



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

10801 Town Square Dr.
Blaine MN 55449

Thursday, July 12, 2012

7:30 PM

Council Chambers

The Agenda was Revised to include item 12.7 as a handout

Meeting Number 12-41

1. CALL TO ORDER BY THE MAYOR

The meeting was called to order at 7:34 p.m. by Mayor Pro Tem Kolb followed by the Pledge of Allegiance and the Roll Call.

Quorum present.

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 Terry Dussault, Human Resources Director; Chief; Roark Haver, Communications Technician; Al Thorp, Senior Engineering Technician; Jane Cross, City Clerk; and Recording Secretary Linda Dahlquist.

Present: 6 - Councilmember Hovland, Councilmember Swanson, Councilmember Clark, Councilmember Bourke, Mayor Pro Tem Kolb and Councilmember Herbst

Absent: 1 - Mayor Ryan

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF MINUTES

[MIN 12-24](#)

**WORKSHOP MEETING - 06/14/12
WORKSHOP MEETING - 06/21/12
REGULAR MEETING - 06/21/12
CLOSED MEETING - 4/19/12**

Sponsors: Cross

Attachments: [Workshop Meeting 6/21/12](#)
[Regular Meeting 6/21/12](#)
[Closed Meeting 4/19/12](#)
[Workshop Meeting 06/14/12](#)

Councilmember Clark abstained from the Minutes of the Workshop Meeting of June 21, 2012 due to his absence.

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

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

None.

6. COMMUNICATIONS

None.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Pro Tem Kolb opened the Open Forum at 7:37 p.m.

Torey Hall, 2839 Aspen Lake Drive, stated he was seeking an endorsement of the Glass-Steagall Act from the City Council. He stated this week two City Councils in Pennsylvania endorsed Glass-Steagall as a way to file bankruptcy for their cities. He stated the cities of Stockton and San Bernardino, California filed yesterday. He stated he is presenting Glass-Steagall to the City as a future solution for any problems that might occur while balancing the 2013 budget. He stated it puts a wall of separation between commercial and speculation in the banking system. He stated Ohio Congresswoman Marcy Kaptur, under House File HR 1489 has 71 endorsees. He stated the City of London's number two banker supports Glass-Steagall in London and in Europe.

Councilmember Herbst asked Mr. Hall for clarification on what is the Glass-Steagall Act. Mr. Hall replied Glass-Steagall was removed in 1999 and first implemented in 1933. It was one of the main factors that stopped the Depression by stopping speculative banking or today it would stop any derivative banking.

City Manager Arneson clarified that Glass-Steagall is a Federal Act. Mr. Hall stated that is correct.

Mayor Pro Tem Kolb asked Mr. Hall to provide more information about Glass-Steagall to the Council.

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

Councilmember Clark stated Glass-Steagall is an Act to provide for a safer and more efficient use of assets of banks to regulate inner bank control to prevent the undue diversion of funds into speculative operations and for other purposes.

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 12.4B.

10. APPROVAL OF CONSENT AGENDA:

Councilmember Herbst requested the removal of agenda item 10.3.

Approval of the Consent Agenda

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

10.1 [MO 12-088](#)

SCHEDULE OF BILLS PAID

Sponsors: Huss

Attachments: [May 2012 Payroll Checks and Wire Transfers](#)

[06/15/12 Bills Paid](#)

[06/22/12 Bills Paid](#)

Approved unanimously by Consent Vote.

10.2 [MO 12-089](#)

AUTHORIZE TEMPORARY REMOVAL OF PARKING RESTRICTIONS ON 103RD LANE FOR CENTENNIAL ELEMENTARY SCHOOL EVENT ON SEPTEMBER 16, 2012 (RAIN DATE: OCTOBER 3, 2012)

Sponsors: Keely

Attachments: [Centennial Elementary Request.pdf](#)
[Centennial School Pkg Request Map.pdf](#)

Approved unanimously by Consent Vote.

10.4 [MO 12-091](#) **APPROVE THE RENEWAL OF AN OFF-SALE
LIQUOR LICENSE FOR CENTURY LIQUORS**

Approved unanimously by Consent Vote.

10.5 [RES 12-087](#) **RECEIVE PETITION AND ORDER PUBLIC HEARING
VACATION OF DRAINAGE AND UTILITY EASEMENTS
LOTS 9, 10, 11 & 12, BLOCK 3; LOT 1, BLOCK 5; AND
OUTLOT J, GARDENWOOD ADDITION AND LOT 1,
BLOCK 2, GARDENWOOD 2ND ADDITION
VACATION NO. V12-03**

Sponsors: Keely

Attachments: [V12-03 Gardenwood Map](#)
[Petition V12-03 Gardenwood 2nd](#)

Adopted unanimously by Consent Vote.

10.6 [MO 12-092](#) **AMEND PRIOR AUTHORIZATION OF TEMPORARY
REMOVAL OF PARKING RESTRICTIONS ON 91ST
AVENUE, 92ND AVENUE, 92ND LANE AND BALTIMORE
STREET TO ACCOMMODATE LETTERMEN SPORTS
TENT SALE ON AUGUST 2 - 5, 2012**

Sponsors: Keely and Safety Services Manager / Police Chief Olson

Attachments: [Baltimore St Temp Parking Map](#)

Approved unanimously by Consent Vote.

10.7 [MO 12-093](#) **NOTIFYING THE LEAGUE OF MINNESOTA CITIES
INSURANCE TRUST THAT MONETARY LIMITS ON
TORT LIABILITY IS NOT WAIVED**

Sponsors: Human Resources Director Dussault

Attachments: [Tort Liability Waiver Form](#)

Approved unanimously by Consent Vote.

10.8 [ORD 12-2251](#) **VACATION OF STREET RIGHT-OF-WAY**

**TH 65 WEST FRONTAGE ROAD
ADJACENT TO EAST PROPERTY LINE
LOT 1, BLOCK 1, SANDLER PLACE
VACATION NO. V12-02**

Sponsors: City Council

Attachments: [V12-02. Map. Sandler.pdf](#)

Adopted unanimously by Consent Vote.

10.3 [MO 12-090](#)

**APPROVE AN AMUSEMENT DEVICE LICENSE
FOR
VICTORY PIZZERIA & PUB**

Sponsors: Cross

James Schmitz, the owner of Victory Pizzeria & Pub, 9967 Ulysses Street NE, stated the grand opening will be on July 13, 2012.

Councilmember Clark asked staff if the license will be ready at 8:00 a.m. tomorrow morning. City Clerk Cross replied the license will be ready in the morning, but the State requires the license and \$20.00 check in hand in order for the State to provide a buyer's card. She stated Mr. Schmitz can pick up his paperwork at City Hall and take it to the State. Mr. Schmitz stated he will pick up his license tomorrow morning and take the license down to the State office.

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

11. DEVELOPMENT BUSINESS

11.1 [RES 12-088](#)

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

Sponsors: Schafer

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

Planning and Community Development Director Schafer stated the total project cost to add the fire suppression system is \$46,000. He stated at the Council Workshop on May 17, 2012, Council's consensus was to move forward with providing City/EDA assistance of \$23,000 special assessment

(plus \$230 assessing fee) paid back by the property owner over a 10-year period at 5% interest and \$23,000 matching grant (Fire Suppression Grant). He stated the funds would be drawn from EDA cash reserves or pooled TIF dollars. He stated any project expenses exceeding \$46,000 would be paid directly by the applicant. He stated a public hearing will be held on August 2, 2012.

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

12. ADMINISTRATION

12.1 [RES 12-089](#)

AUTHORIZING THE CITY MANAGER TO RE-OFFER A VOLUNTARY SEPARATION INCENTIVE PROGRAM, APPROVE PARTICIPATION IN THE PUBLIC EMPLOYEES RETIREMENT ASSOCIATION OF MINNESOTA PHASED RETIREMENT OPTION, AND AUTHORIZE A VOLUNTARY REDUCTION IN WORK SCHEDULE PROGRAM

Sponsors: Human Resources Director Dussault

Attachments: [EXHIBIT A.doc](#)

Human Resources Director Dussault stated this program has been successful for four years. He stated the coordinated and basic members of the Public Employees Retirement Association (PERA) in Minnesota will be able to participate in a Phased Retirement Option (PRO) if both the employer and employee agree, and the employee meets the criteria. In addition, the member must agree to a reduction of hours of at least twenty-five percent not to exceed 1,044 hours per year. He stated once the employee resumes work for the employer at a reduced number of hours, they will receive their pension and be exempt from PERAs earning limits that apply prior to full Social Security retirement age. He stated neither the member nor the employer is required to continue contributions to PERA. The employer has sole authority to determine whether to offer a PRO to an employee. He stated the PRO agreement is one year in length and can be renewed for up to a total of five years and renewal is at the option of the employer.

Mayor Pro Tem Kolb asked if the age definition will be changing. Human Resources Director Dussault replied no.

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

12.2 [RES 12-090](#)

APPROVE A PREMISES PERMIT FOR CHARITABLE

**GAMBLING
FOR SPRING LAKE PARK YOUTH HOCKEY AT
VICTORY PIZZERIA & PUB,
9967 ULYSSES STREET NE**

Sponsors: Cross

City Clerk Cross stated Spring Lake Park District 16 Youth Hockey, 9250 Lincoln Street NE, has submitted an application for a new premises permit to allow charitable gambling to be conducted at Victory Pizzeria & Pub. She stated a \$250 investigation fee has been deposited with the City and the criteria set forth in Ordinance No. 88-1108 have been met. The Blaine Police Department conducted an investigation and did not find any problems to disqualify Spring Lake Park District 16 Youth Hockey from being approved.

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

12.3 [RES 12-091](#)

**ACCEPT BID FROM RUM RIVER CONTRACTING CO. IN
THE AMOUNT OF \$397,567.83 FOR THE 93RD LANE
INDUSTRIAL PARK AREA STREET IMPROVEMENTS,
PHASE 1 (IMPROVEMENT PROJECT NO. 11-16)**

Sponsors: Keely

Attachments: [Location Map.pdf](#)

City Engineer Keely stated a total of seven bids were received and it has been determined that Rum River Contracting Co. of Princeton, Minnesota is the lowest bidder. The Engineering Department has worked with Rum River Contracting Co. on previous contracts and recommends their bid be accepted and a contract entered into with Rum River Contracting Co. She stated the Council is also asked to approve a 10% contingency to bring the total project budget to \$437,324.61. The funding sources for this project are assessments and the City's Pavement Management Program funds.

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

12.4 A [RES 12-092](#)

**ORDER PREPARATION OF PROPOSED 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: [11-07 Assmt RollOrPr&Call](#)
 [11-07FinalAsmt map](#)

City Engineer Keely stated the Project No. 11-07 includes construction of a northbound right turn lane on Lexington Avenue at Woodland Parkway and appurtenant construction. She stated assessments and developer bond funds will be used to pay for the project. She stated bond funds are being used to reduce the proposed per lot assessment from the original estimated cost as Council directed when a plan for the use of the bond proceeds was discussed. She stated Improvement Project No. 11-07” be introduced and placed on file for second reading at the August 2, 2012 Council meeting.

Councilmember Herbst asked how many units the turn lane will serve. City Engineer Keely stated currently the Woodland Village area with approximately 208 units. She stated Finn Farm development will be paying for an additional traffic signal at Lexington Avenue and 122nd alignment.

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

12.4 B [RES 12-093](#)

**CALL FOR HEARING ON PROPOSED 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: [11-07 Assmt RollOrPr&Call](#)
 [11-07FinalAsmt map](#)

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

9.1 [MO 12-087](#)

**PRIVATE ON-SALE AND SUNDAY LIQUOR LICENSE
 FOR
 VICTORY PIZZERIA & PUB, 9967 ULYSSES STREET NE**

Sponsors: Cross

Attachments: [Victory Pizzeria Public Hearing Notice](#)

Mayor Pro Tem Kolb opened the public hearing at 8:03 p.m.

There being no public input, Mayor Pro Tem Kolb closed the public hearing at 8:03 p.m.

City Clerk Cross stated James Schmitz, owner and applicant for Victory Pizzeria & Pub, has submitted an application for a Private On-Sale and Sunday liquor license for the facility located at 9967 Ulysses Street NE, Blaine. She stated the applicant has submitted a completed license application, the license fee of \$5,700 and \$500 for a background investigation. She stated the required certificate of insurance for liquor liability and all required forms and documents have been received and are on file. She stated the Blaine Police Department completed a background investigation and found no information to prohibit the granting of a Private On-Sale and Sunday Liquor license to Victory Pizzeria & Pub.

Mayor Pro Tem Kolb stated she would abstain because her son had applied to work at Victory Pizzeria & Pub.

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

Abstain: 1 - Mayor Pro Tem Kolb

**12.5 [ORD 12-2241](#) **AMENDING CHAPTER 22, ARTICLE II, PAWNBROKERS,
OF THE MUNICIPAL CODE OF THE CITY OF BLAINE****

Sponsors: Safety Services Manager / Police Chief Olson

Safety Services Manager/Police Chief Olson stated at a Council Workshop in November 2011, the Council was presented information on Pawn Shop fees and the Pawn Shop Ordinance. He stated as a result of the presentation the fees for a Pawn License was set in the Fee Schedule and changes were made to the Pawn Shop Ordinance in accordance with the Minnesota State Statute governing pawn operations. He stated this item was not placed onto the February 2, 2012 Council meeting agenda for Second Reading. He stated there have been no adverse consequences due to the delay.

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

**12.6 [RES 12-094](#) **CONCUR WITH CITY OF LEXINGTON IN ACCEPTING
BID FROM COUNTY LINE EXCAVATING IN THE
AMOUNT OF \$468,503.10 FOR THE RECONSTRUCTION
OF HAMLINE AVENUE FROM EDGEWOOD ROAD TO
PATRIOT LANE, IMPROVEMENT PROJECT NO. 10-13****

Sponsors: Keely

Attachments: [Exhibit 1 - location map](#)

City Engineer Keely stated a total of five bids were received by the City of

Lexington and it has been determined that County Line Excavating of Foley, Minnesota to be the lowest bidder. She stated the Engineering Department has worked with County Line Excavating on previous contracts and recommends the City of Blaine concur with the City of Lexington to accept the low bid and enter into a contract with County Line Excavating. She stated the Council is also asked to approve a 10% contingency to bring the total project budget to \$515,353.41. She stated the funding source for the City of Blaine's portion of the project cost is a combination of assessments, City Water Utility Funds and City Pavement Management Funds.

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

12.7 [MO 12-094](#)

**APPOINTMENT OF ADDITIONAL ELECTION JUDGES
FOR 2012 PRIMARY AND GENERAL ELECTIONS**

Sponsors: Cross

Attachments: [Additional Elect Judges 7-12-12.pdf](#)

City Clerk Cross stated staff has recruited election judges for the 2012 primary and general elections. She stated the handout lists includes judges that were appointed on June 21, 2012 and judges who have applied since June 21, 2012. She stated the City will continue to hire judges until there are sufficient judges for the General Election and to have judges' on-call to fill in if there are unexpected absences the days of the elections. An election judge needs to be a Minnesota resident (for 20 days), speak and read English fluently, and is age 18 or older. She stated judge pay ranges from \$7.25-\$10.00 per hour for a full day shift (6:00 a.m. to 9:00 p.m.) She stated there is an on-call list for people who cannot work full time. She stated judge training will be done July 18-30, 2012 in Ham Lake, Lino Lakes, and Spring Lake Park. She stated judges need training every two years.

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

13. OTHER BUSINESS

Councilmember Swanson asked about the water problems on Ball Road. Public Services Manager Therres replied residents have called the City about water in their backyards. He stated the City contacted the Rice Creek Watershed District and they are doing work in the area. He stated the Watershed District is asking some residents to move their fire pits and clear firewood piles.

Councilmember Herbst suggested the City install drain tile in the affected residents' backyards.

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 8:15 p.m.