



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

10801 Town Square Dr.  
Blaine MN 55449

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Thursday, February 16, 2012

7:30 PM

Council Chambers

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**Meeting Number 12-13**

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

*The meeting was called to order at 7:30 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; Chris Olson, Public Safety Manager/Police Chief; Joe Huss, Finance Director; Jean Keely, City Engineer; Jim Kappelhoff, Park and Recreation Director; Terry Dussault, Human Resources Director; Roark Haver, Communications Technician; Jane M. Cross, City Clerk; and Recording Secretary Carol Hamer.*

**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**

**4.-1 [MIN 12-06](#)**

**CLOSED MEETING - 01/23/2012**  
**WORKSHOP MEETING - 02/02/2012**  
**REGULAR MEETING - 02/02/2012**

**Sponsors:** Cross

**Attachments:** [012312 P&P Interviews](#)  
[020212 Workshop Minutes](#)  
[020212 Council Minutes](#)

*Councilmember Herbst abstained on the January 23, 2012 Closed Meeting minutes due to his absence.*

**Moved by Councilmember Swanson, seconded by Councilmember Hovland,**

that the Minutes be Approved. The Motion was adopted unanimously.

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

*None.*

**6. COMMUNICATIONS**

*Mayor Pro Tem Kolb announced that Mayor Ryan is not present tonight due to a much deserved vacation.*

**7. OPEN FORUM FOR CITIZEN INPUT**

*Mayor Pro Tem Kolb opened the open forum at 7:34 p.m.*

*Mr. Pete Carlson, NSC – Schwan’s SuperRink Director of Operations and Programs, stated at the last meeting the City Council tabled discussion on the amusement center license for the games at Schwan’s SuperRink. During that meeting there were statements made and questions asked about the NSC and Schwan’s SuperRink, and he would like to set the record straight.*

*Mr. Carlson stated it was said that Schwan’s SuperRink has never been in compliance with its amusement center license. This is false, and he has certifications of those licenses with him. In 2008 the SuperRink took one type of video games out of the facility and had another company called Grand Prix Vending bring in gumball and trinket games. The SuperRink also has crane games, which are identified as games of chance. When it was learned that they did not hold the license for these games, the license was applied for.*

*Mr. Carlson stated it was also said that the SuperRink does not pay property taxes. He pointed out that the other arena in town does not pay property taxes, but is approved with the same license the SuperRink is requesting. He stated the impression the Council gave to citizens is that because the SuperRink does not pay property taxes they do not contribute. Mr. Carlson stated the SuperRink is only second to Aveda and Cub Foods as an employer in the City. He provided information on the economic benefits the SuperRink brings in to the City, noting the amount of money spent by patrons at local businesses, which creates jobs and brings in taxes to the City. He stated The SuperRink generates sales and income tax and pays fees to the City of Blaine, with over \$100,000 in fees paid to the City in the past six months. The SuperRink is a positive contributor to the City and the citizens of Blaine.*

*Councilmember Herbst commented if Mr. Carlson had been present at the last City Council meeting he could have addressed issues related to the licensing. Mr. Carlson replied that he attended the first meeting where the license was granted, and that the license has always been granted since that first meeting.*

*Mayor Pro Tem Kolb explained that the license application has been tabled to the March 15, 2012 City Council meeting. Council will take into consideration what Mr. Carlson has offered tonight, and he may want to attend that meeting in case there are questions.*

*Councilmember Bourke asked if everything at the SuperRink is current at this time. Mr. Carlson responded in the affirmative. He indicated when it was learned that the license being applied for was not current the plug was pulled on the game and it was*

reported to Grand Prix Games that the game is not being operated until the license is granted.

There being no further input, Mayor Pro Tem Kolb closed the open forum at 7:40 p.m.

8. **ADOPTION OF AGENDA**

The agenda was adopted as presented.

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

10. **APPROVAL OF CONSENT AGENDA:**

Councilmember Clark requested the removal of agenda item 10.2.

**Approval of the Consent Agenda**

Councilmember Clark requested the removal of agenda item 10.2.

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

10.-1 [MO 12-017](#)

**SCHEDULE OF BILLS PAID**

Sponsors: Huss

Attachments: [01/25/12 Bills Paid](#)  
[01/27/12 Bills Paid](#)  
[01/31/12 Bills Paid](#)  
[January 2012 Payroll Checks and Wire Transfers](#)

Approved unanimously by Consent Vote.

10.-3 [MO 12-019](#)

**POLICE DEPARTMENT INVESTIGATION INTERVIEW  
CAMERA REPLACEMENT AND UPGRADE**

Sponsors: Safety Services Manager / Police Chief Olson

Approved unanimously by Consent Vote.

10.-4 [MO 12-020](#)

**APPROVE 2012 CAPITAL EQUIPMENT PURCHASES**

Sponsors: Public Works Director Ulrich, Safety Services Manager / Police Chief Olson and Huss

Approved unanimously by Consent Vote.

10.-2 [MO 12-018](#)

**APPROVE 2011 DNR WATER APPROPRIATION PERMIT**

Sponsors: Public Works Director Ulrich

*Councilmember Clark requested verification that water restrictions will be applied based on available water, and that if there is a solid supply of water there will not be restrictions applied. Public Services Manager Therres replied this is correct, and noted that this will not be any different than what has been done in the past.*

*Councilmember Clark requested that the minutes note that the existing program will remain in place, and that there are not any changes envisioned.*

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

## 11. DEVELOPMENT BUSINESS

### RES 12-023

#### **CASE FILE NO. 11-0046 // HANS HAGEN HOMES // LAKES PARKWAY/PETERSBURG COURT**

#### **FINAL PLAT APPROVAL, PER SECTION 74-43 OF THE SUBDIVISION ORDINANCE TO SUBDIVIDE 6.52 ACRES INTO NINE (9) LOTS AND TWO (2) OUTLOTS TO BE KNOWN AS THE LAKES OF RADISSON 49th ADDITION**

**Sponsors:** Schafer

**Attachments:** [location map](#)  
[final plat](#)

*Community Development Director Schafer presented the proposed final plat approval for Case File No. 11-0046, Hans Hagen Homes, Lakes Parkway/Petersburg Court, to Subdivide 6.52 Acres into Nine (9) Lots and Two (2) Outlots to be Known as the Lakes of Radisson 49th Addition*

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

## 12. ADMINISTRATION

### 12.-1 MO 12-021

#### **RATIFICATION OF LOCAL 165 (POLICE OFFICERS) 2011-2013 UNION CONTRACT**

**Sponsors:** Human Resources Director Dussault

*Human Resources Director Dussault provided an overview of the Local 165 (Police Officers) 2011-2013 Union Contract.*

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

### 12.-2 MO 12-022

#### **AUTHORIZE THE CITY OF BLAINE TO ENTER INTO A SUBCONTRACT AGREEMENT WITH ANOKA COUNTY FOR A GRANT IN THE MAXIMUM AMOUNT OF \$18,000 FUNDED FROM THE STATEWIDE HEALTH IMPROVEMENT PROGRAM (SHIP) FOR 2012-13.**

**Sponsors:** Kappelhoff

*Park and Recreation Director Kappelhoff provided an overview of the proposed subcontract agreement between the City of Blaine and Anoka County for a grant in the maximum amount of \$18,000 funded from the Statewide Health Improvement Program (SHIP) for 2012-2013. Mayor Pro Tem Kolb asked how the neighborhoods were selected for this program. Park and Recreation Director Kappelhoff replied that the areas were discussed with Anoka County, taking into consideration the County's information on demographics, income, free lunch programs, etc.*

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

12.-3 [RES 12-019](#)

### **ADOPTING THE 2012 STORM WATER UTILITY ENTERPRISE FUND BUDGET**

**Attachments:** [2012 Storm final budget write-up.pdf](#)

*Finance Director Huss provided an overview of the proposed 2012 Storm Water Utility Enterprise Fund Budget. Councilmember Bourke stated he would like to thank everyone involved for the hard work put into this. Everyone came together; they did not need to raise any fees, and held this within the budget. He stated he looks forward to continuing on this path.*

*Mayor Pro Tem Kolb requested an overview of the process used with the 2012 Storm Water Utility Enterprise Fund Budget.*

*Councilmember Clark explained that the process involved looking at the assumptions that drive the decisions. For example, there are X number of stormwater receptors that will need to be maintained. Modifications were made to spread the work over 10 years instead of 5 years, and they will not need to spend as aggressively to achieve the goal. Taxpayer money will be saved without compromising the plan to get into compliance with the clean water requirements.*

*Councilmember Bourke commented that Blaine is likely leading the way in this avenue throughout most of the county, as well as the state. They have established what they can afford to spend as a city and work within their means, and still do an excellent job.*

*Mayor Pro Tem Kolb stated the work on this budget set a pattern to learn a new way of dealing with the budget, and that the workshop was very productive.*

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

12.-4 [RES 12-020](#)

### **RECEIVE FEASIBILITY REPORT AND ORDER PUBLIC HEARING FOR 93RD LANE INDUSTRIAL PARK AREA STREET IMPROVEMENTS, PHASE 1, IMPROVEMENT PROJECT NO. 11-16**

**Sponsors:** Keely

**Attachments:**     [Map.pdf](#)  
                                 [Feasibility Report.pdf](#)

City Engineer Keely presented the feasibility report for the 93rd Lane Industrial Park Area Street Improvements, Phase 1, Improvement Project No. 11-16.

Councilmember Herbst stated this project cost is estimated at \$631,500 with \$267,000 to be assessed to the property owners and \$363,000 to the Pavement Management Program. The City started this program about one year ago, which has been saving the citizens a lot of money. He requested a brief description on where the funds come from for the Pavement Management Program.

Finance Director Huss explained that the portion of any of the pavement management not covered by assessments is covered by general property taxes on all properties throughout the City. There will be times when the City will bond for some projects; assessments and property tax levies will repay that debt. He explained that previously pavement management was funded annually at a cost of about \$650,000, which was also funded through property tax levies. Council approved that now a certain portion of the levy is dedicated to street maintenance; not just current street maintenance, but also future street maintenance. The funding source will be the Pavement Management Program, which is identified separately in the levy.

Councilmember Bourke commented that the City has been able to take advantage of some of the good bids there have been lately, and that the funding is in place as a mechanism for a long term view of the road maintenance.

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

9.-1     [ORD 12-2240](#)

### **AMENDING RESOLUTION NO. 03-248, ESTABLISHING THE FEES FOR PARK DEDICATION FOR THE CITY OF BLAINE.**

**Sponsors:**     Kappelhoff

**Attachments:**     [Park Dedication Survey 11-2011.pdf](#)

Park and Recreation Director Kappelhoff provided an overview of Ordinance No. 12-2240, Amending Resolution No. 03-248, Establishing the Fees for Park Dedication for the City of Blaine. The recommended increase is 5% for residential and 3% for commercial and industrial properties.

Mayor Pro Tem Kolb opened the public hearing at 8:07 p.m. There being no public input, Mayor Pro Tem Kolb closed the public hearing at 8:07 p.m.

Councilmember Swanson questioned if the proposed fee increases will potentially impact the City's viability as far as competing with other communities. Community Development Director Schafer replied he does not believe the changes they are discussing will have an impact, noting Blaine's position in charts in comparison with other communities they might consider competition for development.

Councilmember Swanson noted there has been discussion of increasing residential fees 10%, rather than 5%. He asked whether the 10% increase would have an impact on development. Community Development Director Schafer replied that the 10% increase would still put Blaine below \$3,000 per unit, which is in the lower third

of other communities. He does not believe these numbers would have an impact.

Councilmember Swanson stated he will not be present at the second reading of this ordinance and would support having an amendment proposed at that time to change the residential fee increase to 10%.

Councilmember Herbst stated his support of the ordinance remaining at the 5% increase as recommended by the Park Board and staff.

Councilmember Swanson noted that the Park Board had said they would be coming back with another 5% increase proposal next year.

Councilmember Herbst reiterated his support of remaining at the proposed 5% increase.

**Declared by Mayor Pro Tem Kolb that Ordinance 12-2240, "Amending Resolution No. 03-248, Establishing the Fees for Park Dedication for the City of Blaine," be introduced and placed on file for second reading at the March 1, 2012 Council meeting.**

9.-2 [MO 12-016](#)

**PRIVATE ON-SALE AND SUNDAY LIQUOR LICENSE  
FOR HAJIME JAPANESE CUISINE, LOCATED AT 10950  
CLUB WEST PKWY, SUITE 220, BLAINE, MINNESOTA**

**Sponsors:** Cross

**Attachments:** [Public Hearing Notice](#)

City Clerk Cross presented information on the Private On-Sale and Sunday Liquor License for Hajime Japanese Cuisine, located at 10950 Club Way parkway, Suite 220.

Mayor Pro Tem Kolb opened the public hearing at 8:14 p.m. There being no public input, Mayor Pro Tem Kolb closed the public hearing at 8:14 p.m.

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

9.-3 [RES 12-022](#)

**ORDER IMPROVEMENT AND ORDER PREPARATION  
OF PLANS AND SPECIFICATIONS FOR  
RECONSTRUCTION OF OAK PARK BOULEVARD/119TH  
AVENUE FROM 125TH AVENUE TO JEFFERSON  
STREET (IMPROVEMENT PROJECT NO. 11-12)**

**Sponsors:** Keely

**Attachments:** [1 project location.pdf](#)

City Engineer Keely presented an overview of proposed improvement for reconstruction of Oak Park Boulevard/119th Avenue from 125th Avenue to Jefferson Street (Improvement Project No. 11-12).

Mayor Pro Tem Kolb opened the public hearing at 8:18 p.m. There being no public input, Mayor Pro Tem Kolb closed the public hearing at 8:18 p.m.

Councilmember Herbst noted the property owners will have an opportunity to comment on their proposed assessments. City Engineer Keely replied that the property owners will have this opportunity at the assessment hearing that will be scheduled in the fall.

Councilmember Clark questioned if this project will be completed in time with a start date in July. City Engineer Keely replied that staff would prefer to start sooner but can work with this time frame.

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

9.-4 [RES 12-017](#)

**ORDER IMPROVEMENT AND ORDER PREPARATION  
OF PLANS AND SPECIFICATIONS FOR THE 2012  
PAVEMENT MANAGEMENT PROGRAM - BITUMINOUS  
OVERLAY (IMPROVEMENT PROJECT NO. 12-01)**

**Sponsors:** Keely

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

City Engineer Keely presented an overview of proposed improvements for the 2012 Pavement Management Program – Bituminous Overlay (Improvement Project No. 12-01).

Mayor Pro Tem Kolb opened the public hearing at 8:25 p.m. There being no public input, Mayor Pro Tem Kolb closed the public hearing at 8:25 p.m.

Councilmember Herbst noted that this project was put off from last year due to the inconvenience Radisson Road had already created for these property owners. He commented that this project will result in a facelift for these homes.

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

9.-5 [RES 12-018](#)

**ORDER IMPROVEMENT AND ORDER PREPARATION  
OF PLANS AND SPECIFICATIONS FOR THE  
RECONSTRUCTION OF DAVENPORT STREET FROM  
99TH LANE TO 105TH AVENUE (IMPROVEMENT  
PROJECT NO. 11-11)**

**Sponsors:** Keely

**Attachments:** [location map.pdf](#)

City Engineer Keely presented an overview of proposed improvements for the reconstruction of Davenport Street from 99th Lane to 105th Avenue (Improvement Project No. 11-11).

City Engineer Keely noted for the record the receipt of a letter from the National Sports Center (NSC). The NSC recommended leaving the midblock crosswalk by their southwest parking lot in place, and said they are willing to cooperate with easement and right-of-way improvements. The NSC also said in talks with the



Attorney General's office that they cannot be assessed by the City, and that they would be willing to consider working with the City to seek additional funds through the MSA program. The letter also discusses the NSC being a state aid agency and a non-profit foundation. City Engineer Keely stated staff also received five phone calls from property owners with questions on the assessment rates and the schedule of construction and phasing of the work.

Mayor Pro Tem Kolb opened the public hearing at 8:31 p.m. There being no public input, Mayor Pro Tem Kolb closed the public hearing at 8:31 p.m.

Councilmember Herbst commented on the number of businesses that will be paying assessments based on their lineal footage with this project, and that they will have the opportunity to comment during the assessment hearing

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

12.-5 [RES 12-021](#)

**ACCEPT BID FROM VISU-SEWER, INC. IN THE  
AMOUNT OF \$1,644,919.00 FOR THE 2012 SANITARY  
SEWER CURED-IN-PLACE LINING PROJECT,  
IMPROVEMENT PROJECT NO. 12-05**

**Sponsors:** Keely

City Engineer Keely provided an overview of Resolution No. 12-021 to accept the bid from Visu-Sewer, Inc. in the amount of \$1,644,919.00 for the Sanitary Sewer Cured-in-Place Lining Project, Improvement Project No. 12-05.

Councilmember Swanson expressed concern regarding residents in the area of Ball Road possibly being impacted with future maintenance shortly after the impact from this project.

City Manager Arneson noted there is not a proposal yet for Ball Road.

There was discussion on the possibility of removing the area of the project that would impact residents in the area of Ball Road or relocating this portion of the project until there is more information on the future plans for Ball Road. City Engineer Keely explained if this portion of the project were to be removed the contract may need to be rebid, and that relocating this portion of the project would need to be discussed with the Public Works Department. Acceptance of the bid could be postponed until the next City Council meeting to allow for discussions with Public Works.

Following discussion with Jason Sundeen, Engineering Field Representative for previous slip lining projects, City Engineer Keely informed the Council there will only be three homes directly fronting on Ball Road that will be affected by this project due to the ability to utilize bypass pumping.

Councilmember Swanson questioned if this project will go better than the previous 87th Avenue project. City Engineer Keely replied that this will be a different contractor. The contractor on the 87th Avenue project had asked to try a different method of installation and as soon as issues came up, staff took that option out of the specs.

Councilmember Swanson stated he is not opposed to proceeding with the project as proposed as long as the homeowners along Ball Road will not be impacted, which was his original concern.

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

12.-6 [MO 12-023](#)

### CONFIRM MAYORAL APPOINTMENTS TO THE 2012 NATURAL RESOURCE CONSERVATION BOARD

**Sponsors:** Cross

**Attachments:** [2012 NRCB Members List \(public\)](#)

*City Clerk Cross presented the Mayoral Appointments to the 2012 Natural Resource Conservation Board: Gene Raferty, District 1; Grace Schrunk, District 2; and Kimberly Gunter, District 3.*

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

12.-7 [MO 12-024](#)

### CONFIRM MAYORAL APPOINTMENTS TO THE 2012 PARK ADVISORY BOARD

**Sponsors:** Cross

**Attachments:** [2012 Park Bd List PUBLIC](#)

*City Clerk Cross presented the Mayoral Appointments to the 2012 Park Advisory Board: Jeffrey Bird, District 2; and Jon Langenfeld, District 3.*

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

12.-8 [MO 12-025](#)

### CONFIRM MAYORAL APPOINTMENTS TO THE 2012 PLANNING COMMISSION

**Sponsors:** Cross

**Attachments:** [2012 Planning Commission List PUBLIC](#)

*City Clerk Cross presented Mayoral Appointments to the 2012 Planning Commission: Monica Radtke, District 1; Alan Goracke, District 2; Janice Bergstrom, District 3; and Joe Oelette, Chair at Large.*

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

## 13. OTHER BUSINESS

*None.*

## 14. ADJOURNMENT

*The meeting was adjourned at 8:49 p.m. by Mayor Pro Tem Kolb.*