

CITY OF BLAINE  
ANOKA COUNTY, MINNESOTA  
CITY COUNCIL WORKSHOP  
Monday, July 12, 2021

6:15PM  
Council Chambers  
10801 Town Square Drive

**CALL TO ORDER**

The meeting was called to order by Mayor Sanders at 6:15PM.

**ROLL CALL**

**PRESENT:** Mayor Tim Sanders, Councilmembers Wes Hovland, Julie Jeppson, Chris Massoglia, Richard Paul, Jess Robertson, and Jason Smith.

Adjunct Member Drew Brown.

**ABSENT:** None.

Quorum Present.

**ALSO PRESENT:** City Manager Michelle Wolfe; Community Development Director Erik Thorvig; Director of Administration Cassandra Tabor; Deputy Police Chief Dan Szykulski; Police Captain Matt Carlson; Finance Director Joe Huss; City Engineer Dan Schluender; City Attorney Pam Whitmore; GIS Coordinator Cory Richter; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

3.1 Council Requested Items for Discussion.

City Manager Wolfe asked if there was support to bring an item from Councilmember Smith for a future workshop meeting.

Councilmember Smith discussed a pet store ordinance and noted many other cities have already passed this regulation. He commented he supported the ordinance and suggested Blaine consider passing this consumer protection ordinance.

Councilmember Hovland stated this was an issue the city has been dealing with for years. He noted the police department has been investigating a pet shop in Blaine and has found the store was operating within the means of state law. He explained the kennels the dogs and cats have been purchased from have also been found to be operating within state law. He

commented he had no interest in pursuing this topic further. He did not believe it was local governments place to step in and supersede state law.

Councilmember Robertson agreed with Councilmember Hovland and noted she did not support this ordinance moving forward. She explained she was concerned this ordinance would target only one business in Blaine. She believed this would be an ordinance that was fixing a problem that did not exist in the city. She noted the pet shop in Blaine would give out information on where the dogs were coming from, if asked. She indicated she loved animals, but did not support a pet shop ordinance moving forward.

Councilmember Jeppson stated agreed, stating once the pet store sells or changes ownership, the council could consider an ordinance. She reiterated that this pet store was very closely monitored and has always followed state requirements.

Mayor Sanders indicated this may be a discussion worth having given the city's history with this property. He stated if this property was every sold, he would like to see an ordinance in place, which would require the council to have an ordinance discussion.

Councilmember Paul commented he wanted to receive more information in order to better understand what other cities were doing.

Councilmember Massoglia indicated he wouldn't mind discussing this topic further, with the understanding if this business were to ever sell, then further regulations could be put in place. He explained he may not support an ordinance in the future, but he could support the council having a discussion.

Councilmember Robertson encouraged the council to consider how impactful this issue will be and was directed at only one business in the community.

Council consensus was to bring this item back for further discussion at a future workshop meeting.

### 3.2 2020 Calls for Service Report.

Police Captain Carlson stated in 2020, the police department conducted a data-driven analysis of the patrol division staffing levels. A scientific approach was used to analyze current shifts, call distribution, and patrol districts, to determine if the most efficient law enforcement services are being provided to the community. What resulted was a comprehensive workload based study that allowed the department to determine staffing projects, patrol district borders, and officer allocations to see if future modifications are needed. The report was presented to the City Council in September and reinforced the need to continue hiring well trained officers to meet the demands of an increasing call load, population growth, and a

desire to keep the officer's unallocated time at a ratio that would not compromise community involvement and proactive enforcement and engagement efforts. Following the staffing analysis presentation, the department conducted a follow-up study to determine what effects the COVID-19 pandemic and the modifications to operations had on call load, distribution of calls for service and how officers' time was spent. The impacts COVID-19 had on officers and the department were discussed at length. He then described the effect the patrol scheduling modifications had on the department's performance objectives. He commented further on the calls for service data and asked for comments or questions from the council.

Councilmember Jeppson asked how realistic it was to be hiring new officers in 2022. Captain Carlson indicated the ability to train and retain officers going forward was a concern. However, he stated the command staff was optimistic given the level of support the police department receives from the city manager and city council. He reported the department was currently backgrounding nine officers for hiring consideration. Ms. Wolfe explained at a staff level the city was comfortable sharing information from the study but understood hiring may be challenging in the coming years and officers may be phased in differently.

Councilmember Hovland explained 15 years ago the city purchased a program that allowed the city to track the types of crimes that occur in the city and requested information on the types of crimes in the community be presented at a future meeting. He reported this information would assist the council in better understanding where and what types of crimes were occurring in the community and what areas of the community may be at risk. Captain Carlson indicated the report breaks down the total hours spent on calls for service, based on the call type. Ms. Wolfe added that this report was very focused on patrol and the needs of the department. She noted another workshop meeting could be scheduled to address the long-term needs of the department.

Mayor Sanders thanked staff for the detailed report.

### 3.3 Probationary Period Ordinance.

Director of Administration Tabor stated the city currently has a variety of personnel related policies and ordinances, which staff is in the process of reviewing and updating in 2021. Currently, the probationary period is an ordinance and the period timeline differs for staff depending on work unit. In 2020, to improve employee development in alignment with the strategic plan, a new annual performance evaluation process was implemented. To allow for equitability and consistency across all work units, the review process was designed around an update to the probationary period to reflect a one year probationary period for all employees. A one year unified probationary period policy will allow for a 6 month review, a one year probationary evaluation, and an annual evaluation thereafter.

Ms. Tabor explained the probationary length is currently an ordinance which requires a council vote for any changes as staff monitors and adjusts the new evaluation process. Staff recommends council amend the ordinance to allow for best practices and inclusion in a policy as recommended by the League of Minnesota Cities. As staff continues to review all personnel policies in 2021, and adopts the League of Minnesota Cities policy manual template, additional ordinances that are personnel related will be brought to council for request for conversion to a policy for oversight by the city manager. The remainder of conversion requests will be brought as one unit as we near the end of 2021.

Mayor Sanders stated he supported the streamlining and efficiency measures staff was proposing.

Councilmember Hovland explained he agreed with staff's recommendations then asked if there were any conflicts with implementing the changes with the city's unions. Ms. Tabor reported she would be having conversations with the unions and noted she has not received any push back on the one year probationary period. She commented on how the new plan would provide more feedback to employees.

Councilmember Massoglia asked if staff has received any feedback from legal counsel regarding employment law cases and what the suggested timeframes should be. Ms. Tabor reported the League of Minnesota Cities has their practices vetted but noted the language would also be reviewed by the city attorney.

Councilmember Paul questioned if this policy would cover the police and fire departments. Ms. Tabor stated the policy would cover the police department but not the fire department as they were a separate nonprofit entity.

Council consensus was to direct staff to proceed with the probationary period ordinance.

#### 3.4 An Ordinance Amending Chapter 42, Health and Sanitation, Article II, Tobacco, Division 1 and 2 and Article X. – Licenses for Rental Dwellings of the Municipal Code of the City of Blaine.

City Clerk Sorensen stated city council is asked to provide input on the proposed tobacco ordinance amendment. It was noted this item was brought forward for discussion in March 2020 but was delayed as to not further impact tobacco license holders who were dealing with restrictions due to COVID-19. At the time council supported the proposed amendment but was not supportive of being more restrictive than federal law. She reviewed the proposed restrictions the city was considering within the tobacco ordinance and requested direction from the council on how to proceed.

Councilmember Hovland supported the city keeping with state and federal laws. He questioned if the proposed ordinance would require additional enforcement efforts. He asked if the city had to prohibit the tasting of cigars at smoke shops. He indicated he did not have an issue with this. Ms. Sorensen reported the Blaine Police Department is required to conduct compliance checks annually for all tobacco license holders. She noted the FDA also conducts compliance checks. She commented further on the League of Minnesota Cities model ordinance and noted it does not allow for tobacco sampling. Deputy Chief Szykulski commented further on the compliance checks conducted by the Blaine Police Department.

Councilmember Hovland questioned what the fines were for noncompliance. Ms. Sorensen reported the fines were \$300 for a first offense, \$600 for a second offense and \$1,000 for a third offense for the license holder along with a \$50 fine for the clerk.

Councilmember Hovland asked if the city should have the tobacco fines parallel the liquor license fines. He inquired if a third offense could lead to the revocation of a tobacco license. Ms. Sorensen stated a tiered penalty structure could likely be implemented and would confirm with the city attorney.

Councilmember Jeppson stated vaping was a huge concern amongst youth at this time but noted there was only so much a city could do to address this issue. She indicated she was not supportive of limiting the number of tobacco licenses until after the city was fully developed.

Councilmember Robertson agreed with Councilmember Jeppson then discussed how local government was not in place to control human behavior. She did not believe the city should be in the place of choosing winners and losers but rather be keeping in line with federal and state regulations. She recommended the city not limit or set restrictions on the number of tobacco stores in Blaine.

Mayor Sanders commented the city did have a say when it came to enforcement and fines and recommended the clerk fine be increased to \$100. He was of the opinion this would assist with addressing the concern of clerks in Blaine that were selling to youth and minors. He recommended the city not address packaging of vaping products within the tobacco ordinance. He suggested a cap on the number of tobacco licenses not be considered until the city was fully built out. In addition, he recommended the police department work to enforce federal law and that these license holders be held accountable if making sales to minors.

Further discussion ensued regarding the education that had to be provided to clerks who were under the age of 21 and made a sale to minors.

Councilmember Massoglia commented he agreed this was a big issue and he understood tobacco sales were being made to minors. He supported the city increasing the penalties and

that licenses be suspended or revoked after a third offense and indicated he supported allowing sampling of cigars.

Councilmember Hovland discussed the point of sale system that was used at Cub Foods and noted a date of birth has to be entered before the sale can be completed. Ms. Sorensen reported the city offers a \$100 fee reduction as an incentive for tobacco license holders for establishments that have a card reader for their point of sale system.

Councilmember Paul supported the city increasing the fines and recommended feedback be received from the license holders.

Council consensus was to direct staff to bring back the suggested changes for final review as discussed.

### 3.5 American Rescue Plan (ARP) Funding Update.

Finance Director Huss stated on March 11, the American Rescue Plan Act ("ARPA" or "ARP") of 2021, also called the COVID-19 Stimulus Package or American Rescue Plan, was signed into law. The act is a \$1.9 trillion economic stimulus bill that builds upon previously enacted aid measures in 2020. Blaine's total allocation is \$6,793,793, and the first payment of \$3,396,896.50, equaling one-half of the total of Blaine's allocation, has been received. The balance of the allocation is expected by mid-2022. A staff committee comprising the finance director, public works director, director of administration, and economic development specialist is reviewing the act in greater detail and developing a detailed spending plan within allowable and eligible uses in accordance with ARPA.

Mayor Sanders stated he would like an economic program be considered for businesses that would like to make improvements to their property. In addition, he recommended the dollars given to Fogerty or the National Sports Center be in alignment with the city's strategic plan. Mr. Huss reported there were fairly specific guidelines in place when using ARP funds for lost revenue.

Councilmember Jeppson noted there was a lot of assistance available for renters and schools but not homeowners. She explained homeowners were hurting too and suggested the city consider creating a program to assist homeowners.

Councilmember Smith supported this recommendation and suggested ARP be used to help cover the expense of property taxes or water bills.

Councilmember Hovland stated there were a lot of small non-profits that need help as well. He encouraged the city to consider how to help non-profits that were struggling.

Councilmember Robertson commented she wanted to do what was best for the community, especially the business community that was hit the hardest. She indicated she preferred the ARP funds being distributed through some sort of grant process as she wanted to have a level of accountability for these funds.

Councilmember Jeppson indicated there were a lot people and non-profits that were suffering. She stated there were also non-profits that were thriving. She commented on the eviction moratorium and how this would impact the community. She recommended the city council consider how to invest these dollars into the community and its non-profits in order to help citizens even more.

Councilmember Massoglia explained he would like to see a proposal from staff on infrastructure improvements the city can make with the ARP funds. Mr. Huss commented staff was looking into this.

Councilmember Paul supported the city using ARP funds for infrastructure and assisting to reduce assessments. He recommended internet and broadband investments also be considered. Ms. Wolfe stated staff can look into this with Anoka County.

Councilmember Massoglia discussed the city hall improvements and technological enhancements made and asked if ARP funds could be used to replace other expenses for the city. Mr. Huss commented staff was looking to see if ARP funds could be used for broadband infrastructure expenses.

### 3.6 2022 General Fund Budget Update.

Mr. Huss stated department heads have prepared and submitted their 2022 budget proposals. The proposals have been reviewed by finance staff for completeness and to make any needed technical corrections. The city manager has provided her initial review of the proposals and follow-up is taking place. Included in the proposals are a number of department head requests that are categorized as decision packages. The city manager will decide which decision packages will move forward for further consideration as part of the city manager's 2022 Preliminary Budget. The city manager's 2022 Preliminary Budget will be the basis for discussion at the small group budget discussions that will take place over the following weeks and will provide the council opportunity to review the 2022 Preliminary Budget with the city manager and finance director and to ask questions, get clarifications, and provide feedback on the budget before broader discussion takes place at the August 16 council workshop. Staff provided further comment on the proposed budget timeline.

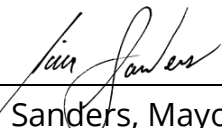
Ms. Wolfe explained the current budget proposal included eight new staff members, four of which were police officers and one to two additional police staff members.

Councilmember Jeppson asked if the positions that were eliminated within the police department were being added back. Mr. Huss commented staff was working through this.

Mr. Huss indicated staff would have a better understand of how these funds would impact the city operationally by September and reminded council that in spite of the reduction in revenues, the city had an almost 100% rate of payment for property taxes, which meant the city had a very healthy balance in the general fund.

Mayor Sanders thanked Mr. Huss for his great work on behalf of the city of Blaine.

The Workshop was adjourned at 8:17PM.

  
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Tim Sanders, Mayor

ATTEST:

  
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Catherine Sorensen, CMC, City Clerk  
*Submitted by Minute Maker Secretarial*