



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

10801 Town Square Dr.
Blaine MN 55449

Thursday, May 3, 2012

7:30 PM

Council Chambers

The Agenda was REVISED to include item 5.1 (Proclamation) and 5.2 (Award) and removed item 12.3

Meeting Number 12-30

1. CALL TO ORDER BY THE MAYOR

The meeting was called to order at 7:30 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: Clark Arneson, City Manager; Bryan Schafer, Community Development Director; Joe Huss, Finance Director; Jean Keely, City Engineer; Chris Olson, Safety Service Manager/Police Chief; Nyle Zikmund, SBM Fire Chief; Roark Haver, Communications Technician; Al Thorp, Senior Engineering Technician; Jane Cross, City Clerk; and Recording Secretary Linda Dahlquist.

Present: 6 - Mayor Ryan, Councilmember Hovland, Councilmember Swanson, Councilmember Clark, Councilmember Bourke and Councilmember Herbst

Absent: 1 - Mayor Pro Tem Kolb

4. APPROVAL OF MINUTES

Agenda item moved to follow Awards - Presentations - Organizational Business

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

5.2 [TMP 12-287](#)

Spring Lake Park-Blaine-Mounds View Fire Department Training Chief Ken Martin presented an Appreciation Award to Mr. Biskey of Blue Tow.

Councilmember Clark arrived at 7:37 p.m.

Informational: no action required

4.1 [MIN 12-18](#)

**WORKSHOP MINUTES - 04/12/2012
REGULAR MINUTES - 04/19/2012**

Sponsors: Cross

Attachments: [Workshop Minutes 04/12/2012](#)
[Regular Minutes 04/19/2012](#)

Councilmember Clark made the following changes to the Minutes of the Workshop Meeting of April 12, 2012:

Page 2, paragraph 3, after the word market add: "did not improve significantly over the last two years, which means tax values will take another two years to turn around."

Page 3, paragraph 5, after 20% add: "discretionary spending if we were not going to address personnel."

Page 3, paragraph 12, after the word funds add: "generated in 2011" be split between 2013 and 2014 and not raising the rate."

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that the Minutes be Approved as Amended. Motion approved 5-1 (Councilmember Swanson abstained on the Minutes of the Workshop Meeting of April 12, 2012, due to his absence.)

6. **COMMUNICATIONS**

6.1 [TMP 12-281](#)

Board of Review Chair Daniels stated the Board of Review was called on April 16, 2012, in attendance with the Board of Review members were Mayor Ryan, Councilmember Clark and Councilmember Kolb, City Clerk Jane Cross and the Anoka County Assessor's staff. She stated the Board of Review is required by the State to follow specific regulations and rules. She stated the Board of Review members are required to attend a class on the State's regulations and rules. She stated values have continued to fall with commercial and industrial down 8-9% and residential down 8.2%. She stated foreclosures are not allowed to be counted in the valuations. She stated one

property owner attended the meeting, but decided not to appeal and keep their operations open with Anoka County. She stated one townhouse property was discussed in length and the Board of Review determined that the Anoka County Assessor's office should make that property a special project for 2012.

Councilmember Herbst asked about the comparables and not using foreclosures. He asked what happens when the residents want to refinance their home, do the appraisers appraise the house with foreclose comparables or do they use the same standards the Assessor's office uses. Board of Review Chair Daniels replied if the neighborhood has a lot of foreclosed properties they may be taken into account.

Councilmember Herbst commented the resident's appraisal should hold up with the County. Board of Review Chair Daniels replied the Board of Review is not privileged to the Assessor's work. She commented the members of the Board of Review are very knowledgeable and experienced in real estate as well are the staff of the Assessor's office.

Informational: no action required

5.1 [PROC 12-03](#)

ARBOR DAY 2012

Sponsors: City Council

Mayor Ryan thanked the residents who participated in the Arbor Day tree planting and park cleanup.

Informational: no action required

Miracle Field, Baseball Complex

Mayor Ryan stated the Killebrew family will be at the Miracle Field in the Baseball Complex for the dedication and unveiling of the Killebrew sign.

Blaine Public Safety Association Annual Dog Walk

Jane Daniels stated the Dog Walk was a success with 40 walkers and 52 dogs. She stated the event generated just under \$4,000. She reported the Blaine's police dogs were also at the event.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:53 p.m.

Bill Schimmelman, 3147 94th Lane, stated the truck traffic on Radisson Road has increased and runs 24 hours a day. He stated it is difficult to sleep when the truckers run with no exhaust and use Jake breaks. He has spoken with Chief Olson about the issue. He commented the garbage trucks start at 3:30 a.m.

Mayor Ryan commented the City has gone after some truckers that use the Jake brakes. He asked where on Radisson this is happening. Mr. Schimmelman replied 95th and Naples.

Councilmember Herbst asked if it is the City's contracted garbage trucks. Mr. Schimmelman replied it is not Waste Management or Veolia.

Mayor Ryan commented in the future the trucks will run on natural gas with a different exhaust system.

Mayor Ryan stated the City is aware of the parking and traffic problems on the east side from National Street north to 101st. He stated a few tickets have been issued and the City may need to close part of the street. He commented the issue will be discussed further.

There being no input, Mayor Ryan closed the Open Forum at 7:58 p.m.

8. ADOPTION OF AGENDA

Mayor Ryan moved up agenda items 12.1 and 12.2 to follow the Consent Agenda.

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

None

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.

10.2 [RES 12-048](#)

**AUTHORIZING APPLICATION FOR CONDITIONAL USE
DEEDS FOR TAX FORFEITED PARCELS IN THE CITY
OF BLAINE**

Sponsors: Therres

Finance Director Huss stated Springsted accepted bids for the sale of General Obligation Improvement Bonds Series 2012A and General Obligation Improvement Crossover Refunding Bonds Series 2012B. He stated the proceeds from the sales will be used to reimburse the City and fund the Pavement Management Program (PMP) project costs related to public improvements and to refund the City's General Obligation Improvement Bonds 2004B. He stated the 2004B bonds have a final maturity of February 1, 2020; although the refunding would not extend the maturity schedule and is expected to result in net present values savings for the City. He stated Moody's report confirmed Blaine's bond rating of Aa1 on debt and stated the City has conservative budgeting practices. He stated the report also includes information on challenges, steps to take to move the rating up and the threats that could move the rating down.

Terri Heaton, Springsted Incorporated, stated the sale of the General Obligation Improvement Bonds, Series 2012A and General Obligation Improvement Refunding Bonds, Series 2012B took place at 10:00 a.m. this morning. She stated five bids were received for Series 2012A and the lowest bid is from United Bankers' Bank at 1.2248%. She stated six bids were received for Series 2012B and the lowest bid is from United Bankers' Bank at 1.1470%. She commented the Moody's report states Blaine has a strong financial position, has conservative financial management, the City does not rely on State Aid and the City has moderate debt. She stated the rating can move up or down and that the reserve levels are important and deficits should be closely watched.

Councilmember Clark questioned the reasoning why people buy and hold bonds at a low rate. He asked if it is for the security of the repayment or tax advantage. Ms. Heaton replied that treasury yields appear low on the borrowing side but are a good rate for investment. She stated the stock market is uncertain, and the money market and CD market are even lower. She stated to buy General Obligation Bonds with an Aa1 rating is a good return and secure investment.

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

12.2 [RES 12-051](#)

**AWARDING THE SALE OF \$2,995,000 GENERAL
OBLIGATION IMPROVEMENT REFUNDING BONDS,
SERIES 2012B; FIXING THEIR FORM AND
SPECIFICATIONS; DIRECTING THEIR EXECUTION
AND DELIVERY; PROVIDING FOR THEIR PAYMENT;
AND PROVIDING FOR THE REDEMPTION OF BONDS
REFUNDED THEREBY**

Sponsors: Huss

Attachments: [RES 12-051 Awarding Resolution 2012B](#)
 [Refunding Escrow Agreement](#)

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

11. DEVELOPMENT BUSINESS

Agenda item moved to follow agenda item 12.2.

The Following 2 Items Are Related

**11.1A [RES 12-058](#) **PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 12.37
ACRES INTO ONE (1) LOT AND ONE (1) OUTLOT TO BE
KNOWN AS CHAIN OF LAKES ADDITION AT 12450
ALAMO STREET NE. (CASE FILE NO. 12-0007/SLK)****

Sponsors: Schafer

Attachments: [Attachments 051712.pdf](#)

Planning and Community Development Director Schafer stated the applicant is proposing to construct a new building in the Lakes Development and operate as the Chain of Lakes Church from this location. The current zoning and comprehensive land use designation for the property is DF (Development Flex) and MDR (Medium Density Residential). He stated churches are allowed in all Blaine residential zoning districts as Conditional Uses. He stated the church would like to apply for a Conditional Use Permit (CUP) and re-plot the outlot. The CUP provides the zoning approval to build a facility and upon approval the church would purchase the property.

Mr. Schafer stated the proposed site plan has 178 parking stalls and enough open area for additional parking. All setbacks are met with the building and parking areas. He stated the site shares access (Alamo Street) with the site to the east, so a cross access agreement will be required for the shared access with the future townhomes. A private drive on the southwest portion of the site (Yancy Circle/Zumbrota Drive) encroaches onto the church property. He stated this loop access is required to remain for the existing townhomes and will also be required to be placed in an access/maintenance easement; although the church will not take access from this drive.

Mr. Schafer stated the proposed right-in/right-out access to 125th Avenue (CSAH14) has been conceptually approved by the Anoka County Highway Department and the applicant is working through the county process to obtain

a Revocation of Right of Access. He stated Anoka County Highway Department must review and approve the proposed construction plans for the right-in/right-out prior to issuance of the Site Plan Approval. The Coon Creek Watershed District must review and approve the proposed site plan prior to issuance of Site Plan Approval. Mr. Schafer noted that Park Dedication is not required with this plat since it was covered under the Park Development Agreement with the master developer.

Mr. Schafer stated the City and the applicant held a neighborhood meeting on March 27 and prior to the meeting received two written comments that did not support the proposed plat and conditional use permit. He stated a representative from the Crown Cove and Crown Cove North Condominium Association spoke to address concerns with traffic and parking, and several other residents spoke about traffic concerns. He stated the church would like to reduce the berm along the road. The City has discussed an alternation of the berm by lowering it and wrapping it on the east side with landscaping. There is concern about Edison Street and are working on the issues.

Terri Olson, a Crown Cove Condominium Association representative, stated the residents went to the Planning Commission with a list of issues to be addressed. She stated there was an issue with landscaping, and Pastor Moore addressed the issue in a letter he wrote to the neighborhood residents stating the church will accommodate the request. She stated the neighborhood welcomes the church, but are concerned with traffic on Edison Street. She stated the neighborhood wants a no parking zone where the walking path crosses Edison down to the intersection of Alamo Circle NE. She stated the neighborhood also wants a right hand turn lane on west bound Edison to the church's driveway. She stated initially there was concern about volume and noise, but what the Chain of Lakes Church will bring is less density and volume than the originally planned residential housing had it moved forward.

Councilmember Herbst asked about church people parking on Edison Street. He asked if there will be adequate parking in the church's parking lot. Planning and Community Development Director Schafer replied the church will have adequate parking in their lot. He stated the Council has the ability to address Edison in the future if an issue arises.

Councilmember Herbst asked about the right hand turn lane on Edison Street. Planning and Community Development Director Schafer replied Engineering does not see a benefit for a right turn lane off of Edison Street.

Councilmember Herbst commented the access off 125th will help relieve congestion on Edison.

Ms. Olson commented it was an eye opener for her to see the original residential plat from Rottlund.

Paul Moore, Pastor of Chain of Lakes Church, stated the church has 30-35 families and many of them live in Blaine. He stated the church is looking forward to being a part of and contributing to the community. He stated the church wants to be good neighbors.

Ward Sessing, stated he has been working with Chain of Lakes Church on the project. He stated he has enjoyed working with Blaine's staff. He stated the church and neighbors have started to build positive relationships. He stated the neighbors have concerns with the additional landscaping and the church will accommodate the request. He stated a tree inventory of the existing trees located on the berm will be done and all trees that are to be removed will be replaced. He asked the Council for the church to have flexibility on where the trees are placed. Planning and Community Development Director Schafer replied the "on site" wording allows the placement of the trees be at the discretion of the church.

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

11.1B [RES 12-049](#)

**AUTHORIZING APPLICATION FOR CONDITIONAL USE
DEEDS FOR TAX FORFEITED PARCELS IN THE CITY
OF BLAINE**

Sponsors: Schafer

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

Planning and Community Development Director Schafer stated under condition number 21 and 22 of the CUP, there is a two year period to start building and if the church does not build within the two years, approval will need to be sought again. He commented a sign will be placed on the berm that states Future Home of Chain of Lakes Church.

Councilmember Bourke asked if there is a master association over the Crown Cove Condominium Association and the Crown Cove North Condominium Association. Planning and Community Development Director Schafer stated there is a master association and the church is working with them.

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

12. ADMINISTRATION

12.3 [RES 12-052](#)

ACCEPT BID FROM NORTHWEST ASPHALT, INC. IN

THE AMOUNT OF \$333,763.30 FOR THE WOODLAND VILLAGE PUBLIC IMPROVEMENTS - SIDEWALK, TRAIL, AND STREET OVERLAY (IMPROVEMENT PROJECT NO. 11-20)

Sponsors: Keely

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

Removed Prior to Meeting

12.4 [RES 12-053](#)

ACCEPT BID FROM RUM RIVER CONTRACTING CO. IN THE AMOUNT OF \$329,832.40 FOR THE 2012 PAVEMENT MANAGEMENT PROGRAM - BITUMINOUS OVERLAY, IMPROVEMENT PROJECT NO. 12-01 AND FLANDERS INDUSTRIAL PARK SOUTH AND SOUTH 2ND ADDITION WEAR COURSE, IMPROVEMENT PROJECT NO. 12-10 AND RECONSTRUCTION OF XYLITE ST AND 95TH AVE FROM 93RD AVE TO ALAMO CT, IMPROVEMENT PROJECT NO. 12-11

Sponsors: Keely

Attachments: [Location Map.pdf](#)

City Engineer Keely stated a total of six bids were received and it has been determined that Rum River Contracting Company of Princeton, Minnesota is the lowest bidder. She noted that the Engineering Department has worked with Rum River Contracting Company on previous contracts and recommends the low bid be accepted and a contract be entered into with Rum River Contracting Company. She also asked the Council to approve a 10% contingency to bring the total project budget to \$362,815.64. Ms. Keely stated the funding source for this project is a combination of assessments, developer escrows and City Pavement Management Funds and there are sufficient funds to cover these costs.

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

12.5 [RES 12-054](#)

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

Sponsors: Keely

Attachments: [1 location map.pdf](#)

City Engineer Keely stated the proposed improvements to Davenport Street include construction of right turn lanes at 104th Avenue, 103rd Avenue and entrance to the National Sports Center, and total concrete curb and gutter replacement, spot concrete sidewalk replacement, new concrete sidewalk, storm sewer structures, asphalt pavement replacement, traffic control signage, signal modification, striping, and related appurtenant construction from 99th Lane to 105th Avenue. The estimated cost is \$1,148,200 of which \$499,000 is proposed to be assessed over a ten-year period. She stated replacement of existing sanitary sewer castings/rings and relocation of hydrants at an estimated cost of \$23,220 is proposed to be paid for by the City Public Utility Fund. Ms. Keely stated the remaining portion of \$625,980 is proposed to be paid from the City's Municipal State Aid Street funds and the City's Pavement Management Program funds.

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

12.6 [RES 12-055](#)

**APPROVE PLANS AND SPECIFICATIONS AND ORDER
ADVERTISEMENT FOR BIDS FOR THE
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 stated the proposed improvements include spot concrete curb and gutter replacement, spot concrete sidewalk replacement, storm sewer structures, asphalt surface, traffic control signage, striping, and appurtenant construction for Oak Park Boulevard and 119th Avenue from 125th Avenue to Jefferson Street and replacement of existing hydrants, existing sanitary sewer drop structures and castings/rings. The project will be paid from the City's Municipal State Aid Street funds and City's Pavement Management Program funds, and \$145,590 is proposed to be assessed over a ten-year period.

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

12.7 [RES 12-056](#)

**APPROVE PLANS AND SPECIFICATIONS AND ORDER
ADVERTISEMENT FOR BIDS FOR THE 93RD LANE**

INDUSTRIAL PARK AREA STREET IMPROVEMENTS, PHASE 1 (IMPROVEMENT PROJECT NO. 11-16)

Sponsors: Keely

Attachments: [Location Map-Phase 1.pdf](#)

City Engineer Keely stated the proposed project is the first phase of a multi-year project to partially reconstruct the streets and improve storm water runoff drainage in the industrial park area defined by 94th Lane on the north, Baltimore Street on the west, Radisson Road on the south and 93rd Lane Extension on the east. The proposed improvements for this project include asphalt pavement replacement, gravel shouldering, storm drainage improvements, culvert replacements and cleaning, traffic control signage, and appurtenant construction on Davenport Street from 93rd Lane to 91st Avenue and Isanti Street from 93rd Lane to Radisson Road. Phase I of the project will be paid from the City's Pavement Management Program funds, and \$267,732 is proposed to be assessed over a ten-year period.

Councilmember Swanson asked if Baltimore Street in front of the old post office will be fixed. City Engineer Keely replied Baltimore will be worked on next year.

Mayor Ryan commented the storm drainage is an issue on Baltimore. City Engineer Keely replied this area has been an issue for over 10 years.

Councilmember Hovland asked about the progress of the Pavement Management Program. City Engineer Keely replied the state aid roads have been worked on first. She stated additional funding from State Aid dollars gave the City the funds to fix the most critical roads first. She stated the Pavement Management Program has been in existence for 2 years and progress is being made with maintaining the City's roads.

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

12.8 [RES 12-057](#)

AMENDING PUBLIC IMPROVEMENT SPECIAL ASSESSMENT POLICY

Sponsors: Therres

Attachments: [Special Assessment Policy Updates.doc](#)

City Engineer Keely stated staff is suggesting policy changes to the Public Improvement Special Assessment Policy:

1. Remove "Most State and County owned properties and Metropolitan Airports Commission Properties" from Section III.5 - Properties Not Assessed.

2. Add "All City owned property that is maintained and operated out of the City's General Fund Budget" to Section III.5 - Properties Not Assessed.
3. Delete Section III.9b relating to assessment deferrals for Non-Petitioning Parcels Outside of the Development Area.
4. Minor language edits and clarifications in various sections.

Councilmember Swanson asked about the State paying assessments. City Engineer Keely replied State assessed properties are looked at on a case by case basis.

Councilmember Clark asked if Met Council properties are considered State properties. City Engineer Keely replied the City has not assessed the transit hub or the Park and Ride on 95th or at Northtown. Councilmember Clark commented this should be addressed at a future Council meeting.

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

13. OTHER BUSINESS

Shane Scabeck, 1711 123rd Lane NE, stated he and his two brothers are with the Boy Scout Troop 513 from Blaine and Coon Rapids. He is working on his Communications Merit Badge

Matt Scabeck stated he is working on his Citizenship in the Community Merit Badge

Isaiah Scabeck stated he is working on his Citizenship in the Community Merit Badge.

Motion by Councilmember Swanson, second by Councilmember Hovland, to cancel the Council Workshop and Council Meeting on July 5, 2012. Motion adopted unanimously.

City Manager Arneson stated the *Star Tribune* will continue to distribute free newspapers in purple bags to non-subscribers. He stated currently they are distributing in the 55443 zip code and will deliver this weekend in the 55449 zip code. He stated if residents want the *Star Tribune* to stop delivery they should call 612-673-7305. He stated the *Star Tribune* is able to distribute the newspaper under the freedom of press. He asked the Council if the City should pursue a way to stop the distribution.

Councilmember Clark stated he would like the City to pursue a way to stop

the distribution.

City Manager Arneson stated there are three ways to pursue the complaint by a claim on littering on private property, claim on littering on public right of way or a civil complaint.

Councilmember Bourke asked about the government trying to suppress the press. City Attorney Sweeny replied the issue with littering is not a violation of State law. He stated the First Amendment prohibits laws bridging the freedom of speech and press. He stated there have been court cases relating to the distribution of this material in the U.S. and it is an appropriate exercise of speech and freedom of press. He stated the City can monitor the distribution this weekend and make conclusions. He suggests not taking on the newspaper relative to this distribution without more facts.

City Manager Arneson stated the staff will monitor the distribution this weekend and report back to the Council.

Councilmember Swanson asked about private roads and if a townhome association could call the *Tribune* to stop delivery for the development. City Attorney Sweeney replied the association could call.

14. ADJOURNMENT

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that this meeting be Adjourned. The Motion was adopted unanimously. The meeting adjourned at 9:20 p.m.