



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

10801 Town Square Dr.  
Blaine MN 55449

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Thursday, January 3, 2013

7:30 PM

Council Chambers

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**Meeting No. 13-02**

**1. CALL TO ORDER BY THE MAYOR**

The meeting was called to order at 7:40 p.m. by Mayor Ryan followed by the Pledge of Allegiance and the Roll Call.

Quorum present.

**ALSO PRESENT:** Bryan Schafer, Planning Director; Bob Therres, Public Services Manager; Joe Huss, Finance Director; Ward Brown, Financial Analyst; Chris Olson, Safety Service Manager/Police Chief; Jean Keely, City Engineer; 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

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**4. APPROVAL OF MINUTES**

**4.1 [MIN 12-42](#)**

**WORKSHOP MINUTES - 11/29/2012**

**Sponsors:** Cross

**Attachments:** [WORKSHOP MINUTES 11/29/2012](#)

Moved by Councilmember Swanson, seconded by Mayor Pro Tem Kolb, that the Minutes be Approved. The Motion was adopted 6-1 (Councilmember Hovland abstained due to his absence.)

**ADJOURN 2012 CITY COUNCIL SINE DIE**

Adjourned

**CALL TO ORDER BY THE MAYOR**

**Present:** 7 - Mayor Ryan, Councilmember Hovland, Councilmember Swanson, Councilmember Clark, Councilmember Bourke, Mayor Pro Tem Kolb and Councilmember Herbst

**5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS**

**5.1 [Com 13-01](#) ADMINISTRATION OF OATHS OF OFFICE FOR WARD 1:  
DICK SWANSON, WARD 2: MIKE BOURKE, WARD 3:  
RUSS HERBST**

**5.2 [MO 13-001](#) APPOINTMENT OF LIAISONS TO VARIOUS BOARDS  
AND COMMISSIONS**

**Sponsors:** City Manager Arneson

Moved by Councilmember Herbst, second by Councilmember Hovland to approve the appointments of various boards/commission liaisons for 2013.

Appointment of Mayor Pro Tem (Councilmember Kolb 2012).  
Mayor Ryan announced the appointment of Councilmember Hovland as 2013 Mayor Pro Tem.

Appointment of President and Vice President of Blaine EDA (Mayor Ryan and Councilmember Kolb Respectively 2012 Appointees).  
Mayor Ryan announced the appointments of Mayor Ryan and Councilmember Hovland as 2013 President and Vice President of Blaine EDA.

Appointments to the Senior Citizen Advisory Council (Mayor Ryan and Councilmember Swanson 2012 Liaisons).  
Mayor Ryan announced the appointments for the Senior Citizen Advisory Council are Mayor Ryan and Councilmember Swanson 2013 Liaisons.

Appointments of Liaison to the Natural Resources Conservation Board (Councilmembers Clark, Kolb, and Swanson 2012 Liaisons).  
Mayor Ryan announced the appointments of liaison to the Natural Resource

Conservation Board are Councilmembers Clark, Kolb, and Swanson 2013 Liaisons.

Appointments of Liaison to the Special Board of Review – 1 per Council District (Councilmembers Hovland, Clark, and Kolb 2012 Liaisons).  
Mayor Ryan announced the appointments of liaison to the Special Board of Review – 1 per Council District are Councilmembers Swanson, Bourke, and Herbst 2013 Liaisons.

Appointment of Liaison to the Coon Creek Watershed Board (Councilmember Hovland 2012 Liaison).

Mayor Ryan announced the appointment of liaison to the Coon Creek Watershed Board is Councilmember Hovland 2013 Liaison.

Appointment of Liaison to the Rice Creek Watershed Board (Councilmember Herbst 2012 Liaison).

Mayor Ryan announced the appointment of liaison to the Rice Creek Watershed Board is Councilmember Herbst 2013 Liaison.

Appointments of Liaison to Anoka County Joint Law Enforcement Council (Mayor Ryan and Police Chief Olson 2012 Liaisons).

Mayor Ryan announced the appointments of liaison to Anoka County Joint Law Enforcement Council are Mayor Ryan and Police Chief Olson 2013 Liaisons.

Appointments of Liaison to Anoka County Board of Commissioners (Councilmembers Herbst, Bourke, Hovland 2012 Liaisons).

Mayor Ryan announced the appointments of liaison to Anoka County Board of Commissioners are Councilmembers Herbst, Bourke, and Hovland 2013 Liaisons.

Appointments of Liaison to Anoka County – Blaine Airport Advisory Committee (Mayor Ryan and City Manager Clark Arneson 2012 Liaisons).

Mayor Ryan announced the appointments of liaisons to Anoka County – Blaine Airport Advisory Committee are Mayor Ryan and City Manager Clark Arneson 2013 Liaisons.

Appointment of Liaison to the Fogerty Arena Board of Directors (Councilmember Clark 2012 Liaison).

Mayor Ryan announced the appointment of liaison to the Fogerty Arena Board of Directors is Councilmember Clark 2013 Liaison.

Appointment of Liaison to the North Metro Telecommunications Commission (Councilmember Swanson 2012 Liaison).

Mayor Ryan announced the appointment of liaison to the North Metro Telecommunications Commission is Councilmember Swanson and Councilmember Herbst - Alternate.

Appointment of Liaison to the Spring Lake Park Firefighters Relief Association Board of Trustees (Councilmember Swanson 2012 Liaison).

Mayor Ryan announced the appointment of liaison to the Spring Lake Park Firefighters Relief Association Board of Trustees is Councilmember Swanson and Councilmember Herbst - Alternate.

Appointments of Liaison for the 35W Corridor Coalition (Councilmember Swanson and City Manager Arneson 2012 Liaisons, Councilmember Hovland –

Alternate).

Mayor Ryan announced the appointments of liaison for the 35W Corridor Coalition are Councilmember Swanson and City Manager Arneson 2013 Liaisons, and Councilmember Hovland – Alternate.

Appointments of Member and Alternate to NorthStar Corridor Development Authority (Mayor Ryan and City Manager Arneson - Alternate 2012 Liaisons). Mayor Ryan announced the appointments of Member and Alternate to NorthStar Corridor Development Authority are Mayor Ryan and City Manager Arneson – Alternate 2013 Liaisons.

Appointment of Liaison for the Twin Cities Gateway (Councilmember Swanson 2012 Liaison).

Mayor Ryan announced the appointment of liaison for the Twin Cities Gateway is Councilmember Swanson. 2013 Liaison.

Motion adopted unanimously.

**5.3**      [MO 13-002](#)

**DESIGNATE OFFICIAL NEWSPAPER FOR 2013**

**Sponsors:**            City Manager Arneson

**Attachments:**        [2013 BSLP Life newspaper ltr](#)  
[newspaper anoka record](#)

City Manager Arneson stated State law requires the Council to designate a single newspaper as its official newspaper. He stated a proposal was received from Blaine-Spring Lake Park Life and the Anoka County Record.

Councilmember Herbst stated the Anoka County Record is published two times per month, which will not work with the City's meeting notification requirements.

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

**5.4**      [MO 13-005](#)

**DESIGNATE OFFICIAL CITY DEPOSITORIES FOR 2013**

**Sponsors:**            Huss

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

**6.            COMMUNICATIONS**

Councilmember Kolb thanked the Public Works staff for their work on the broken water main and recognized Mayor Ryan for driving over to the site after receiving a call from a resident that did not know who to call to report the break.

Mayor Ryan thanked the City staff for collecting gifts that were donated to Kingswood Church. He also thanked all of the local churches for the work they do to support the community.

**7. OPEN FORUM FOR CITIZEN INPUT**

Moved in the agenda to follow the Public Hearing.

**8. ADOPTION OF AGENDA**

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

**9.1 [ORD 13-2255](#) VACATION OF DRAINAGE AND UTILITY EASEMENTS  
LOT 17, BLOCK 1 & LOT 10, BLOCK 2, SHADOW PONDS  
VACATION NO. V12-05**

**FIRST READING**

**Sponsors:** City Council

**Attachments:** [V12-05 map Shadow Ponds](#)

Mayor Ryan opened the public hearing at 8:00 p.m.

City Engineer Keely stated the vacation of drainage and utility easements is being requested for the replatting of the existing town home lots into single-family lots.

There being no public input, Mayor Ryan closed the public hearing at 8:01 p.m.

**Declared by Mayor Ryan that Ordinance 13-2255, "Vacation of Drainage and Utility Easements Lot 17, Block 1 & Lot 10, Block 2, Shadow Ponds Vacation No. V12-05" be introduced and placed on file for second reading at the January 17, 2013, Council meeting.**

**OPEN FORUM FOR CITIZEN INPUT**

Mayor Ryan opened the Open Forum at 8:01 p.m.

Liz Li Song stated she came to Minnesota in 1986 as a student and worked for a company for ten years and then a realtor until now. She stated in 2011 she opened Heng Body Care and Massage, a whole body care massage store in Blaine. She stated she also has a store for three years in Champlin. She stated in June 2012, the City required masseuse licensing. She was unable to open

her store today because she does not have a licensed masseuse. She stated the masseuse applied for a license and the Police Department denied the license. She stated the Police Department used the National Certification Board of Therapeutic Massage and Bodywork's (NCBTMB) website to investigate the school and determined that the school was a bad school. She stated she called the NCBTMB to find that the school's standard is based upon student exams. She stated the school was not listed on the website in December, but was listed on the website in January. She stated this organization is non-profit and is not endorsed by the government.

Mayor Ryan stated massage stores started moving to Blaine and the City decided licensing was necessary to regulate the stores. He stated the owners need to work with the Police Department on licensing.

Councilmember Herbst clarified that Ms. Song's employee did go to school, but the school was not accredited.

Police Chief Olson stated the ordinance was built by consultations from industry schools. He stated the NCBTMB reported the school has been revoked since 2009. He stated he has attempted to contact the school on several attempts with no success. He stated the Police Department relies on the accreditation board for licensing approval.

Councilmember Bourke asked if the employee is licensed by the State. Police Chief Olson replied the State does not license masseuses.

Police Chief Olson stated he will continue to work with Ms Song.

Ms. Song stated she has job postings at several of the local schools.

There being no further input, Mayor Ryan closed the Open Forum at 8:19 p.m

## **10. APPROVAL OF CONSENT AGENDA:**

### **Approval of the Consent Agenda**

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

#### **10.1 [MO 13-003](#)**

### **SCHEDULE OF BILLS PAID**

**Sponsors:** Huss

**Attachments:** [12/14/12 Bills Paid](#)  
[12/22/12 Bills Paid](#)

Approved unanimously by Consent Vote.

11. DEVELOPMENT BUSINESS

11.1 [RES 13-003](#) **GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR CONSTRUCTION OF 15 SINGLE FAMILY HOMES IN A DF (DEVELOPMENT FLEX) ZONING DISTRICT AT URBANK CIRCLE/VERMILLION STREET NE. SHADOW PONDS, LLC. (CASE FILE NO. 12-0042/SLK)**

**Attachments:** [Attachments.pdf](#)  
[Public Comments.pdf](#)

Planning and Community Development Director Schafer stated the Shadow Ponds development is located east of Radisson Road and north of the Lakes Parkway. He stated the four-acre site is guided MDR (Medium Density Residential) and zoned DF (Development Flex) and is located on the south end of three other similar sized parcels that have single family homes on septic and well that are also MDR and zoned FR (Farm Residential). He stated the replat proposal for 15 single-family lots are a shift in product type and density, which could impact the ultimate use for the three parcels to the north. He stated the neighborhood and three property owners to the north were notified of the proposed changes. He noted the Planning Commission voted 5-1 (Radtke) to approve the conditional use permit. He also noted there were several comments at the public hearing related to traffic concerns and landscaping.

Councilmember Swanson stated he would have liked to see the minutes from the Planning Commission.

Councilmember Hovland asked about the existing utilities and if they will need to be changed. Community Development Director Schafer stated the utilities will have to be redone.

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

11.2 [RES 13-004](#) **RESOLUTION GRANTING PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 4.16 ACRES INTO 15 SINGLE FAMILY LOTS TO BE KNOWN AS SHADOW PONDS VILLAGE AT URBANK CIRCLE/VERMILLION STREET NE. SHADOW PONDS, LLC. (CASE FILE NO. 12-0042/SLK)**

**Attachments:**     [Attachments.pdf](#)  
                                 [Public Comments.pdf](#)

Planning and Community Development Director Schafer stated Planning and Community Development Director Schafer stated the Shadow Ponds development is located east of Radisson Road and north of the Lakes Parkway. He stated the four-acre site is guided MDR (Medium Density Residential) and zoned DF (Development Flex) and is located on the south end of three other similar sized parcels that have single family homes on septic and well that are also MDR and zoned FR (Farm Residential). He stated the replat proposal for 15 single-family lots are a shift in product type and density, which could impact the ultimate use for the three parcels to the north. He stated the neighborhood and three property owners to the north were notified of the proposed changes. He noted the Planning Commission voted 5-1 (Radtke) to approve the conditional use permit. There were several comments at the public hearing related to traffic concerns and landscaping. He noted that the plat has gone through storm water and watershed district review.

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

## **12. ADMINISTRATION**

### **12.1     [RES 13-001](#)                      MISSION STATEMENT AFFIRMING COUNCIL/STAFF RESPONSIBILITIES**

**Sponsors:**           City Manager Arneson

City Manager Arneson stated the Council adopted Resolution No. 86-41 defining certain responsibilities, defining expected Council/staff relationships and performance expectations, assuring no recriminations for acting in the public interest, and pledging no self-serving activities at the expense of the public interest. He noted this resolution comes to the Council each year since 1986 for consideration and adoption at the first official meeting of the year.

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

### **12.2     [RES 13-005](#)                      ADOPTING THE 2013 CAPITAL FUND BUDGET**

**Sponsors:**           Huss

**Attachments:**        [2013 Capital Equipment Budget](#)

Finance Director Huss stated the Council reviewed the proposed list of capital purchases for 2013 at the December 13, 2012 Workshop and based on the discussion in the Workshop no adjustments have been made to the proposed



budget. He noted it has become customary to fund capital purchases with undesignated General Fund reserves. He noted staff will examine the feasibility and cost-effectiveness of issuing a Certificate of Indebtedness to fund the 2013 capital expenditures.

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

**12.3**      [RES 13-006](#)

**INITIATE PROJECT AND ORDER PREPARATION OF  
FEASIBILITY REPORT FOR THE 93RD LANE  
INDUSTRIAL PARK AREA STREET IMPROVEMENTS -  
PHASE 2  
IMPROVEMENT PROJECT NO. 12-19**

**Sponsors:**      Keely

**Attachments:**      [Location Map](#)

City Engineer Keely stated staff brought a list of proposed projects for the 2013 Pavement Management Program (PMP) to the Council Workshop on October 18, 2012. She stated the PMP capital improvement plan fund does not have the capability to fund reconstruction of the entire 93rd Lane industrial park area in one year; therefore, the reconstruction was done in two phases with phase one in 2012 and phase two in 2013.

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

**12.4**      [RES 13-007](#)

**INITIATE PROJECT AND ORDER PREPARATION OF  
FEASIBILITY REPORT FOR THE 2013 BITUMINOUS  
OVERLAY, IMPROVEMENT PROJECT NO. 13-01**

**Sponsors:**      Keely

**Attachments:**      [Location Map](#)

City Engineer Keely stated staff brought a list of proposed projects for the 2013 Pavement Management Program (PMP) to the Council Workshop on October 18, 2012. One of the projects is a bituminous overlay for various streets throughout the city. He noted these streets vary in age from 19 to 48 years old and have been rated and identified as needing an overlay before further deterioration can occur.

Mayor Ryan asked if the excess fill can be removed from the right-of-way at 125th. City Engineer Keely replied the City has asked the owner to remove some of the fill. Councilmember Kolb commented that area is very busy. Councilmember Herbst stated residents in Ward 3 like the overlays that were done in their area.

Councilmember Swanson stated some residents have issues with driveways. City Engineer Keely stated one tenant had an issue with their driveway and they need to talk to the property owner.

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

**12.5**     [MO 13-004](#)

**APPROVE CARPETING REPLACEMENT IN THE  
AMOUNT OF \$13,054 IN POLICE DEPARTMENT**

**Sponsors:**        Therres

Public Services Manager Therres stated the 2012 capital budget for public buildings included \$10,000 to replace the carpeting in the police department. He stated the lowest bid received was \$13,054 and there are sufficient funds in the capital budget to cover the expense.

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

**13.        OTHER BUSINESS**

None.

**14.        ADJOURNMENT**

**Moved by Mayor Pro Tem Kolb, seconded by Councilmember Bourke, that this meeting be Adjourned. The Motion was adopted unanimously. The meeting adjourned at 8:45 p.m.**