



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

10801 Town Square Dr.
Blaine MN 55449

Thursday, March 15, 2012

7:30 PM

Council Chambers

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: Bryan Schafer, Community Development Director; Bob Therres, Public Services Manager; Joe Huss, Finance Director; Jean Keely, City Engineer; Mike Ulrich, Public Works Director; Bob Fiske, Community Standards Director; Nyle Zikmund, SBM Fire Chief; Roark Haver, Communications Technician; Jason Sundeen, Senior Engineering Technician; Jane Cross, City Clerk; and Recording Secretary Linda Dahlquist.

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

4. APPROVAL OF MINUTES

4.1 [MIN 12-10](#)

WORKSHOP MEETING - 02/09/2012
WORKSHOP MEETING - 03/01/2012
REGULAR MEETING - 03/01/2012

Sponsors: Cross

Attachments: [Workshop Minutes 2/9/2012](#)
 [Workshop Minutes 3/01/2012](#)
 [Council Minutes 3/01/2012](#)

Councilmember Clark made the following changes to the Regular Meeting Minutes of March 1, 2012:

*Page 5, AI 12.1, Councilmember Clark asked staff to look at "the 1994 ordinance for board member term structure" change to "staggered terms and multi-year terms."
Page 6, AI 12.4, remove "Motion adopted unanimously."*

Moved by Councilmember Hovland, seconded by Councilmember Bourke, that the Minutes be Approved as Amended. Motion adopted 4-3 (Mayor Ryan abstained from the Workshop Meeting Minutes of February 9, 2012, due to his absence. Councilmember Swanson abstained from the Workshop Meeting Minutes and City Council Meeting Minutes of March 1, 2012, due to his absence. Councilmember Herbst abstained from the Workshop Meeting Minutes and City Council Meeting Minutes of March 1, 2012, due to his absence.)

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

None.

6. COMMUNICATIONS

None.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the open forum at 7:34 p.m.

There being no input, Mayor Ryan closed the open forum at 7:35 p.m.

8. ADOPTION OF AGENDA

Mayor Ryan moved up agenda items 12.2 and 12.9.

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

Moved in the agenda to follow agenda item 12.9.

10. APPROVAL OF CONSENT AGENDA:

Approval of the Consent Agenda

Moved by Mayor Pro Tem Kolb, seconded by Councilmember Hovland that the following items be Approved by Consent Vote. Motion adopted unanimously.

10.1 [MO 12-036](#)

SCHEDULE OF BILLS PAID

Sponsors: Huss

Attachments: [02/23/12-03/1/12 Bills Paid](#)

[03/02/12 Bills Paid](#)

Approved unanimously by Consent Vote.

Approval of the Consent Agenda

Moved by Mayor Pro Tem Kolb, seconded by Councilmember Hovland that the following items be Approved by Consent Vote. Motion adopted unanimously.

- 10.2 [MO 12-031](#) **APPROVE AN AMUSEMENT DEVICE LICENSE FOR THE SCHWAN ICE ARENA, 1700 105TH AVENUE NE, BLAINE, MN**

Sponsors: Cross

Approved unanimously by Consent Vote.

- 10.3 [MO 12-032](#) **APPROVE A TEMPORARY ON-SALE 3.2% MALT BEVERAGE LICENSE FOR THE NATIONAL SPORTS CENTER GREAT WATERS FLY FISHING EXPO TO BE HELD MARCH 23RD - MARCH 25TH, 2012 AT THE SCHWAN EVENT CENTER, 1700 105th AVENUE NE, BLAINE.**

Sponsors: Cross

Approved unanimously by Consent Vote.

- 10.4 [MO 12-033](#) **AUTHORIZE TEMPORARY REMOVAL OF PARKING RESTRICTIONS ON 103RD LANE FOR CENTENNIAL ELEMENTARY SCHOOL EVENT ON MAY 23, 2012 (RAIN DATE: MAY 24, 2012)**

Sponsors: Keely

Attachments: [Centennial Letter of Request.pdf](#)
[Map-parking 103rd lane.pdf](#)

Approved unanimously by Consent Vote.

- 10.6 [RES 12-030](#) **RECEIVE PETITION AND ORDER PUBLIC HEARING FOR VACATION OF DRAINAGE AND UTILITY EASEMENT FOR LOT 14, BLOCK 2, THE SANCTUARY EIGHTH ADDITION, VACATION NO. V12-01**

Sponsors: Keely

Attachments: [V12-01 Petition Sanctuary 8th.pdf](#)
[vacation 12-01.pdf](#)

Adopted unanimously by Consent Vote.

The Following Two Items are Second Readings

10.7 [ORD 12-2244](#) **AN ORDINANCE AMENDING CHAPTER 18, ARTICLE VIII - RESIDENTIAL MAINTENANCE CODE, CITY OF BLAINE CODE OF ORDINANCES**

Sponsors: Safety Services Manager / Police Chief Olson

Adopted unanimously by Consent Vote.

10.8 [ORD 12-2245](#) **AN ORDINANCE AMENDING CHAPTER 18, ARTICLE X - LICENSES FOR RENTAL DWELLINGS, CITY OF BLAINE CODE OF ORDINANCES**

Sponsors: Safety Services Manager / Police Chief Olson

Adopted unanimously by Consent Vote.

10.5 [MO 12-034](#) **APPROVE QUOTES FOR WELL #14 MAINTENANCE**

Sponsors: Public Works Director Ulrich

Public Works Director Ulrich stated staff received three quotes for Well #14 maintenance. The quotes included a new pump, column pipe, line shaft and couplings, electrical equipment, all required testing and training. He stated staff recommends awarding the Well #14 maintenance to Bergerson-Caswell, Inc. for \$45,575.00 that will be charged to the Water Utility Fund.

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

11. DEVELOPMENT BUSINESS

None.

12. ADMINISTRATION

12.2 [RES 12-028](#) **AUTHORIZE DESIGN, BID, BUILD PROCESS FOR THE CONSTRUCTION OF SIDEWALKS ON 91ST AVENUE AND JACKSON STREET, IMPROVEMENT PROJECT NO. 11-13**

Sponsors: Keely

Attachments: [Safe Routes to School Grant Application.pdf](#)
 [SRTS - Westwood School Aerial Map.pdf](#)
 [Resident Email 020812.msg](#)

City Engineer Keely stated on June 3, 2011, the City Council approved Resolution No. 11-63 supporting the Safe Routes To School (SRTS) grant application for the proposed sidewalk and crosswalk improvements in the area of Westwood Intermediate and Middle Schools in District 16. She stated in August of 2011, the City was awarded the SRTS grant funds of \$202,426. She stated the City held an open house on October 10, 2011 with approximately 50 residents in attendance and the City has also received emails, letters, and petitions from residents in favor and against the proposed sidewalk project.

Diane E. Shallue, 9040 Jackson Street NE, stated she is in favor of the sidewalk. She stated she is also speaking in favor on behalf of her next door neighbors. Ms. Shallue stated that she walks on the road to get to the nearby walking paths and it is not safe. She stated the sidewalk will impact her yard, but she is still in favor of it.

Tom Larson, Principle at Westwood, 701 91st Avenue NE, stated he is in favor of the sidewalks for the 1800 students who attend the schools. He stated there are 200 staff members and 36 buses that drive to the school in addition to the residential traffic.

John Gamer, 732 91st Avenue NE, stated he has lived there since 2003. He stated his kids attend the Spanish Immersion School. He stated his kids and wife walk along the street and his concern is the lack of control at the intersections and the encroachment on his yard which could be up to 14 feet. He stated this is an older neighborhood and the yards are not that large. He stated there is a drainage issue near VanBuren and there are large old trees that need to be removed. He asked what will happen to the existing trees' root system. He is also concerned about snow removal and extra costs that will be assessed to the home owners.

Councilmember Clark asked about the size of the sidewalk and the size of the boulevard. City Engineer Keely stated the sidewalk is proposed to be one foot off the property line which is Blaine's standard. The sidewalk is proposed to be six feet wide and the remainder of the boulevard in the public right of way would remain grass.

Councilmember Herbst reiterated the encroachment will be between 10-14 feet.

Charles George, 9103 Van Buren Street NE, stated he moved in over 20 years ago. He stated the sidewalk will not affect him, but the neighbor across from him has a drain that fills up with storm water. He stated the drain holds the water because it does not have an outlet. He stated he has watched and there are not many children that walk. He asked the City to have a police car at the school to slow traffic down. He stated the costs of drainage and trees will be over the grant. He is more concerned about the one road into and out of the school. He stated safety of walking is not an issue.

Denise Lavalley, 746 91st Avenue, stated she is opposed to the sidewalk because of the encroachment. She stated her house is closer to the street than the other homes and she was told her trees would not be replaced. She stated there is a slope to her driveway that gets icy in the winter.

City Attorney Sweeney replied the City would be responsible because it is the right-of-way.

Ron Clark, 733 91st Avenue NE, stated he is against the sidewalk. He has reviewed the statues for the SRTS program and is puzzled on how the grant is managed by the state. He stated safety is not a problem and he is not aware of any fatalities other than one on the bike way. He asked how many biker or pedestrian accidents have been in the Westwood area. He stated an infrastructure only project should focus on locations where high levels of biking and walking already occurs. He stated the application does not support the grant. He watched and there were 6 kids walking school. He stated in the past the school had crossing guards. Mr. Clark stated in the application the City agreed to do a count before and after the improvement. He stated the proposed count is 200. He reiterated that this is not an issue of safety. He stated the grant money can be used in other places because there is minimal benefit to this improvement.

Charles George stated when the sidewalk came up before; a sign was placed on the north side of the road for drivers to slow down when children are present. He stated people would slow down if a police car was sitting near the school.

Diane Shallue stated she does walk regularly during school times down the street. She stated the neighborhood is turning over and younger families are moving in. She stated the families around her are concerned about their children walking to school. She stated the older kids walk through the church lot to bypass the traffic.

Denise Lavalley asked who is liable if someone slips and falls on the sidewalk. City Attorney Sweeney replied the sidewalk is on the public right-of-way and would be the City's responsibility.

John Gamer stated the City's ordinance states the homeowner is responsible for the removal of snow and ice on a sidewalk. He stated a hurt person will bring suit against the homeowner and their insurance company.

Councilmember Swanson stated he does not see the need for the sidewalk and he is not in favor of the sidewalk.

Councilmember Kolb stated based on the petition there are eleven that signed a petition against the sidewalk. She asked for the percentage of residents along the route. City Engineer Keely stated there are 40 parcels and the school along the route which is about a quarter of the residents.

Councilmember Clark asked about Ms. Lavalley's driveway slope and if the City has looked at it. City Engineer Keely stated survey work has not been done yet. She stated the survey work is part of the design that will address existing conditions and drainage.

Councilmember Clark stated if the project is approved and the design phase finds issues with the project, what would happen. Public Services Manager Therres stated if something came up in the design work, the Council would have to approve extra funds or the project would be stopped.

Councilmember Clark asked how stopping the project would affect the grant. Public Services Manager Therres stated the City can stop the project at any time.

Councilmember Herbst stated there is not a safety issue and recognizes there is a lot of opposition. He stated he would vote against this project.

Councilmember Bourke stated there are trails around the neighborhood that lead to the school. He stated he would not vote for this project.

Councilmember Kolb stated there needs to be 51% to support the sidewalk and she stated there are 84 children that signed the petition. She stated she understands the residents' concerns about sidewalks and ice. She stated the Council needs to be consistent on how the City addresses petitions. She is going to support the sidewalk.

Councilmember Hovland stated up until now he was in support of the sidewalk. He stated the number of kids that will walk to school will increase. He stated the biggest change in this area is the busing distance that has increased traffic. He stated he has always felt a sidewalk should be in place. He asked if a four foot sidewalk could be built. City Engineer Keely replied in the past, five foot sidewalks where the standard but City Council had asked for an increase in width to six foot sidewalks. The City's snow removal equipment does work for six foot sidewalks.

Councilmember Hovland asked if the sidewalk could be moved closer to the road. City Engineer Keely replied the City standard is one foot off the property line in the public right-of-way and the sidewalk could meander some in the public right of way if trees and fences are in the way.

Councilmember Hovland asked if there are funds for tree replacement that are not covered under the grant. City Engineer Keely replied impacts are unknown until the design phase is done. She stated a discussion with the City Forester would need to take place for additional funding for trees.

Councilmember Hovland stated he would like to see a smaller sidewalk go in.

Councilmember Clark asked why a smaller sidewalk is not considered. Public Services Manager Therres replied a six foot sidewalk is wide enough for two people to pass and the equipment for snow removal is this size.

Councilmember Bourke stated there are 212 homes in the area and 34 homes that are on the trails. He stated he cannot envision that many kids walking down the road.

Councilmember Kolb stated when the equipment goes through for snow removal, a six foot sidewalk is better.

Councilmember Swanson stated a six foot sidewalk allows two people to pass each other.

Mayor Ryan stated the kids that signed the petition need representation. He stated at the opening of the road to the school there are kids on both sides of the road. He stated a kid jumped out in front of a car and fell over the car, got up and punched the side of the car. He stated now a days when the City passes the design of a school, sidewalks surround the school. He stated a sidewalk was built on Jackson because the kids were walking down the middle of the street. He stated a sidewalk was not a requirement when the school was built. He stated the City requires sidewalks for safety. He stated he does not agree with the residents who say it is safe for kids to walk down the street.

Councilmember Clark stated he was against the grant application. He stated more research should have been done especially on drainage. He stated there are more people opposed to the sidewalk than in favor. He stated he has not heard the numbers on how many kids are currently walking to school. He stated he does not see a City wide imperative to override the neighborhood. He asked if the grant money was not there, would the project be high on the City's priority list. He stated

the sidewalk would be nice to have, but without the neighborhood's coherent support, he is not going to vote to move forward with the project.

Moved by Mayor Pro Tem Kolb, seconded by Mayor Ryan, that this Resolution be Adopted. The motion failed by the following vote:

Aye: 2 - Mayor Ryan and Mayor Pro Tem Kolb

Nay: 5 - Councilmember Hovland, Councilmember Swanson, Councilmember Clark, Councilmember Bourke and Councilmember Herbst

Mayor Ryan called for a short recess of the meeting at 8:32 p.m.

Recessed

Mayor Ryan reconvened the meeting at 8:39 p.m.

Reconvene

12.9 [MO 12-037](#)

**CONSIDER METROPOLITAN AIRPORTS
COMMISSION/CITY OF BLAINE TERM SHEET -
AIRPORT PARK/FIRE SERVICE**

Attachments: [Term Sheet MAC-City of Blaine \(MAC Draft 3-6-12\)REDLINE.pdf](#)
[ANE 2012 Development Parcels.pdf](#)

City Manager Arneson stated since 1982 the City has leased for \$600 annually, 49 acres of land from the Metropolitan Airports Commission (MAC) at 105th and Radisson to use as Airport Park and Blaine Soccer Complex. He stated MAC is under a mandate to be self-supporting as a reliever airport in the metro area. MAC has developed a term sheet for three years with a two year renewal period that addresses several common issues between MAC and the City. He stated the services addressed include fire service, resurfacing of Xylite Street, sewer and water maintenance on the Anoka County/Blaine Airport property, and a land lease for Airport Park and the Blaine Soccer Complex. He stated the Term Sheet also addresses possible future redevelopment of the two MAC owned parcels.

Councilmember Clark asked the MAC representatives for their thoughts on the proposed term sheet.

Gary Schmidt, MAC, stated negotiating the term sheet was a long process. He stated MAC has mandates that they have to follow and depending on what occurs tonight, we are prepared to bring the term sheet back to the commission for approval.

Councilmember Clark asked about the MAC mandate. Mr. Schmidt replied there are federal mandates for the airport to be self-sustaining and self-sufficient. He stated in the mandate there is guidance for leasing the non-aeronautical property for fair market value.

Councilmember Clark asked about MAC's lawsuit by Northwest Airlines (NWA). Tom

Anderson, MAC's General Counsel, replied MAC was sued by NWA in 2005 for not satisfying obligations under federal or state law for reasonable rents and not charging aeronautical tenants a sufficient amount of money in order to operate in the black. He stated MAC agreed to move ahead with an ordinance to charge tenants of all the reliever airports if the airports were not self-sustaining. He stated MAC has a financial model that is used every year and the model currently forecasts the airports will be in the red. He stated the MAC board has instructed the airports to look for non-aeronautical revenue with community uses and commercial development.

Councilmember Clark clarified that NWA claimed they paid higher tenant rates at MSP and that they were subsidizing the reliever airports. Mr. Anderson confirmed that was NWA's argument for the lawsuit. He stated NWA was not subsidizing directly. He stated indirectly MSP, as an entity, was using excess revenue to subsidize the reliever airports.

Councilmember Herbst stated the City built buildings on the land. He stated the rental fee is exorbitant for the City. He asked if MAC had other parties interested in leasing the property. Mr. Anderson replied discussions have taken place with the Amateur Sports Commission; they are prepared to lease the property and make the fields available to the City.

Councilmember Clark asked about private sector development. Mr. Anderson replied no talks have been with private developers on this corner lot. He stated market conditions are not favorable for private development. He stated MAC is looking for opportunities on some of the parcels.

Councilmember Herbst stated that field gets a lot of use and the soccer club and the City put in the infrastructure on the land.

Mayor Ryan stated he has worked with the airport a long time. He stated the fees will be picked up by the users. He stated he talked to a contractor about moving the equipment and the contractor agreed that most of the equipment can be moved.

Councilmember Bourke asked Mr. Anderson if the City is paying the same amount as a government entity. Mr. Anderson replied MAC is in discussions with other communities that are in the same situation. He stated there are athletic fields at other airports. He stated MAC got appraisals for the land at the other airports.

Councilmember Bourke asked if the same equation is used. Mr. Anderson replied property values are different, but the goal is fair market value.

Councilmember Clark asked City Manager Arneson if \$50,000 is the right lease value. City Manager Arneson replied every city is different. He stated the reliever airports are Lakeville, Crystal, Lake Elmo, Saint Paul, and Eden Prairie. He stated Eden Prairie situation is comparable to the City's situation with land leasing, but there are great differences and the deals are not the same.

Councilmember Bourke asked if the real number is \$50,000. City Manager Arneson replied the land's appraised value is \$120,000 and MAC is showing community good will to the City for \$70,000. He stated the cost to Blaine will be \$50,000 and MAC currently pays SBM for fire service of \$24,000, however in the future Blaine's portion is \$18,000, and MAC will pay \$6,000 and half the cost of Xylite Street.

Councilmember Swanson commented the City may be subsidizing the fire protection of the airport and no longer involved with the park land.

Councilmember Clark stated MAC wants to solve the fire service issue and needs to generate \$50,000 from the property. He reiterated the term sheet agreement. He

stated MAC will get ten years of fire service at a fix price with no inflation and the City is getting 60 days and a 2% price inflator. Mr. Schmidt replied the 60 day notice has to do with the option period and the City wanted time to investigate alternative options. He stated MAC is willing to go beyond the 3 year period. He stated the City will provide fire protection services for ten years for \$6,000 per year, plus a per call fee for all calls to areas of the airport not under lease to airport tenants at FEMA rates after two hours of required response. He stated the City wanted a 3 year term for the park land, but MAC would be willing to go for a longer term which the MAC board would have to approve.

Councilmember Clark questioned the 60 day cancellation. Mr. Schmidt stated there would be a three year term that is locked and two, one year options that either party could terminate with a 60 day notice.

Councilmember Clark asked if the 60 day notice could be structured for timing. Mr. Schmidt stated the 60 day option is to give notice of intent to not continue with the option and then an execution date would be set.

Councilmember Herbst commented the City has the land for three years and that gives the City time to plan.

Councilmember Bourke asked about outdoor advertising agreements. City Manager Arneson stated the City has agreements with Clear Channel in Aquatone Park.

Councilmember Bourke asked about billboards placed on the property. City Manager Arneson stated currently there are no proposals, so this issue would be a future discussion.

Councilmember Clark asked if the agreement requires the Council to approve signage or just discuss signage. City Manager Arneson stated the Council would agree to discuss signage.

Councilmember Swanson stated he has a problem with the statement "the City agrees to the redevelopment of parcel 60," this is not an automatic and the redevelopment has to be within the existing rules and regulations of the City. City Manager Arneson read "Any non-aviation development is subject to City land-use, building, fire code and zoning control."

Rick Fedder, 2204 107th Lane, Blaine Soccer Club, stated the club has grown over the last five years and the traveling teams have doubled. He stated the club appreciates the City's work to help coordinate their growth. He stated the club is hurting for space and sometimes three teams share a field. He asked about the new fields that will be done in 2014. City Manager Arneson confirmed the Fin Farm Park is in design phase and will be ready for use in 2014. Mr. Fedder stated the club is growing with six to twelve year old kids. He stated if there is any risk with the Airport Park, the Club is willing to work with the City to provide feedback, input and data to help move forward.

Mayor Ryan commented he anticipates the basketball leagues coming forward because they have been neglected.

Mr. Fedder stated the club has started collecting the user fees twelve months ago and supports the City.

Mayor Ryan commented the City appreciates the work MAC has done. He stated the Air Wings Museum is impressive and a value to the City.

Councilmember Clark commented the airport is a value to the City. He directed City

staff to consult the Soccer Club on the start date in order for them to optimize planning. City Manager Arneson stated the next phase is a field usage agreement between the National Sports Center and Blaine Youth Soccer.

Councilmember Hovland left the meeting at 9:25 p.m. and returned at 9:26 p.m.

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

9.1 [RES 12-029](#)

**ORDER IMPROVEMENT AND ORDER PREPARATION
OF PLANS AND SPECIFICATIONS FOR THE 93RD LANE
INDUSTRIAL PARK AREA STREET IMPROVEMENTS,
PHASE 1, IMPROVEMENT PROJECT NO. 11-16**

Sponsors: Keely

Attachments: [93rd lane area map.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 generally defined by 94th Lane on the north, Baltimore Street on the west, Radisson Road on the south and 93rd Lane extension on the east. She stated 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. The project is necessary, cost-effective, feasible and will result in a benefit for the properties proposed to be assessed. The proposed cost is to be assessed over a ten year period and a portion of the cost is to be paid from the City's Pavement Management Program funds. She stated that if the improvements are ordered, construction would be from June to October and an assessment hearing would be held this fall.

Mayor Ryan opened the public hearing at 9:26 p.m.

There being no input, Mayor Ryan closed the public hearing at 9:27 p.m.

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

12.1 [MO 12-030](#)

**AUTHORIZE CITY MANAGER AND MAYOR TO ENTER
INTO AN AGREEMENT WITH THE NATIONAL
RESEARCH CENTER, INC IN THE AMOUNT OF
\$18,920.00 TO CONDUCT A RESIDENT SURVEY**

Sponsors: City Manager Arneson

Attachments: [Contract](#)

City Manager Arneson stated the City received eight proposals from companies to conduct a resident survey. He stated the Council directed staff to begin working with the National Research Center, Inc. for \$18,920 to conduct a resident survey. He stated questions are being developed and the survey will be conducted in the spring.

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

12.3 [RES 12-031](#)

**APPROVE PLANS AND SPECIFICATIONS AND ORDER
ADVERTISEMENT FOR BIDS 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](#)
[Assessment Map.pdf](#)

City Engineer Keely stated the proposed improvements for the bituminous overlay program include bituminous overlay, edge milling, and appurtenant construction on various city residential streets. She stated the estimated project cost is proposed to be assessed over a five-year period. She stated in addition two more projects will be bundled into this project which include one inch wear course on 103rd Lane and Jamestown Street and reconstruction of Xylite Street and 95th Avenue from 93rd Avenue to Alamo Court.

Councilmember Herbst asked for the third district to be first. City Engineer Keely stated the recommendation can be made with the contractor.

Mayor Ryan asked if the roads will be re-evaluated in three years. City Engineer Keely replied the roads will be monitored and the City would come back and seal coat the road when needed.

Councilmember Herbst asked how old the homes are on 132nd. City Engineer Keely replied the developments are all over 20 years old.

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

12.4 [MO 12-035](#)

**AUTHORIZE CITY MANAGER TO ENTER INTO
CONTRACT WITH BARR ENGINEERING CO. IN A
NOT-TO-EXCEED AMOUNT OF \$22,000 IN
ACCORDANCE WITH THEIR PROPOSAL DATED
FEBRUARY 24, 2012 FOR A WELL SITING STUDY FOR
WELLS 18 AND 19 (IMPROVEMENT PROJECT NO. 11-08)**

Sponsors: Therres

Attachments: [Barr Well Siting Proposal.pdf](#)

Public Services Manager Therres stated staff is looking for Council's authorization to continue the process of looking for well fields for a new well in the northeast area in preparation for growth in the area.

Councilmember Bourke asked if there is a window of opportunity that needs to be completed. Public Services Manager Therres replied yes, we have a permit/authorization from the DNR.

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

12.5 [ORD 12-2239](#)

**CHARTER AMENDMENTS - ORDINANCE NO. 12-2239,
AN ORDINANCE AMENDING CHAPTER 2, FORM OF
GOVERNMENT, SEC. 2.03 ELECTIVE OFFICES, AND
SEC. 2.03(A), DISTRICTS, AND CHAPTER 4,
NOMINATIONS AND ELECTIONS, SEC. 4.06,
CANDIDATE FOR OFFICE**

Sponsors: Cross

Attachments: [Ord. No. 12-2239 Charter Amendments](#)

City Clerk Cross stated two charter amendment proposals were reviewed and supported unanimously by the Blaine Charter Commission. The first proposed amendment is a housekeeping amendment that would change the word "district" to "ward" throughout the Charter to make the election language consistent with the state and county forms. The second amendment would require all write-in candidates for the City Council to file a written request with the City's election official seven days before the general election in order to compile their write-in votes.

Councilmember Clark asked what happens if John Doe receives the most write-in votes. City Clerk Cross replied if John Doe is not registered with the City the votes would not be counted.

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

The Following Two Items are Related

12.6A [ORD 12-2246](#)

**AN ORDINANCE AMENDING CHAPTER 90, ARTICLE II -
WEEDS AND TALL GRASS, SECTION 90-36 -
ASSESSMENT OF ABATEMENT COST**

Sponsors: Cross

City Clerk Cross stated the Minnesota Supreme Court issued a redistricting plan establishing congressional, senate and legislative districts. She stated the cities were advised that April 3 was the deadline for establishing election wards and voting precincts. She stated the new council election wards become effective on August 14, 2012.

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

12.6 [RES 12-032](#)
B

REDISTRICTING, ESTABLISHING PRECINCT BOUNDARIES AND DESIGNATING POLLING PLACES

Sponsors: Cross

Attachments: [Revised Voting Precincts 3-8-12](#)

City Clerk Cross stated the Minnesota Supreme Court issued a redistricting plan establishing congressional, senate and legislative districts. She stated the proposed precinct boundaries and polling places have been determined and new polling places are Brookhall and the Minnesota School of Business.

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

The Following Two Items are First Readings

12.7 [ORD 12-2247](#)

AN ORDINANCE AMENDING CHAPTER 90, ARTICLE II - WEEDS AND TALL GRASS, SECTION 90-36 - ASSESSMENT OF ABATEMENT COST

Sponsors: Fiske

Community Standards Fiske stated the ordinance for first reading is language changes to the assessment of abatement cost for mowing costs within the City and change the wording from "eight percent penalty fee" to "administrative fee" pursuant to the City's fee schedule that is adopted by the City Council.

Declared by Mayor Ryan that Ordinance 12-2245, An Ordinance Amending Chapter 90, Article II – Weeds and Tall Grass, Section 90-36 – Assessment of Abatement Cost be introduced and placed on file for second reading at the April 5, 2012.

12.8 [ORD 12-2248](#)

AN ORDINANCE AMENDING APPENDIX D - FEE SCHEDULE OF THE BLAINE CODE OF ORDINANCES

Sponsors: Fiske

Community Standards Fiske stated this is to amend the City's fee schedule for mowing administrative fee of \$25 fee per parcel.

Councilmember Herbst asked if a certified letter is mailed to the property owner. Community Standards Fiske replied the City mails a letter of violation to the resident by US Mail.

Councilmember Herbst asked does the City do anything when a response is not received. Community Standards Fiske replied the inspectors do call, but the ordinance states a letter mailed.

Councilmember Herbst asked City Manager Arneson if a certified letter be mailed. City Manager Arneson replied a certified letter can be mailed on the larger parcels.

Declared by Mayor Ryan that Ordinance 12-2248, An Ordinance Amending Appendix D – Fee Schedule of the Blaine Code of Ordinances be introduced

and placed on file for second reading at the April 5, 2012.

The Following Item is a HANDOUT Item

12.10 [MO 12-038](#)

APPROVE A NAME CHANGE FOR KBDC SPORTS, INC. DBA THE CLUB, 10400 BALTIMORE STREET NE, #200, BLAINE TO KBDC SPORTS, INC. DBA J.J. MURPHY’S IRISH PUB.

Sponsors: Cross

City Clerk Cross stated The Club has completed an application requesting a name change to KBDC Sports Inc. dba J.J. Murphy’s Irish Pub. She stated the name change is for the business only and does not involve a change of owners, a change of corporate officers or a change of location of the business.

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

13. OTHER BUSINESS

None.

14. ADJOURNMENT

Moved by Mayor Pro Tem Kolb, seconded by Councilmember Bourke, that this meeting be Adjourned. The Motion was adopted unanimously. The meeting adjourned at 9:50 p.m.