

UNAPPROVED

CITY OF BLAINE
ANOKA COUNTY, MINNESOTA
CITY COUNCIL MEETING
Thursday, August 4, 2016

7:30 P.M.
Council Chambers
10801 Town Square Drive

CALL TO ORDER BY MAYOR RYAN

The meeting was called to order at 7:30 p.m. by Mayor Ryan followed by the Pledge of Allegiance and the Roll Call.

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

Mayor Tom Ryan, Councilmembers Mike Bourke, Dave Clark, Wes Hovland, Jason King, and Dick Swanson.

ABSENT: Councilmember Russ Herbst.

Quorum present.

ALSO PRESENT: City Manager Clark Arneson; City Attorney Patrick Sweeney; Planning and Community Development Director Bryan Schafer; Public Services Manager Bob Therres; Finance Director Joe Huss; Safety Services Manager/Police Chief Chris Olson; City Engineer Jean Keely; Stormwater Manager Jim Hafner, Senior Engineering Technician Al Thorp; Communications Technician Roark Haver; City Clerk Catherine Sorensen; and Recording Secretary Linda Dahlquist.

APPROVAL OF MINUTES

Workshop Meeting – July 14, 2016

Regular Meeting – July 21, 2016.

Workshop Meeting – July 21, 2016

Moved by Councilmember Swanson, seconded by Mayor Ryan, that the Workshop Meeting Minutes of July 14, 2016; the Regular Meeting Minutes of July 14, 2016, and the Workshop Meeting Minutes of July 21, 2016; be approved.

Motion adopted 3-0-3 (Councilmembers Clark and Hovland abstained from the Workshop and Council Meeting Minutes of July 21, 2016, due to absence.) (Councilmembers Clark and King abstained from the Workshop Meeting Minutes of July 21, 2016, due to absence.).

AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

None.

COMMUNICATIONS

Mayor Ryan thanked volunteers for their work on the Blaine Triathlon, thanked staff and residents for their support of Night to Unite and the Police Department, and encouraged residents to attend the 3M Championship at the TPC Golf Club.

OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:37 p.m.

Harlan Wells, 2951 124th Circle NE, President of the Village Carriage North Home Owners Association (VCNHOA) and presented a petition to the City to post permanent “no parking” signs on Edison Street NE from North Marina Circle west to the center median and the intersection of 123rd Circle NE. He stated the area has become overflow parking for the beach and when vehicles are parked there it becomes impassable for emergency vehicles. He stated they are requesting signs identical to the ones on Dunkirk (No Parking – June 1 to Labor Day-10:00 AM to 8:00 PM) be placed on Edison Street from North Marina Circle to west of the second center median and the entire length of 123rd Circle NE and 124th Circle NE. He stated these streets are used for overflow parking for the beach and become one lane streets that are difficult for cars to navigate as well as causing concerns with trash. He noted there is a safety concern for pedestrians since there is no sidewalk access to the park. He noted the association proposes to issue the residents colored vehicle identification cards for visitors or additional cars that are parked on the street during the prohibited hours to aid emergency responders in identifying residents’ vehicles.

Councilmember Bourke suggested the petition be brought to a Council workshop and asked staff if something can be done this year. City Manager Arneson noted there are only two weeks left of the swimming season for this year so this will be a discussion for 2017.

Councilmember Clark suggested the Park Board research the issue and asked Mr. Wells to attend that meeting.

Mr. Wells requested permanent signs be placed at both entrances.

There being no further input, Mayor Ryan closed the Open Forum at 7:54 p.m.

ADOPTION OF AGENDA

8:00 P.M. – PUBLIC HEARING AND ITEMS SET FOR A CERTAIN TIME

APPROVAL OF CONSENT AGENDA

Moved by Councilmember Swanson, seconded by Councilmember King, that the following be approved:

10.1 Motion 16-072, Schedule of Bills Paid.

10.2 Motion 16-073, Approve a Vending Truck License for El Gordo Paletas, Maria Sosa, Owner/Operator, 124 113th Square NE.

10.3 Motion 16-070, Authorize Temporary Removal of Parking Restrictions on 103rd Lane and National Street for a Centennial Elementary School Event on October 5, 2016 (Rain Date: October 12, 2016).

10.4 Resolution 16-123, Resolution Approving Master Subscriber Agreement for Minnesota Court Data Services for Governmental Agencies.

Motion adopted unanimously.

Mayor Ryan moved agenda item 12.6 to follow the Consent Agenda.

ADMINISTRATION

12.6 Ordinance 16-2354, Amending Division 3. – Specific Use of Stormwater Ponds, Adding Sec. 34-523. – Stormwater Pond Aeration Permit of the Code of Ordinances of the City of Blaine.

Moved by Councilmember Clark, seconded by Councilmember Bourke, that Ordinance 16-2354, “Amending Division 3. – Specific Use of Stormwater Ponds, Adding Sec. 34-523. – Stormwater Pond Aeration Permit of the Code of Ordinances of the City of Blaine,” be approved.

Stormwater Manager Hafner stated Council suggested amended language be included to not be allowed in ponds with a design permanent pool elevation of less than 3 foot of depth instead of the proposed 5 foot of depth. He stated staff recommends against this amendment because most fountains and aerators draw from depths of more than three feet. He stated this action is counterproductive to the purpose of the ponds which is to allow the sediments and pollutants to settle at the pond bottom, out of the water column and prevented from being transported downstream to surface waters. He stated staff strongly encourages retaining the language that restricts the depth to five feet.

Councilmember Bourke asked about the differences between fountains and aerators. Stormwater Manager Hafner explained that fountains with larger motors draw water from the bottom to thrust the water up in the air and aerators/circulators draw from the sides to circulate the water and keep the water clear of algae. He noted most ponds are four to five feet in depth.

Councilmember Swanson identified four-five ponds in City parks that need clean-up and inquired about the possibility of installing aerators in City ponds.

Councilmember Clark suggested staff only address the four ponds that have been identified for clean-up.

Mayor Ryan asked about the use of rubber liners placed on the bottom of the pond. Stormwater Manager Hafner replied some accumulation will still go on top of a liner with the discharge of surface water; although a liner would inhibit the biological treatment of pollutants.

Councilmember Clark suggested fountain permits have a disclaimer that state permits are subject to reversal should it be deemed necessary by the DNR or other governmental agency.

Councilmember King stated the disclaimer should state the person seeking the permit has to obtain all necessary permits.

Councilmember Bourke commented the person applying for the permit has to meet all state and federal guidelines.

Motion adopted unanimously.

DEVELOPMENT BUSINESS

11.1 Resolution 16-115, Granting a Conditional Use Permit Amendment to Change the Minimum Square Footage Requirement for Rambler Style Homes in Sanctuary Preserve from 1,970 Square Feet to 1,869 Square Feet at Lexington Avenue/114th Avenue NE. Pulte Homes. (Case File No. 15-0014/LSJ).

Council removed Resolution 16-115 from the table.

Moved by Mayor Ryan, seconded by Councilmember Clark, that Resolution 16-115, “Granting a Conditional Use Permit Amendment to Change the Minimum Square Footage Requirement for Rambler Style Homes in Sanctuary Preserve from 1,970 Square Feet to 1,869 Square Feet at Lexington Avenue/114th Avenue NE. Pulte Homes,” be approved.

Planning and Community Development Director Schafer stated this item was tabled at the July 21, 2016 Council meeting so staff could investigate the original submittal from Pulte that addressed house sizes. He stated staff has determined that the 1,870 square foot house size for this rambler was included in the original submittal that was reviewed by the Planning Commission and City Council. He stated the 1,970 square foot size was incorrectly typed into the reports and carried into the original resolution. The original information was shared and the proposed resolution corrects the house size to 1,869 square feet.

Motion adopted unanimously.

11.2 Resolution 16-124, Granting a Conditional Use Permit Amendment to Allow for a 192 Square Foot Shed to be Located in the Development known as Shade Tree Cove Woods at 868 129th Lane NE. Stephen and Amy Lund. (Case File No. 16-0034/LSJ).

Moved by Councilmember Bourke, seconded by Mayor Ryan, that Resolution 16-124, “Granting a Conditional Use Permit Amendment to allow for a 192 Square Foot Shed to be Located in the Development known as Shade Tree Cove Woods at 868 129th Lane NE. Stephen and Amy Lund,” be approved.

Planning and Community Development Director Schafer stated the City received a complaint about a 192 square foot shed in the Shade Tree Cove development. He noted the shed is 72 square feet over the allowed square footage and the homeowner is requesting to keep the shed. He stated staff suggested amending the original conditional use permit to allow for this shed for this lot only.

Ross Blaskey, 836 129th Lane NE, sent an email to the City stating he approves of the permit for case 16-0034.

Gordon Ferguson, 814 129th Lane NE, sent an email to the City stating he supports his neighbor’s request to allow the shed to remain.

Christopher Anderson, 842 129th Lane NE, stated he is in favor of case 16-0034.

Councilmember King asked if the shed is on an easement. Planning and Community Development Director Schafer replied the shed is not on an easement and the property owner did not take out any trees.

Motion adopted unanimously.

11.3 Resolution 16-125, Granting a Comprehensive Plan Land Use Amendment from R (Rural Residential) to LDR (Low Density Residential) for the Radisson Cove Development at 12726 Radisson Road NE. Oak Meadows Land Holding, LLC. (Case File No. 16-0033/SLK).

Moved by Councilmember Swanson, seconded by Councilmember King, that Resolution 16-125, "Granting a Comprehensive Plan Land Use Amendment from R (Rural Residential) to LDR (Low Density Residential) for the Radisson Cove Development at 12726 Radisson Road NE. Oak Meadows Land Holding, LLC," be approved.

Planning and Community Development Director Schafer stated Radisson Cove consists of subdividing 5.23 acres into a subdivision with seven detached single-family lots and one outlot for drainage. He stated the property has a land use designation of R (Rural) and does not allow for properties served with sewer and water. He stated the land use must be changed to accommodate a developed residential use and the area added into the Metropolitan Urban Service Area (MUSA). He noted the Metropolitan Council will need to review and take action on the proposed land use and MUSA boundary change. He stated the developer is requesting to change the land use to LDR (Low Density Residential) to allow residential development of three to six units per acre and a zoning designation of DF (Development Flex) to accommodate the lot sizes. He noted the existing home on Lot 1 will remain, but the driveway for will be relocated from Radisson Road to 127th Court NE, and the existing fence will be removed.

Mayor Ryan asked if there were pending assessments on the property. Planning and Community Development Director Schafer replied yes, including platting and trunk assessment charges.

Mayor Ryan commented the surrounding land is held in a trust.

Councilmember Bourke commented a right-in-right out is necessary for this development.

Councilmember King asked if the trust has an end date. Planning and Community Development Director Schafer replied there is no end time and the family is trying to get the property out of trust.

Motion adopted unanimously.

11.4 Ordinance 16-2360, Granting a Rezoning from FR (Farm Residential) to DF (Development Flex) for the Radisson Cove Development at 12726 Radisson Road NE. Oak Meadows Land Holding, LLC. (Case File No. 16-0033/SLK).

Planning and Community Development Director Schafer stated Radisson Cove consists of subdividing 5.23 acres into a subdivision with seven detached single-family lots and one outlot for drainage. He stated the property has a land use designation of R (Rural) and does not allow for properties served with sewer and water. He stated the land use must be changed to accommodate a developed residential use and the area added into the Metropolitan Urban Service Area (MUSA). He noted the Metropolitan Council will need to review and take action on the proposed land use and MUSA boundary change. He stated the developer is requesting to change the land use to LDR (Low Density Residential) to allow residential development of three to six units per acre and a zoning designation of DF (Development Flex) to accommodate the lot sizes.

He noted the existing home on Lot 1 will remain, but the driveway for will be relocated from Radisson Road to 127th Court NE, and the existing fence will be removed.

Declared by Mayor Ryan that Ordinance 16-2360, "Granting a Rezoning from FR (Farm Residential) to DF (Development Flex) for the Radisson Cove Development at 12726 Radisson Road NE. Oak Meadows Land Holding, LLC," be introduced and placed on file for second reading at the August 18, 2016, Council meeting.

ADMINISTRATION - Continued

12.1 Resolution 16-126, Declare Cost to be Assessed, Order Preparation and Call for Hearing on Proposed Assessment for the Pavement Management Program – 2015 Street Reconstructions. Improvement Project No. 15-07.

Moved by Councilmember Hovland, seconded by Mayor Ryan, that Resolution 16-126, "Declare Cost to be Assessed, Order Preparation and Call for Hearing on Proposed Assessment for the Pavement Management Program – 2015 Street Reconstructions. Improvement Project No. 15-07," be approved.

City Engineer Keely stated the project includes spot concrete curb and gutter replacement, asphalt surface removal and replacement, aggregate base and appurtenant construction. She stated an Assessment Roll has been prepared consistent with the Feasibility Report and the project will be funded from assessments, the Public Utility Fund for sewer improvements, and the Pavement Management Program (PMP).

Motion adopted unanimously.

12.2 Resolution 16-127, Declare Cost to be Assessed, Order Preparation and Call for Hearing on Proposed Assessment for the 93rd Lane Industrial Park Area Street Improvements, Phase 4. Improvement Project No. 14-13.

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that Resolution 16-127, "Declare Cost to be Assessed, Order Preparation and Call for Hearing on Proposed Assessment for the 93rd Lane Industrial Park Area Street Improvements, Phase 4. Improvement Project No. 14-13," be approved.

City Engineer Keely stated the project includes asphalt pavement replacement, gravel shouldering, storm drainage improvements, culvert replacements and cleaning, ditch cleaning and regrading, traffic control signage and appurtenant construction. She stated an Assessment Roll has been prepared consistent with the Feasibility Report and the project will be funded from assessments, Public Utility Fund for sewer improvements and the Pavement Management Program (PMP).

Motion adopted unanimously.

12.3 Resolution 16-128, Declare Cost to be Assessed, Order Preparation and Call for Hearing on Proposed Assessment for the Reconstruction of Flowerfield Road from Lake Drive to Lexington Avenue. Improvement Project No. 13-22.

Moved by Councilmember Hovland, seconded by Councilmember Bourke, that Resolution 16-128, "Declare Cost to be Assessed, Order Preparation and Call for Hearing on Proposed Assessment for the 93rd Lane Industrial Park Area Street Improvements, Phase 4. Improvement Project No. 14-13," be approved.

City Engineer Keely stated this was a joint project between the City of Lexington and the City of Blaine to reconstruct Flowerfield Road from Lake Drive to Lexington Avenue. She stated the project includes reclaiming the existing bituminous pavement, spot concrete curb and gutter replacement, installation of new concrete curb and gutter, minor storm sewer improvements, aggregate base, bituminous pavement, and appurtenant construction. She stated an Assessment Roll has been prepared consistent with the Feasibility Report and the project will be funded from assessments and the Pavement Management Program (PMP).

Motion adopted unanimously.

12.4 Resolution 16-129, Declare Cost to be Assessed, Order Preparation and Call for Hearing on Proposed Assessment for the Partial Reconstruction of Jefferson Street from 125th Lane to the Northern City Limits. Improvement Project No. 13-18.

Moved by Mayor Ryan, seconded by Councilmember Bourke, that Resolution 16-129, "Declare Cost to be Assessed, Order Preparation and Call for Hearing on Proposed Assessment for the Partial Reconstruction of Jefferson Street from 125th Lane to the Northern City Limits. Improvement Project No. 13-18," be approved.

City Engineer Keely stated the project includes spot concrete curb and gutter replacement, installation of concrete sidewalk, storm sewer structures, asphalt surface, traffic control signage, striping, and appurtenant construction. She stated an Assessment Roll has been prepared consistent with the Feasibility Report, with the exception of the omission of one parcel (PIN 06-31-23-21-0003) determined to be in the flood plain, and the project will be funded from assessments and MSAS.

Councilmember King asked about the Marathon Gas Station. City Manager Keely replied the gas station was not part of the project.

Motion adopted unanimously.

12.5 Resolution 16-130, Declare Cost to be Assessed, Order Preparation and Call for Hearing on Proposed Assessment for the Partial Reconstruction of 87th Avenue by the City of Circle Pines. Improvement Project 15-11.

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that Resolution 16-130, "Declare Cost to be Assessed, Order Preparation and Call for Hearing on Proposed Assessment for the Partial Reconstruction of 87th Avenue by the City of Circle Pines. Improvement Project 15-11," be approved.

City Engineer Keely stated the City of Blaine and the City of Circle Pines entered into a Joint Powers Agreement with Blaine agreeing to specially assess three parcels in Blaine that access 87th Avenue and receive benefit from the project. She stated the City of Blaine will pay to the City of Circle Pines all assessments collected.

Motion adopted unanimously.

12.6 Ordinance 16-2354, Amending Division 3. — Specific Use of Stormwater Ponds, Adding Sec. 34-523. — Stormwater Pond Aeration Permit of the Code of Ordinances of the City of Blaine.

Moved on the agenda to follow the Consent Agenda.

12.7 Ordinance 16-2361, Granting a Code Amendment to Section 32.02 of the Flood Plain Overlay of the Zoning Ordinance References to Coincide with Federal Emergency Management Agency (FEMA) Letters of Map Revision (LOMR) Effective July 1, 2016. (Case File No. 16-0038/JK).

City Engineer Keely stated development in the Sanctuary Preserve required a revision to the City's Flood Insurance Rate Map (FIRM) through applications to the Federal Emergency Management Agency (FEMA). She stated FEMA issued a Letter of Map Revision that became effective July 1, 2016 and FEMA regulations require the City to incorporate these revisions into the City's Flood Plain Overlay District Ordinance which is a part of the Zoning Ordinance. She noted the Developer will complete FEMA applications to remove the homes from the flood zone.

Councilmember Clark asked what the City has done to verify the data used is current and accurate. City Engineer Keely replied staff hired a surveyor to look at the new areas that were designated in 2015 and have submitted paperwork for those residents as a City to help with that process. She noted the City uses historical data as proof the homes are protected.

Councilmember Clark asked if the City has challenged FEMA's data. City Engineer Keely stated staff provides records to process FEMA paperwork to take properties out of flood plain status.

Planning and Community Development Director Schafer noted this affects new developments and the developers' have to complete the FEMA paperwork.

Declared by Mayor Ryan that Ordinance 16-2361, "Granting a Code Amendment to Section 32.02 of the Flood Plain Overlay of the Zoning Ordinance References to Coincide with Federal Emergency Management Agency (FEMA) Letters of Map Revision (LOMR) Effective July 1, 2016," be introduced and placed on file for second reading at the August 18, 2016, Council meeting.

12.8 Ordinance 16-2362, Ordinance Amending Chapter 82 – Traffic and Vehicles, Article I. – In General, Adding Section 82-8 Establishing Blaine Traffic Commission.

Public Services Manager Therres stated Council directed staff to establish a Traffic Commission to review neighborhood traffic concerns on local streets, define issues, review alternatives, look at costs, hold public hearings, and make recommendations. He stated staff will advertise the Commission in October 2016. He stated the Commission will be comprised of seven members (two members from each Ward) and one Chairperson at large. He noted the Terms for the Commission will be two-year terms beginning March 2017 with four terms expiring March 2020 in order to establish staggered terms.

Declared by Mayor Ryan that Ordinance 16-2361, "Ordinance Amending Chapter 82 – Traffic and Vehicles, Article I. – In General, Adding Section 82-8 Establishing Blaine Traffic Commission," be introduced and placed on file for second reading at the August 18, 2016, Council meeting.

12.9 Ordinance 16-2363, Ordinance Amendment for Lawn Sprinkling Restrictions.

Public Services Manager Therres stated one requirement the City needs for final approval from the Department of Natural Resources for additional wells is to implement a water conservation plan. He stated lawn and garden sprinkling and the use of irrigation systems will be permitted for properties having odd numbered addresses only on odd numbered days and for properties having even numbered addresses only on even numbered days and from May 15 through September 15 lawn and garden sprinkling will be prohibited

between the hours of 10:00 a.m. and 6:00 p.m. daily. He noted exceptions include private wells, City owned properties, limited hand watering, and new landscaping within 30 days of installation.

Councilmember Clark requested staff research the cost of sprinkler systems that have automatic rain shut-off sensors.

Declared by Mayor Ryan that Ordinance 16-2361, "Ordinance Amendment for Lawn Sprinkling Restrictions," be introduced and placed on file for second reading at the August 18, 2016, Council meeting.

12.10 Ordinance 16-2359, Amending Article VIII. – Residential Maintenance Code, Division 1. Sec. 18-305 of the Blaine Code of Ordinances of the City of Blaine Regarding Temporary Family Health Care Dwellings.

Moved by Councilmember Swanson, seconded by Councilmember King, that Ordinance 16-2359, "Amending Article VIII. – Residential Maintenance Code, Division 1. Sec. 18-305 of the Blaine Code of Ordinances of the City of Blaine Regarding Temporary Family Health Care Dwellings," be approved.

Planning and Community Development Director Schafer stated the new law is to provide transitional housing for seniors to place mobile housing in the front yard or driveway of a family member's residential home for 6 months to a year and the City would have to allow the use and issue a permit for occupancy. He stated if a city chooses not to participate in this program by passing an ordinance specifically opting out, the law will require the city to issue permits to qualified applicants starting on September 1, 2016.

Motion adopted unanimously.

Councilmember Clark requested a workshop to review a City ordinance for Temporary Family Health Care Dwellings.

Councilmember Hovland commented there are other options available for elder care.

12.11 Motion 16-074, Authorize the City Manager to Extend the Contract with Lockridge Grindal Nauen P.L.L.P. to assist with the Legislative Bonding Request for 105th Avenue.

Moved by Mayor Ryan, seconded by Councilmember Clark, that Motion 16-074, "Authorize the City Manager to Extend the Contract with Lockridge Grindal Nauen P.L.L.P. to assist with the Legislative Bonding Request for 105th Avenue," be approved.

City Manager Arneson stated the Council authorized the City Manager to retain Lockridge Grindal Nauen and its government relations team to assist with the City's legislative bonding request for the 105th Avenue project. He stated the City has reached the contract limit and will need to extend the contract.

Motion adopted unanimously.

OTHER BUSINESS

Councilmember Bourke requested park improvements/updates for the park in North Oaks.

Councilmember Bourke stated the North Oaks residents have an issue with crossing Radisson Road. He requested a meeting with Anoka County about crossing Radisson Road.

Councilmember Swanson requested an update on traffic around Northtown. Safety Services Manager/Police Chief Chris Olson replied staff has received the radar detection devices and need to be installed. He stated we are in the processing of hiring for three officers. He stated there have been 50 calls in area two. He noted there has been improvement in Area Four.

Councilmember Bourke asked about the electronic speed signs for 119th Avenue. City Engineer Keely stated not all of the equipment has arrived yet but should arrive soon.

Councilmember King requested having running water in City parks for drinking.

Mayor Ryan stated the City has received complaints about the overgrowth in medians and suggested exploring paving the medians. City Manager Arneson replied the City has some funds to start the work in 2017.

ADJOURNMENT

Moved by Councilmember Bourke, seconded by Councilmember Hovland, to adjourn the meeting at 9:05 p.m.

Tom Ryan, Mayor

ATTEST:

Catherine Sorensen, City Clerk
Submitted by TimeSaver Off Site Secretarial, Inc.