

Declared by Mayor Ryan that Ordinance 16-2353, "Amending Appendix D – Fee Schedule of the Blaine Code of Ordinances Regarding Chapter 70 - Article II. - Special Events on Public Lands or Private Property with Commercial, Regional Recreational or Industrial Zoning or Land Uses, License Fees, for the City of Blaine" be introduced and placed on file for second reading at the June 16, 2016, Council meeting.

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

9.-1 [RES 16-082](#) APPROVING STREET RECONSTRUCTION PLAN AND GIVING PRELIMINARY APPROVAL TO ISSUE STREET RECONSTRUCTION BONDS

Finance Director Huss stated in conjunction with the City's Pavement Management Program (PMP) the City Council has approved overlay and street reconstruction projects. He stated in order to finance a portion of the reconstruction projects, Council is asked to approve the City's Street Reconstruction Plan and give preliminary approval to the issuance of Street Reconstruction Bonds as allowed by Minnesota Statute.

Mayor Ryan opened the public hearing at 8:25 p.m. Being no comments, Mayor Ryan closed the public hearing at 8:25 p.m.

Moved by Councilmember Herbst, seconded by Councilmember Hovland that Resolution 16-082, "Approving Street Reconstruction Plan and Giving Preliminary Approval to Issue Street Reconstruction Bonds," be approved.

Motion adopted unanimously.

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

13. OTHER BUSINESS

City Manager Arneson stated a neighborhood meeting with the 119th Avenue and Cloud Drive residents will be held on May 26, 2016 at 6:30 p.m. at Oak Park Community Church.

Councilmember Hovland requested an update on the right-of-way ordinance and bus stop bench advertising. He asked if the City can remove the advertisements if they are not in compliance. City Manager Arneson stated a workshop will be scheduled in July. He noted the City has compliance with the largest permit holder but does not have compliance with the independent permit holders.

14. ADJOURNMENT

Moved by Councilmember Herbst, seconded by Councilmember Hovland, to adjourn the meeting at 8:30 p.m.

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