

UNAPPROVED

CITY OF BLAINE
ANOKA COUNTY, MINNESOTA
CITY COUNCIL MEETING
Thursday, June 2, 2016

7:30 P.M.
Council Chambers
10801 Town Square Drive

CALL TO ORDER BY MAYOR RYAN

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

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

Mayor Tom Ryan, Councilmembers Mike Bourke, Dave Clark, Russ Herbst Wes Hovland, Jason King, and Dick Swanson.

ABSENT: None.

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; City Engineer Jean Keely; Interim IT Manager Paul Grosse; Finance Supervisor Bonnie Frederich; Senior Engineering Technician Al Thorp; Administration Technician Lisa Derr; and Recording Secretary Linda Dahlquist.

APPROVAL OF MINUTES

Workshop Meeting – May 19, 2016.

Regular Meeting – May 19, 2016.

Moved by Councilmember Hovland, seconded by Councilmember Swanson, that the Workshop Meeting Minutes of May 19, 2016; and the Regular Meeting Minutes of May 19, 2016, be approved.

Motion adopted 6-0-1 (Councilmember King abstained from the Workshop Meeting Minutes of May 17, 2016; and the Regular Meeting Minutes of May 17, 2016, due to his absence).

AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

5.1 Proclamation 16-04, Proclamation for Earth Day Volunteers.

Mayor Ryan proclaimed June 2, 2016 as Earth Day Volunteer Appreciation Day and thanked the individuals and organizations that participated in the Earth Day events.

COMMUNICATIONS

6.1 Speaker 16-01, 2015 Audit and CAFR Review.

Peggy Moeller, Redpath & Company, gave an overview of four reports: Comprehensive Annual Financial Report (CAFR); State Legal Compliance Report; Report on Internal Control that had one internal finding; and the Communication with Those Charged with Governance. She noted the City's 2015 audit of financial statements received a clean opinion and the City received the 2014 GFOA Certificate of Achievement for Excellence in Financial Reporting.

Moved by Councilmember Herbst, seconded by Councilmember Bourke, to accept the 2015 Audit and CAFR.

Motion adopted unanimously.

Mayor Ryan thanked staff, participating organizations and the volunteers for a successful WorldFest.

Mayor Ryan stated he attended Paxmar's groundbreaking event today for Parkside North. He noted utilities should be done in October.

Councilmember Bourke requested an update on the Lever Street sewer and water extension project. City Manager Arneson stated the City has requested the engineering design work to take the sewer and water from the developer under Main Street to Lever Street. He stated the City has all of the easements. He stated a developer change order to the existing work will keep the work going.

Mayor Ryan stated Blaine Fest is June 24-26, 2016 and fireworks will be at the National Sports Center on July 4, 2016.

Councilmember King left the meeting at 7:43 p.m. and returned at 7:44 p.m.

OPEN FORUM FOR CITIZEN INPUT

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

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

ADOPTION OF AGENDA

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

None.

APPROVAL OF CONSENT AGENDA

Councilmember Swanson requested the removal of agenda item 10.5.

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

10.1 Motion 16-057, Schedule of Bills Paid.

10.2 Motion 16-058, Approve a Carnival License for Amusement Attractions at Aquatore Park for the Blaine Festival, June 23 through June 26, 2016.

10.3 Resolution 16-088, Approve Temporary Road Closure for Blaine Festival Parade.

10.4 Motion 16-059, Authorize Removal of Parking Restrictions on 91st Avenue, 92nd Avenue, 92nd Lane and Baltimore Street to Accommodate Lettermen sports Tent Sales on June 13-21 and August 1-9, 2016.

~~10.5 Resolution 16-089, Authorize Installation of Regulatory Signs.~~

Motion adopted unanimously.

10.5 Resolution 16-089, Authorize Installation of Regulatory Signs.

Moved by Councilmember Swanson, seconded by Councilmember Herbst, that Resolution 16-089, "Authorize Installation of Regulatory Signs," be approved.

Councilmember Swanson requested further information.

City Engineer Keely stated a resident on 102nd Lane has requested a sign change from a Yield sign to a Stop sign at President Drive.

Motion adopted unanimously.

DEVELOPMENT BUSINESS

11.1 Resolution 16-090, Granting a Conditional Use Permit to Allow 1,199 Square Feet of Garage Space in an R-1 (Single Family) Zoning District. The Attached Garage is 431 Square Feet and the Proposed Detached Garage is 768 Square Feet, located at 10277 Fraizer Street NE. Clifford and Kari Wilson. (Case File No. 16-0022/SLK).

Moved by Councilmember Clark, seconded by Councilmember Swanson, that Resolution 16-090, "Granting a Conditional Use Permit to Allow 1,199 Square Feet of Garage Space in an R-1 (Single Family) Zoning District. The Attached Garage is 431 Square Feet and the Proposed Detached Garage is 768 Square Feet, located at 10277 Fraizer Street NE. Clifford and Kari Wilson," be approved.

Planning and Community Development Director Schafer stated the applicant has a 431 square foot attached garage and wishes to construct a detached garage in the rear yard of their property measuring 768 square feet. Total proposed garage space would be 1,199 square feet.

Motion adopted unanimously.

11.2 Resolution 16-091, Granting Preliminary Plat Approval to Subdivide 4.43 Acres into 20 Lots and One (1) Outlot to be known as The Lakes of Radisson 62nd Addition, located at Lakes Parkway/Harpers Street. Price Custom Homes. (Case File No. 16-0024/SLK).

Moved by Councilmember Hovland, seconded by Mayor Ryan, that Resolution 16-091, "Granting Preliminary Plat Approval to Subdivide 4.43 Acres into 20 Lots and One (1) Outlot to be known as The Lakes of Radisson 62nd Addition, located at Lakes Parkway/Harpers Street. Price Custom Homes," be approved.

Planning and Community Development Director Schafer stated The Lakes of Radisson 62nd Addition consists of subdividing approximately 4.43 acres into a subdivision with 20 dwelling units. He stated the preliminary plat also includes one outlot for a private drive. He noted Price Custom Homes is the developer and builder. He stated The Lakes Master Association has requested approval of the development plan.

Motion adopted unanimously.

11.3 Resolution 16-092, Granting a Conditional Use Permit to allow for Construction of 20 Single Family Homes in a DF (Development Flex) Zoning District, located at Lakes Parkway/Harpers Street. Price Custom Homes. (Case File No. 16-0024/SLK).

Moved by Councilmember Hovland, seconded by Councilmember Bourke, that Resolution 16-092, "Granting a Conditional Use Permit to allow for Construction of 20 Single Family Homes in a DF (Development Flex) Zoning District, located at Lakes Parkway/Harpers Street. Price Custom Homes," be approved.

Planning and Community Development Director Schafer stated The Lakes of Radisson 62nd Addition consists of subdividing approximately 4.43 acres into a subdivision with 20 dwelling units. The preliminary plat also includes one outlot for a private drive. He noted Price Custom Homes is the developer and builder.

Motion adopted unanimously.

ADMINISTRATION

12.1 Motion 16-060, Approve Contract with Marco Technologies, LLC for Purchase and Installation of Mitel Telephone System.

Moved by Councilmember Herbst, seconded by Mayor Ryan, that Motion 16-060, "Approve Contract with Marco Technologies, LLC for Purchase and Installation of Mitel Telephone System," be approved.

Interim IT Manager Grosse stated staff received five proposals for an on-site system and two proposals for a hosted "cloud-based" system. He stated the proposals were evaluated and ranked through a weighted evaluation scoring system that took into account eight factors including system cost; system design; functionality; integration with Blaine's current network; qualifications of staff; references; organizational management; and acceptance of proposal terms and conditions. He stated staff is recommending Marco Technologies to replace the City's phone system and is asking the Council to accept the proposal and authorize the City Manager to execute a contract for the purchase and installation of the telephone system.

Mayor Ryan asked if the new phone system will be in all of the city buildings. Interim IT Manager Grosse replied the new phone system will be installed just in City Hall and Public Works.

Councilmember King asked if the phone system could be expanded into the proposed Community Center. Interim IT Manager Grosse replied yes, data and network cable would be run to the building and additional phones would be purchased.

Councilmember Herbst asked about operation and maintenance cost. Interim IT Manager Grosse replied the yearly cost of maintenance was lower than the other vendor.

Councilmember Clark asked what is included in the operation and maintenance service. Interim IT Manager Grosse replied general system maintenance, software updates, and technical support.

Councilmember King stated the new phone systems are highly technical and Marco Technologies has trained professionals to handle the equipment and system.

Motion adopted unanimously.

12.2 Ordinance 16-2354, Amending Division 3. - Specific Use of Stormwater Ponds, Adding Sec. 34-523. - Stormwater Pond Aeration Permit of the Code of Ordinances of the City of Blaine.

Stormwater Manager Hafner stated the current City Ordinance does not allow fountains in ponds unless authorized by City Council. He noted the ordinance amendment is the result of literature searches, conversations with stormwater professionals including the Minnesota Pollution Control Agency, and a review of other city ordinances that regulate the use of fountains in stormwater ponds. He stated the amendment establishes a permit program to be administered by City Staff that would allow circulating devices under certain conditions and includes regulatory controls for the operation of the devices. He stated if the pond drops below five feet, the device would have to be turned off.

Mayor Ryan asked if the permit holder would have to have a monitoring device to measure the depth of the water. Stormwater Manager Hafner replied yes, a staff gauge will be required to monitor pond water depth.

Councilmember King requested the following changes to the proposed ordinance:

- Section B2A - Change to 75% neighbor approval.
- Section C2 – Change to 1 horse power.
- Section E – Lower the percentage or remove this section entirely.
- Permits Section - It is up to the applicant to make sure all appropriate applications are approved from other entities before the City approves a permit.
- Penalty Section – Remove misdemeanor and change it to 30-day notification and fine after 30 days.

Councilmember Bourke asked if the State has governmental regulations. Stormwater Manager Hafner replied the DNR has placement regulations, Watershed District for ditches and wetlands, and some cities have their own regulations.

City Attorney Sweeney stated based on the suggested changes he recommends the Council postpone first reading.

Council consensus to redraft the ordinance and bring back to Council for first reading.

12.3 Ordinance 16-2355, Ordinance Amending Chapter 14 - Animals Article IV Dogs and Chapter 54 - Parks and Recreation Article III Conduct in Public Parks of the Municipal Code of the City of Blaine.

Parks and Recreation Program Manager Monahan stated staff is bringing forward proposed amendments to establish rules and regulations for the new Aquatore Dog Park. He stated staff is proposing rules and regulations be posted at the dog park that are based from other communities posted rules.

Councilmember Swanson stated he is concerned there is no way to enforce the ordinance and it would limit a resident's visiting family member from using the dog park.

Councilmember King commented residents who license their dogs with the City can use the dog park.

Parks and Recreation Program Manager Monahan stated the dog park is in a high visibility area and non-residents will want to use the park.

Councilmember Bourke suggested bundling the dog park with the beach permit and all residents receive the permit.

Councilmember Hovland suggested bringing the ordinance to a Council Workshop.

Mayor Ryan asked if the City could be sued if a person gets hurt by a dog at the dog park. City Attorney Sweeney replied yes.

Councilmember Swanson commented a rabies tag should be a requirement for non-resident dogs.

Council consensus for the ordinance to be brought to Council Workshop for further discussion.

12.4 Ordinance 16-2356, Amending Appendix D - Fee Schedule of the Blaine Code Of Ordinances Regarding Chapter 14 - Animals Article IV. - Division 2. - License - Off-Leash Dog Parks and Chapter 86 - Utilities Article IV. - Water, Sewer and Stormwater Rates and Charges - Irrigation Meters, for the City Of Blaine.

Council consensus for the ordinance to be brought to Council Workshop for further discussion.

12.5 Ordinance 16-2357, Conveying Outlots B, G and D of The Lakes of Radisson Twentieth Addition to The Lakes of Radisson Master Association and Retaining a Permanent Trailway and Utility Easement.

Public Services Manager Therres stated the Lakes of Radisson Master Association showed interest in having the trail corridor transferred to them so they can better control their Lakes Development. He noted the Park Commission did recommend to the City Council that the City transfer the Crown Colony trail corridor to the Master Association and retain an easement for the existing bike/pedestrian trail.

Declared by Mayor Ryan that Ordinance 16-2357, "Conveying Outlots B, G and D of The Lakes of Radisson Twentieth Addition to The Lakes of Radisson Master Association and Retaining a Permanent Trailway and Utility Easement" be introduced and placed on file for second reading at the June 19, 2016, Council meeting.

12.6 Motion 16-096, Authorization to Replace Compressor at City Hall in the amount of \$38,200.00 to Kraft Contracting & Mechanical and Amend the 2016 General Fund Budget.

Moved by Mayor Ryan, seconded by Councilmember Swanson, that Motion 16-096, "Authorization to Replace Compressor at City Hall in the amount of \$38,200.00 to Kraft Contracting & Mechanical and Amend the 2016 General Fund Budget," be approved.

Public Services Manager Therres stated City Hall has three chiller units for the air conditioning of the building. He stated the compressor on chiller #3 has failed and is not repairable. He noted it takes three chillers to control the temperature and humidity. He stated staff has received three quotes for the replacement of the compressor on chiller unit #3. He stated this is not a budgeted repair and funds would need to come from the City's Contingency fund to cover the costs.

Motion adopted unanimously.

12.7 Resolution 16-093, Accept Bid from North Valley, Inc. in the amount of \$808,955.92 for the 2016 Street Reconstructions, Improvement Project No. 16-07.

Moved by Councilmember Hovland, seconded by Councilmember King, that Resolution 16-093, "Accept Bid from North Valley, Inc. in the amount of \$808,955.92 for the 2016 Street Reconstructions," be approved.

City Engineer Keely stated a total of seven bids were received, checked and tabulated, and it has been determined that North Valley, Inc. of Nowthen, Minnesota is the lowest bidder. She stated the Engineering Department has worked with North Valley, Inc. on previous contracts and staff recommends the low bid be accepted and a contract entered into with North Valley, Inc. She stated the Council is also asked to approve a 10% contingency. She noted the funding source for the project is assessments and the City Pavement Management Program Fund.

Mayor Ryan asked if the project includes 91st Avenue. City Engineer Keely replied no 91st is a separate project.

Motion adopted unanimously.

12.8 Resolution 16-094, Accept Bid from Mark J. Traut Wells, Inc. in the amount of \$1,407,424.00 for the Construction of Wells #19, #20 and #21, Improvement Project No. 15-14.

Moved by Councilmember Bourke, seconded by Mayor Ryan, that Resolution 16-094, "Accept Bid from Mark J. Traut Wells, Inc. in the amount of \$1,407,424.00 for the Construction of Wells #19, #20 and #21," be approved.

City Engineer Keely stated one bid was received from Mark J. Traut Wells, Inc. of Waite Park, Minnesota. She stated the Engineering Department has worked with Mark J. Traut Wells, Inc. on previous contracts and recommends the bid be accepted and a contract entered into with Mark J. Traut Wells, Inc. She stated the Council is also asked to approve a 10% contingency. She stated the funding source for the project is the Water Utility Fund. She noted the City has preconstruction approval from the Minnesota DNR but are still waiting for a permit from the Minnesota Department of Health.

Motion adopted unanimously.

12.9 Resolution 16-095, Accept Bid from Mark J. Traut Wells, Inc. in the amount of \$234,927.00 for the Construction of Well #18 Pump, Motor and Pitless, Improvement Project No. 11-08.

Moved by Councilmember Herbst, seconded by Councilmember Hovland, that Resolution 16-095, "Accept Bid from Mark J. Traut Wells, Inc. in the amount of \$234,927.00 for the Construction of Well #18 Pump, Motor and Pitless," be approved.

City Engineer Keely stated one bid was received from Mark J. Traut Wells, Inc. of Waite Park, Minnesota. She stated the Engineering Department has worked with Mark J. Traut Wells, Inc. on previous contracts and recommends the bid be accepted and a contract entered into with Mark J. Traut Wells, Inc. She stated the Council is also asked to approve a 10% contingency. She stated the funding source for the project is the Water Utility Fund.

Motion adopted unanimously.

OTHER BUSINESS

Mayor Ryan, Councilmember King and City Staff had a business visit with Aveda last week. They also discussed the City's Environmental Park proposal with them.

119th Avenue

Councilmember Bourke stated he attended the 119th Avenue neighborhood meeting. He suggested closing 119th Avenue temporarily to look at options for the road.

Moved by Councilmember Bourke, seconded by Councilmember King, to temporarily close 119th Avenue for 90 days and post signs.

Councilmember King stated he presented a proposed traffic improvement plan at a recent Workshop that he would like staff to research and increase Police patrols.

Councilmember Swanson stated 119th Avenue is a MSA route and would have to pay a fine to the State.

Mayor Ryan stated the surrounding residents will have an issue with closing the road and redirecting the traffic.

Councilmember Hovland commented the road would be temporarily closed and the traffic could be rerouted to another MSA road within a two-mile radius, which could be a substitute route.

Councilmember Clark stated he and Councilmember Bourke talked about seeking an external engineering firm to conduct an evaluation of the road during the temporary closure of the road.

Councilmember Bourke stated there is documentation of road instances on this road. He stated this is a hard but essential decision for the Council to temporarily close the road and research options for the road.

Mayor Ryan stated closing the road will create a cul-de-sac and an additional 2,000 vehicles will have to go down Arnold Palmer Drive. He stated external engineering is needed before a decision to close the road.

Councilmember Swanson stated something needs to be done on 119th Avenue and rather than making a quick decision the Council needs to get more information and also find out the impact to the City for closing a MSA route. He commented in the past he had suggested removing MSA from Rice Creek Parkway because of the semi-truck traffic and his suggestion was not considered by the Council due to the cost of removing MSA. He stated funds will need to be identified in order to close 119th Avenue.

City Manager Arneson stated a permanent closure of an MSA road would cost the City approximately \$400,000-450,000. He stated he would need to research if a temporarily closure triggers the fee. He

recommended a public hearing to take testimony. He stated if the road is closed, there is no turn around for the vehicles which will force them to drive through the neighborhoods. He stated without proper notification the residents will file complaints with the City.

Mayor Ryan stated some residents on 116th Avenue requested a traffic modification that upset other residents in the neighborhood which caused upheaval in the neighborhood. He commented he does not want that to happen with 119th Avenue. He noted the increase in Police patrolling 119th Avenue has helped to slow traffic.

Councilmember Hovland asked Councilmember Bourke if he would be in favor of postponing the temporarily closure of 119th Avenue for 30 days in order to post temporary closing signs and give notice to the residents in the area. He stated a public hearing can be done at a later date on a permanent closure or reopen the road with modifications. He stated he is in favor of taking action on a temporary closure.

Councilmember Bourke stated the road is a City wide issue. He stated he wants signage posted immediately that the road will be closed temporarily. He commented it can take two weeks for notification, but it needs to be done in a timely manner as the road is not functioning properly. He stated the Police have done a good job, but the Police cannot dedicate all their resources to one community. He stated a functioning road design is needed. He stated the 90 days would give the City time to work through items and meetings, and implement necessary programs. He stated he does not want to risk another life or further property damage.

Councilmember Clark commented he believes the Council needs to break out of our paradigm on traffic policy. He stated he is in support of an engineering traffic study to be done by a third party to take an objective look at the road. He stated the study results will determine if the road is fine the way it is; the road is ok with some suggested improvements; or the road is dangerous and requires redesign. He stated if the study results show the road needing redesign, a Council decision would need to be made to either redesign the road or pay the MSA fee to permanently close the road. He commented the residents witnessed a horrible accident and no longer feel safe in their front yards and have asked the Council to do something before school ends. He noted time needs to be dedicated at the next Workshop.

Mayor Ryan commented he met with City Engineer Keely to review facts about the road. He stated the Council needs to review all the facts before a decision is made.

Councilmember Bourke requested immediate posting of the temporary road closure signs, notify the neighborhood, and close the road temporarily for 90 days.

Councilmember Clark suggested giving the Council and staff one week to put together a plan. He stated staff will need time to put together a traffic management plan. He commented maybe there is another solution like reducing the road to one lane.

Moved by Councilmember Swanson, seconded by Mayor Ryan, to amend the motion to not issue a closing until a public hearing takes place.

Mayor Ryan asked if the road would be closed at London. Councilmember Clark replied the residents have asked for the road to be closed at Palisade on the east side of the road.

Councilmember King stated he is in agreement with Councilmember Bourke to move forward with notifying the residents of the possibly of closing the road and post signs. He asked how quick a public hearing could

be held. City Manager Arneson replied the notice published and a public hearing could be arranged for June 16, 2016.

Councilmember King stated he is not willing to wait for a temporary closure in order for an external engineering firm to conduct a full study. He stated the residents would not be accepting of the delay.

Councilmember Bourke - Yes
Councilmember Clark - Yes
Councilmember Herbst - Yes
Councilmember Hovland - Yes
Councilmember King - Yes
Councilmember Swanson - Yes
Mayor Ryan - Yes

Amendment adopted unanimously.

Mayor Ryan commented this affects a large area and would require a City wide notice.

City Manager Arneson stated a professional engineering study can be completed within three weeks. He stated closing the road at Palisade Street will not work. He stated the traffic flow of 2,000 vehicles in to Palisade Street will have to go through the neighborhood to get out and the traffic flow in the other direction leads to a dead end. He stated temporarily closing at London Street gives the residents options.

Councilmember Bourke summarized he wants the road signed immediately; notice mailed out to residents of the potential road closure and public hearing on June 16, 2016, and temporarily close the road for 90 days for a full engineering study. He stated he agrees to let staff propose where to close the road.

City Manager Arneson confirmed the road will be signed as the road will be temporarily closed after the meeting on June 16, 2016.

Councilmember Bourke - Yes
Councilmember Clark - Yes
Councilmember Herbst - Yes
Councilmember Hovland - Yes
Councilmember King - Yes
Councilmember Swanson - Yes
Mayor Ryan - No

Amended motion adopted 6 -1 (Mayor Ryan).

Councilmember Clark confirmed staff direction is to maintain the enhanced Police protection during this period and bring back to Council an estimate for the engineering study, cost and timeframe.

Mayor Ryan commented there were four Council members that attended the neighborhood meeting and all seven Council members should have attended. He noted this is a City wide change.

Councilmember Herbst stated he will listen at the public hearing. He noted what he heard from the residents is that they do not want to get beat around the bush. He stated Councilmember Bourke is taking a stand on this issue.

Councilmember Clark commented if the public hearing feedback is to not close the road, the Council needs to have a backup plan to provide the neighborhood relief while the engineering study is completed.

Councilmember Swanson commented a cursory engineering study could be done on Rice Creek Parkway as well.

Councilmember Bourke stated traffic is a citywide issue and staff is working on a traffic management plan. He commented the larger the city gets the more traffic issues increases.

Mayor Ryan inquired on how the entire city will be notified. City Manager Arneson replied the newspaper and City website; unless the Council requests a mailing.

Councilmember Clark commented the signage on 119th Avenue will notify the people that are most affected because they use that road.

City Manager Arneson commented the sign may say; Potential Road Closure Public Hearing on June 16, 2016 at 7:30 p.m.

Mayor Ryan requested a recommendation from the Police Department on how often 119th Avenue is used for service calls and the amount of time it will take to detour to other roads.

ADJOURNMENT

Moved by Councilmember Herbst, seconded by Councilmember Bourke, to adjourn the meeting at 9:08 p.m.

Tom Ryan, Mayor

ATTEST:

Catherine Sorensen, City Clerk

Submitted by TimeSaver Off Site Secretarial, Inc.