



# City of Blaine Anoka County, Minnesota Minutes City Council

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

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Thursday, January 18, 2018

7:30 PM

Council Chambers

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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; Planning and Community Development Director Bryan Schafer; Public Works Director Jon Haukaas; Police Chief/Safety Services Manager Brian Podany; Finance Director Joe Huss; Public Services Manager/Assistant City Manager Bob Therres; City Attorney Patrick Sweeney; City Engineer Jean Keely; Communications Technician Roark Haver; Senior Engineering Technician Al Thorp; Water Resources Manager Rebecca Haug; and City Clerk Catherine Sorensen.

**Present:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

4. **APPROVAL OF MINUTES**

4.-1 **RECENTLY HELD MEETINGS**

**Attachments:** [12-21-17 Workshop Minutes](#)  
[12-21-17 Council Minutes](#)  
[01-04-18 Workshop Minutes](#)  
[01-04-18 Council Minutes](#)

Moved by Councilmember King, seconded by Councilmember Hovland, that the Minutes of the Workshop Meeting of December 21, 2017; the Minutes of the Regular Meeting of December 21, 2017; the Minutes of the Workshop Meeting of January 4, 2018 and the Minutes of the Regular Meeting of January 4, 2018 be approved.

Motion adopted. Councilmember Clark abstained on the December 21, 2017 Workshop meeting minutes due to his absence. Councilmember Garvais

**abstained on the January 4, 2018 Workshop and Council meeting minutes due to his absence.**

**Aye:** 5 - Mayor Ryan, Councilmember Swanson, Councilmember King, Councilmember Hovland and Councilmember Jeppson

**Abstain:** 2 - Councilmember Clark and Councilmember Garvais

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

### **5.-1**

### **PROCLAMATIONS COMMENDING LARRY CHEN AND HONORARY CITIZEN CEDRIC LEUENBERGER**

**Attachments:**     [Larry Chen Proclamation](#)  
                                 [Cedric Leuenberger Proclamation](#)

Mayor Ryan read two proclamations in full for the record recognizing Larry Chen and Honorary Citizen Cedric Leuenberger for their heroic efforts on September 4, 2017 which led to aiding two individuals off of Sunrise Lake during a rain storm. He commended Larry and Cedric for their compassion and sensible thinking.

Cedric Leuenberger, foreign exchange student from Switzerland, introduced himself to the City Council and briefly discussed the organization he was working with. A standing ovation and round of applause was offered by all in attendance.

The couple aided from Sunrise Lake thanked Larry and Cedric for saving them during the storm and for being good citizens and helping them get off the lake.

**Informational: no action required**

## **6. COMMUNICATIONS**

Councilmember Jeppson complimented staff on the new Blaine mobile app and encouraged residents to download and take advantage of this new app.

**Informational; no action required.**

## **7. OPEN FORUM FOR CITIZEN INPUT**

Mayor Ryan opened the Open Forum at 7:42 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:42 p.m.

**None.**

## **8. ADOPTION OF AGENDA**

The agenda was adopted as presented.

## **9. 7:30 P.M. - PUBLIC HEARING AND ITEMS PUBLISHED FOR A CERTAIN TIME**

9.-1

**WELLHEAD PROTECTION PLAN AMENDMENT,  
IMPROVEMENT PROJECT 15-17**

**Attachments:**     [Blaine Part 2 WHPP](#)

Mayor Ryan opened the public hearing at 7:44 p.m.

City Engineer Keely explained the City held a public hearing for the Wellhead Protection Plan on December 21, 2017 but due to an error with the publication of the Public Hearing notice a second hearing was required. Staff reported the City of Blaine has been working with Barr Engineering to do the required Wellhead Protection Plan Amendment (Plan). Part I of the Plan was completed and approved by the Department of Health in the fall of 2017. Part II of the plan is included with this item. The Plan identifies the locations of all wells owned by the City and used to provide the public water supply. Detailed information is included regarding which aquifer each well draws from, the surface area around the wells that could potentially introduce contaminants, and any source of contaminants that may be in that area. An important section of the Plan is an action list of activities that should be avoided in the wellhead areas or which might be initiated as a means of proactive protection.

Mayor Ryan stated he was pleased the City had a detailed Wellhead Protection Plan in place to protect the City's drinking water. He encouraged residents not using their well any longer to have it sealed.

Councilmember Clark questioned what action staff was requesting from the City Council. City Attorney Sweeney requested the Council reaffirm approval of Resolution 17-185 after the public hearing was held.

There being no public input, Mayor Ryan closed the public hearing at 7:49 p.m.

**Moved by Councilmember Clark, seconded by Councilmember Hovland, that  
"the Council reaffirm Resolution 17-185, approving the Wellhead Protection  
Plan Amendment".**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark,  
Councilmember King, Councilmember Hovland, Councilmember Garvais and  
Councilmember Jeppson

**10. APPROVAL OF CONSENT AGENDA:**

Councilmember King requested the removal of agenda item 10.1.

Councilmember Garvais requested the removal of agenda item 10.2 and 10.5.

Councilmember Jeppson requested the removal of agenda item 10.7.

Mayor Ryan suggested the Council go through each item on the Consent Agenda one at a time.

**10.-1****SCHEDULE OF BILLS PAID**

**Attachments:**     [December 2017 Payroll Checks and Wire Transfers](#)  
                                  [01/05/2018 Bills Paid](#)

Councilmember King requested further information on the payment to Twin Cities Habitat for a grant repayment. Planning and Community Development Director Schafer reported the City received a grant from the Metropolitan Council late in 2015 for the eight lots on 121st Avenue as part of the Twin Cities Habitat project. He explained that as each lot closes, a reimbursement is sent from the Metropolitan Council to the City and is forwarded to Twin Cities Habitat. He noted this project still had three more lots to complete.

**Moved by Councilmember Clark, seconded by Councilmember King, that Motion 18-18, "Schedule of Bills Paid," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

**10.-2****2018 800 MHZ RADIO PURCHASE**

Councilmember Garvais asked why this purchase was being done through Anoka County Communications and not through the State. Police Chief/Safety Services Manager Podany explained the reason is for the maintenance and programming contract with Anoka County Communications. He indicated the City would be

working with the SBM Fire Department to try and receive a bulk rate on the radio purchase.

**Moved by Councilmember Clark, seconded by Councilmember Garvais, that Motion 18-19, "2019 800 MHZ Radio Purchase," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

**10.-3**

### **SQUAD VIDEO REPLACEMENT CAMERAS**

**Moved by Councilmember Swanson, seconded by Councilmember Jeppson, that Motion 18-20, "Squad Video Replacement Cameras," be approved.**

**Motion adopted unanimously.**

**10.-4**

### **APPROVE A TEMPORARY ON-SALE INTOXICATING AND 3.2 PERCENT MALT LIQUOR LICENSE FOR CHURCH OF ST. TIMOTHY'S PARISH DINNER, 707 - 89TH AVENUE NE**

**Moved by Mayor Ryan, seconded by Councilmember Clark, that Motion 18-21, "Approve a Temporary On-Sale Intoxicating and 3.2 Percent Malt Liquor License for Church of St. Timothy's Parish Dinner, 707-89th Avenue NE," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

**10.-5**

### **PAYMENT TO SOFTWARE HOUSE INTERNATIONAL FOR MICROSOFT ENTERPRISE AGREEMENT ANNUAL LICENSING RENEWAL**

Councilmember Garvais asked if the City would be negotiating the next contract in the near future and questioned if the City would be upgrading to an Office 365 environment. Finance Director Huss stated he did not have this information. He explained the proposed purchase was from the State contract and offered the City both the product and support.

**Moved by Councilmember Clark, seconded by Councilmember Garvais, that Motion 18-22, "Payment to Software House International for MicroSoft Enterprise Agreement Annual Licensing Renewal," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

10.-6

**SECOND READING**

**ARTICLE XI. - STORMWATER MANAGEMENT,  
DIVISION 3. - SPECIFIC USE OF STORMWATER  
PONDS, SEC. 34-521. - ALTERATIONS TO AND USE OF  
PUBLIC AND PRIVATE STORMWATER PONDS**

Mayor Ryan thanked the the staff for addressing concerns surrounding recreation on City stormwater ponds. He encouraged parents to keep their children off of the City's stormwater ponds in the last newsletter.

**Moved by Councilmember Garvais, seconded by Councilmember Jeppson, that Ordinance 18-2395, "Ordinance 18-2395, Article XI.-Stormwater Management, Division 3.-Specific Use of Stormwater Ponds, Section 34-521.-Alterations to and Use of Public and Private Stormwater Ponds," be approved.**

**Motion adopted unanimously.**

10.-7

**RECEIVE PETITION AND ORDER PUBLIC HEARING  
FOR VACATION OF DRAINAGE AND UTILITY  
EASEMENT AT LOT 1, BLOCK 1, BLAINE PRESERVE  
BUSINESS PARK THIRD ADDITION, VACATION NO.  
V17-07**

**Attachments:**     [Petition 12-27-17.pdf](#)  
                              [Location Map.pdf](#)

Councilmember Jeppson asked if the building addition would come to the Council at a later time. City Engineer Keely reported the Council was being asked to consider the vacation of a drainage and utility easement and noted this was being done in conjunction with their building permit. Planning and Community Development Director Schafer indicated the applicant would require a conditional use permit for their project.

**Moved by Councilmember Jeppson, seconded by Councilmember Hovland, that Resolution 18-13, "Receive Petition and Order Public Hearing for Vacation of Drainage and Utility Easement at Lot 1, Block 1, Blaine Preserve Business Park Third Addition," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

**11. DEVELOPMENT BUSINESS**

11.-1

**GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE  
109.36 ACRES INTO 29 SINGLE FAMILY LOTS AND  
FIVE (5) OUTLOTS TO BE KNOWN AS OAKWOOD  
PONDS, LOCATED AT THE NE QUADRANT OF LEVER  
STREET AND 125TH AVENUE. EXCELSIOR GROUP.  
(CASE FILE NO. 17-0029/SLK)**

**Attachments:**     [Oakwood Ponds Final Plat - Attachments.pdf](#)

Planning and Community Development Director Schafer stated the final plat consists of subdividing approximately 109 acres into a subdivision with a total of 28 new lots and one lot for the existing home on 125th Avenue. The final plat also includes outlots for ponds, drainage, wetlands, and future development. Staff provided further comment on the proposed plat and recommended approval.

Councilmember Jeppson asked if this project would speed up the assessments for those living on Lever Street. Planning and Community Development Director Schafer explained this project would not change the timeline for the assessments.

**Moved by Councilmember Hovland, seconded by Councilmember King, that Resolution No. 18-10, "Granting Final Plat Approval to Subdivide 109.36 Acres into 29 Single Family Lots and Five (5) Outlots to be known as Oakwood Ponds, located at the NE Quadrant of Lever Street and 125th Avenue," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

11.-2

**GRANTING A CONDITIONAL USE PERMIT  
AMENDMENT TO TRANSFER RIGHTS AND  
OBLIGATIONS FROM JOHN'S AUTO PARTS TO  
COPART AS PART OF THE SALE OF THE PROPERTY  
AT 10588 CENTRAL AVENUE NE. COPART OF  
CONNECTICUT, INC. (CASE FILE NO. 17-0063/BKS)**

**Attachments:**     [Copart - Attachments.pdf](#)

Planning and Community Development Director Schafer stated John's Auto Parts, up until 2013, operated a vehicle reduction yard at 10588 Central Avenue NE. Their use began in 1961 and was expanded many times through subsequent approvals by the City of Blaine, mostly in the form of Conditional Use Permits. In 2013 John's Auto closed and the owner, Harold Haluptzok, leased the facility to LKQ, a national auto recycler which operated the use until early December.

Planning and Community Development Director Schafer explained Mr. Haluptzok has reached an agreement with Copart of Connecticut, another national auto recycler, for them to purchase the site and reopen later this winter. The CUP amendment that is proposed would transfer the rights and obligations under the existing CUP Resolution No. 11-102 from John's Auto to Copart. Because there are some variations in the operations model (such as no crushing of vehicles) a new resolution, with conditions that reflect those operational differences is being recommended for both the benefit of the applicant as well as the City. From a City or neighborhood perspective the operational changes based on Coparts business model provide several advantages including:

- \* No crushing of vehicles (less noise)
- \* No dismantling or parts picking (less noise and people on site)
- \* Fewer daily customer visits (less traffic and noise)
- \* Fewer vehicles/trucks going thru the gates on a daily or monthly basis (less traffic, dust or noise)

Staff provided further comment on the CUP amendment and recommended approval of the proposed Resolution.

Ben Stevens, Property Manager for Copart, introduced himself to the Council. He explained he was in charge of inspecting and overseeing 42 yards across the country and Canada on a yearly basis.

Councilmember Clark requested further information on Copart. Kyle Daltman, General Manager for the Fridley Copart, explained Copart was a national online wholesaler of vehicles. He reported these vehicles come from total loss situations or from donations. He indicated these vehicles can be sold to the public. He reiterated that the vehicles on the Blaine site would not be dismantled.

Mayor Ryan welcomed Copart to the City of Blaine and stated this business would be a welcomed change for the neighborhood.

**Moved by Councilmember Clark, seconded by Councilmember Hovland, that Resolution No. 18-11, "Granting a Conditional Use Permit Amendment to Transfer Rights and Obligations from John's Auto Parts to Copart as Part of the Sale of the Property at 10588 Central Avenue NE," be approved.**

**Amended motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

Councilmember Hovland questioned if Copart would be installing an electrified fence. Mr. Stevens reported a low-voltage security fence would be installed inside the existing eight-foot fence.



Councilmember Hovland recalled that the City denied the previous owners request for a low-voltage fence.

Councilmember Clark stated this was the case and explained there was concern with the low-voltage fence rising above the eight-foot fence. Planning and Community Development Director Schafer explained he was not aware of the electric fence aspect of this request and would be having a conversation with the applicant. He reported that no electric fencing could be installed without first receiving City approval.

Mr. Stevens stated the electric fence would be turned off during business hours.

**Councilmember Clark asked if the language within the conditional use permit should be rephrased to include no dismantling or parts picking shall be conducted onsite. He stated he would like to see this language included in the CUP. Mr. Stevens supported this amendment.**

**Amendment adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

## **12. ADMINISTRATION**

### **12.-1**

#### **AUTHORIZE THE MAYOR AND CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE EDA TO ALLOCATE 14 ACRES OF WETLAND BANK CREDITS FROM THE BLAINE WETLAND SANCTUARY**

City Engineer Keely stated the Minnesota Board of Water and Soil Resources (BWSR) acting as the agent for the Minnesota Department of Transportation (MnDOT) has requested to purchase 14 acres of wetland credits from the EDA's Wetland Bank for mitigation of various state roadway projects in our region. The EDA is considering the purchase at a price of \$54,450 per credit (totaling \$762,300), plus applicable fees at their January 18th EDA meeting. The money from the sale would be transferred from the EDA to the City to offset maintenance and future improvement costs in the Blaine Wetland Sanctuary. The City Council must agree to allocate 14 acres of like-value wetland credits from the City's Site 7 Wetland Bank for future use by the EDA, at no financial cost to the EDA once the credits are available.

**Moved by Councilmember Hovland, seconded by Councilmember Jeppson, that Resolution 18-14, "Authorize the Mayor and City Manager to Enter into an Agreement with the EDA to Allocate 14 Acres of Wetland Bank Credits from the Blaine Wetland Sanctuary," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

12.-2

**APPROPRIATE SPECIFIC FUNDS FOR THE  
MANAGEMENT OF THE BLAINE WETLAND  
SANCTUARY AND APPROVE THE CAPITAL  
IMPROVEMENT PLAN FOR THE OPEN SPACE FUND**

**Attachments:**     [Open Space CIP 2018-01-01](#)

Finance Director Huss stated part of the permitting requirements for the establishment of the Site 7 Wetland Bank is the U.S. Army Corps of Engineers (Corps) requirement for Financial Assurance. To meet this requirement, the City may appropriate specific funds to be set aside for the management of Site 7 Wetland Bank. The Corps has given the City five options to meet the financial assurance requirement. The five options are; Letter of Credit; Performance Bond; Cash in Escrow; Casualty Insurance; or Legislative Appropriations. After reviewing the requirements of the available options, staff recommendation is to move forward with a Legislative Appropriation. Per the Corps, a Legislative Appropriation provides assurance that, should the City's efforts on wetland mitigation for Site 7 fall short of Corps standards, the City would be able to draw on funds to correct the mitigation deficiencies or provide alternative compensatory mitigation. This alternative requires a line-item appropriation in an adopted government budget. Staff has prepared a 10-year Open Space Capital Improvement Plan and 2018 Budget for Council approval. The plan provides an appropriation of funds to cover the costs of the management of Site 7, as approved by the City Council in the contract with Critical Connections Ecological Services to manage the Site 7 Wetland Bank for the next five years.

Councilmember Clark discussed the need for tree replacement in the Blaine wetland sanctuary area and suggested \$50,000 be earmarked for this program.

Mayor Ryan questioned if these funds could be used for tree replacement. Finance Director Huss explained these funds could be used for tree replacement. He stated the Council could amend the motion and the budget for this project would reflect the Council's wishes.

**Moved by Councilmember Swanson, seconded by Councilmember Jeppson, that Resolution 18-12, "Appropriate Specific Funds for the Management of the Blaine Wetland Sanctuary and Approve the Capital Improvement Plan for the Open Space Fund," be approved.**

**Amended motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

Mayor Ryan supported the earmarking of \$50,000 and noted this should cover the entire project, gate and trees included.

Councilmember Garvais stated he supported earmarking \$50,000 with the understanding this matter would require further discussion. He suggested this matter be further discussed by the Council at their upcoming retreat.

**Councilmember Swanson and Councilmember Jeppson accepted a friendly amendment to revise the Appropriation of Funds from Wetland Credits to Earmark \$50,000 for Tree Replacement within the Blaine Wetland Sanctuary.**

**Amendment adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

12.-3

**AUTHORIZE THE MAYOR AND CITY MANAGER TO  
ENTER INTO A CONTRACT WITH CARLSON MCCAIN  
IN THE AMOUNT OF \$38,742 FOR DESIGN OF THE  
TRUNK SANITARY SEWER ON 113TH AVENUE,  
IMPROVEMENT PROJECT NO. 17-09**

**Attachments:**     [Project Map.pdf](#)

City Engineer Keely stated on December 19, 2017, the Engineering Department requested proposals for design of the trunk sanitary sewer. Three proposals were received on January 5, 2018 and after review of the proposals, staff recommends acceptance of the proposal from Carlson McCain in the not-to-exceed amount of \$38,742. This contract is part of the administrative cost included in the Feasibility Report and is funded through proposed project assessments. The contract will also include construction staking.

Councilmember King requested staff place the results of all the bids within future Staff Reports.

**Moved by Councilmember Clark, seconded by Councilmember Garvais, that Motion 18-24, "Authorize the Mayor and City Manager to Enter into a Contract with Carlson McCain in the Amount of \$38,742 for Design of the Trunk Sanitary Sewer on 113th Avenue," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

**12.-4****APPROVE 2018 CAPITAL EQUIPMENT PURCHASES IN  
THE AMOUNT OF \$1,184,055.12**

Public Works Director Haukaas stated staff is requesting Council approval for the purchase of the 2018 capital equipment items budgeted and approved by the City Council. All the equipment requested will be purchased from the State Cooperative Purchasing Program from various vendors. It was noted sufficient funding was appropriated in the Capital Equipment budgets. There are small deficiencies in each of the Water Enterprise Fund and Stormwater Enterprise Fund appropriations; however adequate funds are available in Reserves for each. It is proposed to adjust the budgets with an amending resolution later in the year.

**Moved by Mayor Ryan, seconded by Councilmember Garvais, that Motion 18-25, "Approve 2018 Capital Equipment Purchases in the Amount of \$1,184,055.12," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson

**13. OTHER BUSINESS**

Mayor complimented Public Works on plowing

None.

**14. ADJOURNMENT**

**Moved by Councilmember Clark, seconded by Councilmember Hovland, to adjourn the meeting at 8:26 p.m.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland, Councilmember Garvais and Councilmember Jeppson